Reply to
Attn. of: CACFP-198

Subject: Child and Adult Care Food Program (CACFP) Policy Memoranda

To: STATE AGENCY DIRECTORS (Special Nutrition Programs) - Colorado DH, Iowa, Kansas, Missouri DH, Montana DHES, Nebraska ED, North Dakota, South Dakota, Utah and Wyoming ED

In our CACFP-180, dated January 11, 1990, we provided a list of policy questions and answers on the CACFP that were raised by State Agencies.

Attached is a list of additional questions and answers that have been raised subsequent to our January 11 memorandum. As we mentioned previously, we will continue to transmit any National policies as the need arises.

[Signature]

ANN C. HECTOR
Regional Director
Special Nutrition Programs

Attachments
Q. Can a State Agency (SA) require a separate agreement if a sponsoring organization has both family day care homes (FDCHs) and centers?
A. Yes, and separate claims could be required.

Q. A FDCH sponsor is using the basement of her home as her office. How is the allowable cost for the office space determined?
A. Determine the percentage of square feet used for CACFP by taking the total square footage in the home and dividing it by the square foot used for the office. Apply this percentage to the total value of the house and then take 2 percent of that amount, this will give the yearly use allowance. To get the monthly use allowance, divide the yearly use allowance figure by twelve.

Example: 2200 square feet in home, 200 square feet in office; 11 percent of square feet used for CACFP.

$85,000 house value x 11 percent = $9,350 x 2 percent = $187 \div 12 = $15.58$ monthly use allowance.

Q. Can FDCH providers charge for enrolled children’s meals when the meals are not approved on the application and not claimed for reimbursement?
A. The Regulations are specific on this issue. Part 226.18(d) states that meals shall be served at no separate charge to children enrolled in FDCHs. Also, Part 226.23(g) gives FDCH sponsoring organizations the responsibility to ensure that no separate charge for food service is imposed on families of children enrolled in participating FDCHs. Therefore, there can be no meal service charges by providers if they are participating in the CACFP.

Q. A FDCH operates for 9 months under a sponsoring organization but from the middle of June through September is licensed as a handicap center. Can she switch from one type of situation to the other each year?
A. The Regulations do not prohibit switching as long as the facility is adequately licensed. There would be increased paperwork as application approval would be needed for each switch.
Q. A FDCH provider wants to claim her stepchild's meals. She is currently married to and living with the child's father. The father has weekend visitation privileges; therefore, the child resides with them on weekends. Can the stepchild's meals be claimed?

A. The sponsoring organization's first responsibility must be to determine if the child should be considered the provider's own child. This child appears to fit that category. When staying with the provider on weekends, eligibility would be determined based on the FDCH provider's household income. If nonresidential children are in attendance for day care and the meals served to them are being claimed for reimbursement, the stepchild's meals can also be claimed for reimbursement if income eligible.

Q. A FDCH provider participating in the CACFP provides day care services for her husband's children only in a nonresidential setting. The children live across the street with their mother (the husband's first wife) who has legal custody. Can these children be claimed for reimbursement?

A. As long as the care provided is not on a residential basis, these children's meals would be eligible for reimbursement. For CACFP purposes, they would be treated as any other day care child. It is irrelevant that they live as close as across the street or, in this case, that their father is married to the FDCH provider.

Q. In a pricing program, can the SA delegate the responsibility for verification to the sponsor?

A. The SA may request the institution's assistance in acquiring the verification information, but the responsibility for actually conducting verification must be retained by the SA.

Q. Are aliens or citizens of other countries eligible to apply as FDCH sponsors?

A. From a CACFP perspective, the person/persons can apply and be approved if all other qualifications are met; i.e., nonprofit status, etc. Citizenship is not a CACFP requirement.

Q. Are Nature's Favorite Apple Chips creditable?

A. No, apple chips are not creditable for CACFP.

Q. Are Cutie Pie Turnovers creditable as a snack in the CACFP?

A. Yes, this turnover can be credited in CACFP the same as toaster pastries. These items are creditable for breakfasts and snacks. (Reference: page 119, Food Buying Guide)
Has the Regional Office issued a policy on Teddy Grahams?

This office has not issued specific policy on the creditability of Teddy Grahams. USDA's concern is that the bread/bread alternate component served meets the guidelines of being whole grain or enriched and the flour has to be the predominant ingredient by weight.