Subject: Reviews of School-Sponsored Outside-School-Hours Care Center

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

Section 226.16 (b) of Program Regulations requires each Child and Adult Care Food Program (CACFP) sponsoring organization (SO) to monitor the Program at all of its child care and adult day care facilities. This monitoring involves, among other things, assessing compliance with Program meal pattern requirements and recordkeeping requirements. The Regulations require SOs to visit outside-school-hours care centers six times each year, with the first review taking place in the first four weeks of operation.

Public Law 101-147, the Child Nutrition and WIC Reauthorization Act of 1989, enacted on November 10, 1989, made a number of changes to the CACFP. Included in those changes was a provision which reduced, from six to three, the number of yearly reviews necessary for school-sponsored outside-school-hours care centers.

The Department agrees that six reviews each year is unnecessary, considering: (1) that outside-school-hours care centers operate primarily during the 9-month school-year period; and (2) that most schools operating outside-school-hours care centers also operate the National School Lunch Program and are familiar with meal patterns and other Program requirements. Since this would be reduction in an administrative burden and the publication of Regulations implementing this provision have long been delayed, the Department is implementing this provision of the law through this policy memorandum. Schools operating outside-school-hours care centers may now reduce their monitoring visits to each of their facilities to three times each year.

A Regulation implementing this provision is currently under review at OMB. The rule, when it is published, will propose to amend Program Regulations to reduce the monitoring requirements from six to two visits each school year. However, until the final Regulation is published, the three monitoring visits cited in the law, rather than the two which will be proposed in the Regulation, will be required.
With regard to the timing of these reviews, the Department believes that a review early in the operational year of a center can be critical to successful Program participation. Therefore, it would appear prudent to maintain the requirement that the first review take place during each center's first four weeks of operation. In the interest of administrative flexibility and consistent with current Regulations, the dates of the other reviews may be determined by the school.

The publication of a final Regulation on this provision will nullify this memorandum.

Ann C. Hector

ANN C. HECTOR
Regional Director
Special Nutrition Programs