



Georgia Department of Early Care and Learning

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

### **Nutrition Services**

<b>POLICY</b>	<b>No.: CACFP/04-31</b>	<b>Effective Date:</b> 6/8/2004
		<b>Revised:</b> 10/1/2019
		<b>Revision Effective:</b> 10/1/2019

**SUBJECT:** Procedures for Administrative Sponsors Terminating an Unaffiliated Center's Child and Adult Care Food Program Agreement

**LEGAL AUTHORITY:** O.C.G.A. § 20-1A-4(3) and 7 CFR § 226

*Cross Reference/See Also:* DECAL Policy Memorandum, "Guidance on Developing and Applying Appeal Procedures - Sponsors of Unaffiliated Centers (Admin Sponsors)," October 1, 2017; and DECAL Policy No. CACFP/01-16

#### **I. PURPOSE**

The purpose of this policy is to provide guidance to administrative sponsors when implementing their policy and procedures for terminating their Child and Adult Care Food Program (CACFP) agreement with centers under their sponsorship.

#### **II. APPLIES TO**

This policy applies to all administrative sponsors of unaffiliated centers participating in the Child and Adult Care Food Program.

#### **III. DEFINITION(S)**

"Administrative sponsor" means a private non-profit organization which is entirely responsible for administration of the Program in any combination of two or more child care centers, adult day care centers, and/or outside-school-hours care centers which are not part of the same legal entity as the sponsoring organization.

"Child care center" means any public or private nonprofit organization, or any proprietary title XX center licensed or approved to provide nonresidential child care services to enrolled children, primarily of preschool age, including but not limited to day care centers, settlement houses,

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neighborhood centers, Head Start centers and organizations providing day care services for children with disabilities. Child care centers may participate in the Program as independent centers or under the auspices of a sponsoring organization.

"Sponsor" or "Sponsoring organization" means, among other things, a public or nonprofit private organization that is responsible for administering the food program in two or more day care centers.

## IV. POLICY

Until further notice, please refer to State issued guidance, "An Overview of the Serious Deficiency Process in the CACFP (Exclusively for Sponsors of Day Care Homes and Unaffiliated Centers)," located on the Georgia Department of Early Care and Learning's (DECAL) website: <http://www.dec.al.ga.gov/CACFP/Handbook.aspx> under the blue heading entitled "Program Training/ Information."

Federal regulations are silent with respect to the serious deficiency, suspension, and appeals processes for unaffiliated centers. Therefore, DECAL is requiring administrative sponsors of unaffiliated centers to follow the same Federal guidance issued for sponsors of day care homes as outlined in DECAL Policy No. CACFP/01-16 - Procedures for Sponsoring Organizations Terminating a Day Care Home Provider's Child and Adult Care Food Program Agreement, with one exception as described below.

When applying Policy No. 01-16, disqualified unaffiliated centers are not required to be placed on the National Disqualified List (NDL). Instead, disqualified unaffiliated centers must be placed on DECAL's Georgia Disqualified List. When placed on the Georgia List, unaffiliated centers must remain on the List until DECAL determines the serious deficiencies have been corrected, or until 7 years after the center and the responsible principals and responsible individuals have been disqualified, unless a debt remains.

Note: Administrative sponsors of unaffiliated centers must adhere to the guidelines outlined in this policy. Further guidance regarding the serious deficiency, suspension, and appeals process for unaffiliated centers will be revised once the Final Rule clarifying and/or implementing these requirements is published.

## V. PROCEDURE(S)

Administrative sponsors of unaffiliated centers must follow the same Federal guidance issued for sponsors of day care homes as outlined in DECAL Policy No. CACFP/01-16 with the one added exception. Disqualified unaffiliated centers must be placed on the Georgia Disqualified List.

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## VI. COMMENT(S)

For additional resources, please refer to State issued guidance, "An Overview of the Serious Deficiency Process in the CACFP (Exclusively for Sponsors of Day Care Homes and Unaffiliated Centers)," located on the DECAL website.

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