



**Georgia Dept
of Early Care
and Learning**

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Area **Numbered
Policies**
Programs **CACFP**

Eligibility Requirements for Participating in the At-Risk Afterschool Meals Component of the CACFP, CACFP #34 (07-34)

LEGAL AUTHORITY

7 C.F.R § 226.2, USDA FNS SERO Memoranda 226.6-33, 226.19-03, 226.19-07, 226.19-11, dated July 20, 2001, January 21, 1999, December 22, 1999, and June 23, 2003, respectively. USDA Memoranda CACFP 01-2011, CACFP 04-2011, CACFP 15-2012 CACFP 08-2012, CACFP 04-2013, CACFP 03-2014 and The Healthy, Hunger-Free Kids Act of 2010 (Public Law 111-296).

Cross Reference/See Also

Bright from the Start Policy Memoranda, "Transitioning from the Summer Food Service Program to Child and Adult Care Food Program (CACFP) At-risk Afterschool Meals" (8/20/2014) and "Streamlined Application Processes in the CACFP for SFAs," (8/20/2014)

I. PURPOSE

This policy provides information on the at-risk afterschool meals component of the Child and Adult Care Food Program (CACFP). This policy also provides information on expansion of At- Risk Afterschool meals in the CACFP.

II. APPLIES TO

This policy applies to all institutions participating in the CACFP.

III. DEFINITIONS

"At-risk afterschool care program/center" means a public or private nonprofit organization that is

participating or is eligible to participate in the CACFP as an institution or as a sponsored facility and that provides nonresidential child care to children after school through an approved afterschool care program located in an eligible area. However, an Emergency shelter, may participate as an at-risk afterschool care center without regard to location.

"At-risk afterschool meal" means a meal that meets the requirements described in §226.20(b)(6) and/or (c)(1), (2), or (c)(3), that is reimbursed at the appropriate free rate and is served by an at-risk afterschool care center as defined in this section, which is located in a State designated by law or selected by the Secretary as directed by law.

"At-risk afterschool snack" means a snack that meets the requirements described in §226.20(b)(6) and/or (c)(4) that is reimbursed at the free rate for snacks and is served by an at-risk afterschool care center as defined in this section.

"Eligible area" means the attendance area of an elementary, middle, or high school in which at least 50 percent of the enrolled children are certified eligible for free or reduced price school meals.

"Free meal" means a meal served under the Program to a participant from a family which meets the income standards for free school meals; or to a child who is automatically eligible for free meals by virtue of "SNAP", FDPIR, or TANF reciprocity; or to a child who is a Head Start participant; or to a child who is receiving temporary housing and meal services from an approved emergency shelter; or to an adult participant who is automatically eligible for free meals by virtue of "SNAP" or FDPIR reciprocity or is a SSI or Medicaid participant. Regardless of whether the participant qualified for free meals by virtue of meeting one of the criteria of this definition, neither the participant nor any member of their family shall be required to pay or to work in the food service program in order to receive a free meal.

"For-profit center" means a child care center, outside-school-hours care center, or adult day care center providing nonresidential care to adults or children that does not qualify for tax-exempt status under the Internal Revenue Code of 1986. A for-profit center serving children must meet the definition of Child care center or Outside-school-hours care center as defined in this section and one of the following conditions during the calendar month preceding initial application or reapplication (Children who only participate in the at-risk afterschool snack component of the Program must not be considered in determining this percentage): (1) Twenty-five percent of the children in care (enrolled or licensed capacity, whichever is less) are eligible for free or reduced-price meals; or (2) Twenty-five percent of the children in care (enrolled or licensed capacity, whichever is less) receive benefits from title XX of the Social Security Act and the center receives compensation from amounts granted to the States under title XX (Children who only participate in the at-risk afterschool snack component of the Program must not be considered in determining above listed percentages).

"Institution" means a sponsoring organization, child care center, outside-school-hours care center, emergency shelter, or adult day care center participating in the CACFP. (7 C.F.R. § 226.2). It also includes homeless shelters and "at-risk" after school care programs.

"Person with disabilities" means a person of any age who has one or more disabilities, as determined by the State agency, and who is enrolled in an institution or child care facility serving a majority of persons who are age 18 and under.

IV. POLICY

A. Center Eligibility

To qualify for the At-risk Afterschool Meals Program component of the CACFP, the at-risk afterschool care program must:

1. Be area eligible. This means the at-risk afterschool care program must be located in a school zone of any elementary, middle, or high school in which 50 percent or more of the enrolled children are eligible for free and reduced-priced school meals. The Free and Reduced Lunch Data is used to determine whether any schools in the same school zone have 50 percent or more of the children eligible for free and reduced price school meals. Please Note: Area eligibility based upon school data is the ONLY method for establishing site eligibility. Census data may not be used to determine area eligibility in the at-risk afterschool meals component of the CACFP. In addition, sites may not collect participant income information to establish eligibility.
2. Operate a program that includes regularly scheduled and planned educational and/or enrichment activities in a structured and supervised setting organized to provide care after the school day has ended. Activities must be facilitated and supervised by staff of the afterschool program and provide for interaction and teaching opportunities between staff and enrollees. Therefore, programs that only provide time for students to complete homework would not qualify as an educational/enrichment activity.
3. Be operated by a nonprofit organization with tax exempt status under the Internal Revenue Code of 1986, or a for-profit organization that receive compensation from grants to the States under Title XX of the Social Security Act which in the State of Georgia means having at least 25% of the participants enrolled or its licensed capacity, whichever is less, receive child care subsidy benefits provided by Childcare and Parent Services and distributed through DECAL. This requirement must be met during the calendar month preceding initial application or annual reapplication for Program participation.
4. If a for-profit organization is operating only an after school care program, the organization may only be approved to serve as an outside school hours center when at least 25% of the center's participants qualify for free or reduced-priced meals, or are Title XX participants.

Other Center Eligibility

While the at-risk afterschool meals component of CACFP is primarily geared towards non- traditional child care centers such as drop in afterschool programs, traditional child care centers already participating in the CACFP also may participate. In this situation, children who do not attend school would continue to participate in the traditional CACFP meal service provided by the center, even during the "afterschool" hours. Please Note: Centers operating both the traditional and at-risk afterschool meals component of CACFP may only claim a total of two meals and one snack or one meal and two snacks, per child, per day, including the afterschool snack.

Schools that operate longer than the traditional school day may be eligible for at-risk

afterschool meal reimbursement, provided that it operates a school day that is at least one hour longer than the minimum number of school day hours required for the comparable grade levels by the local educational agency in which the school is located.

Emergency shelters that operate afterschool programs with educational enrichment activities for homeless children and youth during the school year may participate without regard to location.

Ineligible Childcare Programs

Day care homes are ineligible to participate in the at-risk afterschool meals component of the CACFP. Organized athletic programs engaged in interscholastic or community level competitive sports only (i.e., youth sports leagues such as "Babe Ruth" and "PopWarner" baseball leagues, community soccer and football leagues, area swim teams) that restrict or exclude children on the basis of particular skills or interests are also ineligible to participate in the at-risk afterschool meals component. However, afterschool care programs which include supervised athletic activity may participate if they are "open to all" and do not limit membership for reasons other than space or security or, where applicable, licensing requirements. For example, an afterschool police athletic league program that uses sports and recreational activities to provide constructive opportunities for community youth could be approved to participate.

B. Licensure or Approval

Federal Regulations do not require at risk afterschool centers to receive Federal, State, or local licensing or approval as a condition of eligibility; however, if State or local authorities require licensing or approval, then the center would have to be licensed or approved to participate in the CACFP. In Georgia, afterschool programs are required to be licensed unless the program has been determined to be exempt and has received an exemption from the appropriate state agency. Bright from the Start: Georgia Department of Early Care and Learning (DECAL) is the state agency that grants licenses or exemptions for non-residential childcare facilities.

Those sites which are not required to be licensed must also meet State or local health and sanitation standards which include compliance with zoning, certificate of occupancy, fire inspection, and health department requirements. For non-licensed At-Risk Afterschool Meals Program centers, that are not owned and operated by School Food Authorities (SFAs), and whose staff manipulates or alters unpackaged food items/components to produce a meal for Program participants are required to have a food service permit and a satisfactory health inspection report in order to operate. For further guidance on non-licensed CACFP institutions/facilities and the preparing of Program meals, please see [DECAL Memorandum, Requirements for Obtaining a Food Service Permit](#).

Centers other than programs operated by a public school system, any government entity, or Head Starts are required to submit their letter from the child care licensing agency indicating their exemption.

C. Participant Eligibility

At-risk afterschool programs may claim reimbursement only for meals and snacks served to children who participate in an approved afterschool program and who are age 18 or under at the start of the school year. Programs may be either drop-in or enrolled. Reimbursement may also be claimed for participants who turn age 19 during the the school year. There is no age limit for persons with disabilities.

Since the primary purpose of the at-risk afterschool care program is to assist schools and organizations that operate organized programs of care which include educational or enrichment activities known to help reduce or prevent children's involvement in juvenile crime or other high risk behavior, only those children which attend a school age program or persons with disabilities that attend a program throughout the day and attend the center after the school/program day has ended are eligible.

Children, who are of pre-primary grade (i.e. Head Start, Even Start, or Pre-K) and who are participating in an eligible afterschool care program after their regularly scheduled early education program, may be claimed for reimbursement (For Example: Serving lunch to children after half-day kindergarten or half-day Head Start Program is allowable through the at-risk afterschool meals component of the CACFP because their school day has ended. However, the same children receiving lunch at school cannot receive lunch at the at-risk afterschool program as well). Children who do not participate in a structured early education program would continue to participate in the traditional CACFP meal service provided by the center and cannot be claimed under the At-risk Afterschool Meals Program. Centers operating both the traditional and at-risk components of the CACFP may only claim a total of two snacks and one meal or two meals and one snack, per child per day.

Centers may enroll children that attend school outside the school zone, but schools outside the center's zone cannot be used to qualify the center for the at risk afterschool care program.

D. Times of Operation

When school is in session during the regular school year, meals and snacks served in the At-Risk Afterschool Meals Program must be served after the child's school day and during the hours the afterschool program is operating. Snacks and meals can be claimed if they are served on weekends and holiday breaks at any time of the day during the regular school year, but cannot be claimed during summer vacation. (To claim snacks and meals during the summer break, the program may participate in the Summer Food Service Program).

Centers that reside in school zones where schools are in session year round, may continue to claim during holiday breaks during the school year, but if there is a distinct summer break, for example a five week break between the end of a school year and the beginning of the next, snacks and meals can not be claimed during that period.

E. Reimbursement

All institutions participating in the at-risk afterschool meals component of CACFP are eligible to claim reimbursement at the free rate for up to one snack and one meal served to each eligible participant per day. At-risk afterschool meals and snacks must be served free of charge and are reimbursed at the applicable free rates (7 CFR Part 226.17a(n)).

V. PROCEDURES

Applying for the At-risk Afterschool Meals Program

A new organization applying to operate an At-risk Afterschool Meals Program must submit an application along with all supporting documents requested on the application checklist. Organizations that are currently approved to operate the CACFP and are adding the at-risk after school program to their currently approved application will complete the At-risk Afterschool Meals Program application only. Institutions who are adding a site that never participated in the CACFP will be required to submit an application based on the Add-a-Site Checklist specific for each institution's type. Centers must contact the local school district to determine which schools are located in the school zone of the physical address of the center. The center must then check the Free and Reduced Price Lunch Data supplied by Bright from the Start, which can be found on the agency website. Any of the schools in the center's school zone that meet the 50 percent requirement can be used to qualify the center as eligible. The Free and Reduced Lunch Data is obtained from the Department of Education and is updated on the Bright from the Start website by February 15th each year. Area eligibility determinations are valid for five years from the beginning of the month in which the determination was made. Whenever a determination of a center's eligibility is made, the most recent data available at the time must be used.

Participants that are enrolled in an approved at-risk afterschool meals component of CACFP must be placed on a separate roster for institutions operating both a traditional child care program and an at-risk afterschool program and claimed at the free rate. These participants are not included in the Income Eligibility Categories on the claim for reimbursement unless they are also enrolled in the traditional child care program for before school or holiday care and have an approved and correctly categorized Income Eligibility Statement on file.

In determining a for profit center's eligibility, only the enrollment/licensed capacity of the traditional child care component of the center should be considered in calculating whether the center meets the 25% criterion. For example, a child care center has 30 preschool children enrolled and operates an afterschool care program for school age children. The center would be able to claim reimbursement for both the traditional child care component and at-risk afterschool snack in any month in which at least 7 of the 30 preschool children receive child care subsidy benefits.

Recordkeeping

Along with other required CACFP documents, at-risk afterschool programs must maintain the following documentation:

- The Free and Reduced Lunch Data used to qualify the center for the at-risk afterschool

program (may be used for no more than five years), to include documentation supporting that a facility's location is in the zone area of a school that has 50 percent or more of the children eligible for free and reduced price meals.

- Each child's daily attendance;
- Menu records and daily point of service meal count forms; and
- Roster (for institutions operating both a traditional child care program and an at-risk afterschool program). Please Note: A roster is not required if the institution solely operates the at-risk afterschool program; instead, daily attendance records are required.

VI. COMMENTS

For questions concerning this memorandum, please contact the Policy Administrator at (404) 651-8193.