Date: July 16, 2008

Reference: # CACFP CCC 2008-18

To: Child and Adult Care Food Program-Child Care Centers (CACFP-CCC) Contractors

Subject: Revision to CCC Handbook Items 2100 and 2225

Effective Date: Immediately

Purpose

REPLACE CCC Handbook Items:

• 2100, Eligibility Requirements, and
• 2225, Licensing.

NOTIFY contractors of the:

• Changes in licensing requirements and documentation;
• Availability of a list of elementary, middle and high schools in the State in which at least one-half of the children enrolled are certified eligible for free or reduced-price meals, to be used to establish area eligibility for participation in the At-risk Afterschool Snack component of the CACFP CCC; and
• Five year area eligibility determination period based on school data.

Implementation

Immediately

Procedure

Replace Item 2100, Eligibility Requirements, with the following:

You are eligible to apply to participate in the CACFP as a CCC contractor if you:

• Provide organized, nonresidential child care;
• Accept final administrative and financial responsibility for the program;
• Attend all required TDA training;
• Operate a nonprofit food service;
• Personally manage CACFP operations, i.e., you may not subcontract for the management of the CACFP operations. (Refer to Section 4000, Managing the Program, for additional information related to subcontracting);
• Provide adequate supervisory and operational personnel to effectively manage and monitor CACFP operations; and
• Restrict your employees from securing additional employment that interferes with their CACFP responsibilities and duties, e.g., scheduling or conflict-of-interest issues.

This Policy Remains in Effect Until Further Notice
Procedure continued

An emergency shelter may be eligible to participate in the CACFP if its primary purpose is to provide temporary shelter to homeless families with children. A shelter is only eligible to participate in the CACFP if children and their parents or guardians reside in the shelter. Generally, shelters combine overnight facilities with day programs, such as congregate meal services for homeless persons. A shelter can participate as an independent institution or a sponsoring organization of two or more shelter facilities.

Note: Residential child care institutions (RCCIs) provide temporary shelter for abused and runaway children. RCCIs are considered to be emergency shelters. However, an RCCI may serve homeless children who reside in the institution without their parents or guardians. In this situation, the RCCI may be eligible to participate in the National School Lunch Program, but is not eligible to participate in the CACFP as an emergency shelter.

You are also eligible to apply to participate in the CACFP At-risk Afterschool Snack program if you are a public or private nonprofit organization (including a school) that:

- Provides children with regularly scheduled activities in an organized, structured, and supervised environment;
- Includes educational or enrichment activities; and
- Is located in a geographical area served by a school in which 50 percent or more of the children enrolled are eligible for free or reduced-price school meals. Determinations of area eligibility are valid for five years, and are not required to be re-determined annually, unless TDA or the sponsor (for sponsored centers) obtains information indicating the at-risk afterschool center is no longer area eligible. Note: A list of elementary, middle and high schools in the State in which at least one-half of the children enrolled are certified eligible for free or reduced-price meals is available upon request from your Food and Nutrition Field Operations Office.

Replace Item 2225, Licensing, with the following:

At the time of your initial application and during each annual reapplication, you must provide documentation that each center has a current Department of Family and Protective Services (DFPS) license. Exception: Centers that are under federal government jurisdiction, e.g., those on military installations or Indian reservations, can be licensed or approved by the federal government or local tribal authorities in lieu of a DFPS license. You must provide certification that these centers comply with alternate licensing standards specified in the CACFP regulations.
**Procedure continued**

You must also provide documentation of your centers’ licensed status whenever their licenses are amended or relinquished, or provide documentation demonstrating compliance with procedures to renew licensing or approval.

**Exemptions to licensing requirements:**

At-Risk Afterschool centers, emergency shelters and outside-school-hours care centers exempt from licensing requirements must obtain a written statement of exemption from licensing requirements from the Licensing Division, Texas Department of Protective and Regulatory Services.

**Authority**

Final Rule – Afterschool Snacks in the Child and Adult Care Food Program.

**Contact**

If you have any questions please contact your Food and Nutrition Field Operations Office.