



Georgia Department of Early Care and Learning

BRIGHT FROM THE START: Georgia Department of Early Care and Learning

Nutrition Services

POLICY	No.: CACFP/02-17	Effective Date:	2/1/2002
		Revised:	10/1/2018
		Revision Effective:	10/1/2018

SUBJECT: Limitations on Transfers of Day Care Home Providers between Sponsoring Organizations in the Child and Adult Care Food Program (CACFP).

LEGAL AUTHORITY: Section 243 (f) of the Agricultural Risk Protection Act, Public Law 106-224; 7 C.F.R. § 226.25(b); O.C.G.A. § 20-1A-4

Cross Reference/See Also: DECAL Policy CACFP/00-5

I. PURPOSE

The purpose of this policy is to clarify the number of times day care home providers may transfer between sponsoring organizations per federal fiscal (program) year.

II. APPLIES TO

This policy applies to family and group day care homes and sponsoring organizations of family and group day care homes participating in the Child and Adult Care Food Program (CACFP).

III. DEFINITION(S)

"Day care home" means an organized nonresidential child care program for children enrolled in a private home located in a residential area, licensed or approved as a family or group day care home and under the auspices of a sponsoring organization. (7 C.F.R. § 226.2)

"Sponsor" or "Sponsoring organization" means a public or private nonprofit organization that is responsible for administering the food program for one or more day care homes. (7 C.F.R. § 226.2)

IV. POLICY

Bright from the Start: Georgia Department of Early Care and Learning (DECAL) will allow day

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care home providers to transfer between sponsoring organizations pursuant to applicable law and according to the procedures outlined in this policy. Day care home providers may transfer to a different sponsoring organization one time per federal fiscal (program) year unless DECAL approves, for good cause, any additional transfer(s) within the year. "Good cause" transfers are granted at the discretion of DECAL and are evaluated on a case-by-case basis. Examples of good cause include, but are not limited to:

- The sponsoring organization is out of business;
- The sponsoring organization no longer participates in the CACFP;
- The sponsoring organization terminates for convenience its agreement with the day care home provider. However, if the agreement is terminated for cause, the provider may not participate in the CACFP if the provider's appeal rights have been exhausted or the decision to terminate is upheld by the Hearing Official;
- Repeated failure of the sponsor to disburse program payments to the provider within five business (5) working days; or
- Failure of the sponsor to provide technical assistance to the provider.

A sponsoring organization must comply with DECAL Policy CACFP/00-5 when adding providers to its day care home sponsor agreement.

V. PROCEDURE(S)

A. Transfers under the "one time in the federal fiscal (program) year" option

Day care home providers wishing to transfer between sponsoring organizations must complete the following steps in order to comply with this policy and to successfully complete a transfer:

Step 1: Submit to the current sponsoring organization a written request to terminate the program agreement with the sponsor. The sponsor will complete and forward to the day care home provider a Termination Acknowledgment. If the sponsor is a GA ATLAS user, they must also terminate the provider on the web-based system. (See CACFP/02-14 Required Use of and Access to the Child Nutrition Program (GA ATLAS) web-based system.)

Step 2: Provide the new sponsoring organization with the Termination Acknowledgment. The new sponsor must complete the DECAL Child and Adult Care Food Program- Day Care Homes Enrolled Homes and Update Summary Form, adding the provider to its sponsorship. The new sponsor must then submit to form and a copy of the Termination Acknowledgement to DECAL.

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The new sponsor must maintain in its records a copy of the Enrolled Homes and Update Summary Form and the Termination Acknowledgement. Under DECAL Policy CACFP/00-5, DECAL must receive requests for additions to day care home sponsors' contracts by the 5th of the month that the provider wishes the change to be effective. Unless and until all of the documents required by this policy and Policy CACFP/00-5 are received by DECAL, the day care home will not be considered as part of the new sponsoring organization and shall not be included in that sponsor's claim for reimbursement. The new sponsor must add the new provider into the web-based system by the last day of the preceding month that the provider wishes the change to be effective and forward the registration forms to DECAL.

Step 3: DECAL will notify the sponsor in writing that the day care home provider has been added to its sponsorship (the transfer has been completed) or that the transfer is incomplete and the action(s) required for completion.

B. Transfers for "good cause"

When a day care home provider has transferred to a new sponsoring organization using its "one time in the federal fiscal (program) year" option, it is prohibited from transferring again unless there is good cause for the transfer. Included in this policy statement are examples of good cause. The procedures for requesting a good cause transfer are as follows:

Step 1: The day care home provider must submit to DECAL, in writing, a request to transfer for good cause. This written request must identify the reason(s) for the transfer and how the transfer benefits the day care home provider's operation of the CACFP.

Exception: A day care home provider does not need to submit a written request to transfer for good cause if the transfer is due to the sponsoring organization going out of business, voluntarily terminating its participation in the CACFP, or being terminated from the CACFP. In these cases, the day care home provider need only submit to the new sponsoring organization the Letter of Termination received from the previous sponsor and the new sponsor must complete the steps under Part A of these procedures to complete the transfer.

Step 2: DECAL will review the request for transfer for good cause. DECAL will

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approve or deny the request within fifteen (15) business days. Written notification of approval or denial will be sent to the provider. Denial of a request for transfer for good cause does not constitute an adverse action and therefore, may not be appealed.

Step 3: If DECAL approves the transfer for good cause, the day care home provider must complete the steps listed in Part A of these procedures.

VI. COMMENT(S)

Any questions concerning this policy should be directed to the Policy Administrator at (404) 651-8193.