USDA

United States
Department of
Agriculture

Food and
Consumer
Service

Mountain Plains
Region

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Reply to
Attn. of: SP 99-12
CACFP-568

Subject: Afterschool Snacks in the National School Lunch (NSLP) and the At Risk Component of the Child and Adult Care Food Program (CACFP)

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

On January 19 we issued a policy memorandum "Reimbursement for Snacks in After School Care Programs (SP-99-10); (CACFP-565). After issuing this policy memo, we received a number of questions regarding the implementation of this new meal service. We forwarded all of your questions to our Headquarters and in a effort to respond to them, they have provided the first set of questions and answers which are attached. They intend to follow up with a second set in the near future.

Please note a change in the criteria for eligible afterschool care programs. In the January 19, 1999 policy issuance, Headquarters stated, *"To be eligible to qualify for reimbursement under the NSLP, after school care programs must meet the following criteria: First: they must be run by a school that is eligible to operate the NSLP…"* They have been advised by counsel that this interpretation does not conform to the requirements of Section 17A of the National School Lunch Act. Under Section 17A(a)(2)(A), eligible schools are schools that "*operate school lunch programs under this Act…*"

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As a result, you will note that Question 1 revises the eligibility criteria for the NSLP. Under the NSLP, "*a school food authority must operate the lunch component and the school district must sponsor or operate an afterschool care program which: a) provides children with regularly scheduled activities in an organized, structured and supervised environment: and b) includes educational or enrichment activities.*"

We regret any confusion and inconvenience this may cause, however, you are reminded that any school that cannot claim reimbursement for snacks under the NSLP as a result of this change may be eligible to participate in the at risk component of the CACFP.

We appreciate your assistance in providing questions for consideration. If you need additional information or clarification, please contact our office.

Ann C. DeGroat

ANN C. DEGROAT
Regional Director
Child Nutrition Programs

Attachment

02/17/99

AFTERSCHOOL SNACKS

QUESTIONS AND ANSWERS I -- Implementation in the National School Lunch Program (NSLP) and the At Risk Component of the Child and Adult Care Food Program (CACFP)

- **ELIGIBLE PROGRAMS**

1) What are the approval criteria for afterschool care programs?

Under the NSLP, a school food authority must operate the lunch component and the school district must sponsor or operate an afterschool care program which:

a) provides children with regularly scheduled activities in an organized, structured and supervised environment; and
b) includes educational or enrichment activities.

Under the CACFP, a public or private nonprofit organization (including a school) must operate an afterschool care program which:

a) provides children with regularly scheduled activities in an organized, structured and supervised environment;
b) includes educational or enrichment activities; and
c) is located in a geographical area served by a school in which 50 percent or more of the children enrolled are eligible for free or reduced price school meals.

2) Are there any afterschool care programs that may not be approved?

Yes. Organized athletic programs engaged in interscholastic or community level competitive sports only (i.e., youth sports leagues such as "Babe Ruth" and "Pop Warner" baseball leagues, community soccer and football leagues, area swim teams) may not be approved. However, afterschool care programs which include supervised athletic activity may participate provided that 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 in the CACFP at risk afterschool snack service.

3) Does the "open to all" criterion apply to programs other than interscholastic sports programs?

No. Afterschool care programs that are designed to accommodate special needs or that have other limiting factors, may be eligible to participate. They may include, but are not limited to programs targeted to children who have learning disabilities or programs for children who are academically gifted.

SQ Questions and answers

4) Is licensing required for an afterschool care program?

Otherwise eligible afterschool care programs do not need to be licensed in order to participate unless there is a State or local requirement for licensing. If there is no State or local requirement for licensing, then afterschool care programs must meet State or local health and safety standards. Organizations should check with their State and local health departments to determine the requirements they must meet to operate an afterschool care program in their community. Existing afterschool care programs that have not had a meal service as part of their program in the past should also check with State and local health department officials to determine whether any additional requirements apply as a result of the service of an afterschool snack.

5) Can a traditional child care center already participating in the CACFP qualify for at risk afterschool snack reimbursements?

Yes. A child care center located in the attendance area of a school in which at least 50 percent of the enrolled children are eligible for free or reduced price meals may qualify for CACFP at risk afterschool reimbursements for free snacks served to children who attend the center after their school day has ended. Children who do not attend school would continue to participate in the traditional CACFP meal service provided by the center. Centers operating both the traditional and at risk components of the CACFP may only claim a total of 3 meals, or 2 meals and 1 snack, per child per day.

6) Are programs that operate on weekends eligible for reimbursement?

Under the CACFP at risk afterschool care provisions, snacks may be reimbursed if they are served on weekends or holidays, including vacation periods (e.g., Spring break), during the regular school year only.

Under the NSLP, school food authorities are not eligible to receive reimbursement for afterschool snacks served on weekends or holidays, including vacation periods, during the regular school year. School food authorities may not claim reimbursement for snacks served in the summer, except as specified in Question 7.

7) Are programs that operate during the summer vacation eligible for reimbursement?

Under CACFP, at risk afterschool snacks may not be reimbursed during summer vacation. Organizations that wish to operate programs during the summer when school is not in session may receive reimbursement for meals and snacks through the Summer Food Service Program. In areas where schools operate on a year-round basis (i.e., the regularly scheduled school year is year-round), at risk afterschool care programs may receive reimbursement for snacks through the CACFP all year.

Under the NSLP, school food authorities may claim reimbursement for lunches (and breakfasts under the School Breakfast Program) served during the summer months when operating a summer school which is an integral part of the curriculum or an extension of the local educational program. Such school food authorities may also claim reimbursement for snacks served to children in afterschool care programs during this period.

- **AREA ELIGIBILITY FOR REIMBURSEMENT PURPOSES**

8) How does an afterschool care program site qualify as area eligible?

For the NSLP and CACFP, an afterschool care program site qualifies as area eligible if it is located in the attendance area of a school (i.e., elementary, middle or high school) which has at least 50 percent of its enrollment eligible for free or reduced price meals. For example, if a high school with less than 50 percent free or reduced price school enrollment is located in the attendance area of a middle school that has 50 percent or more of the enrolled children eligible for free or reduced price meals, then the high school's afterschool care program would be area eligible.

9) How should organizations operating afterschool care programs that want to participate through the CACFP obtain free and reduced price school enrollment data?

These organizations should contact the State agency that administers CACFP. The State agency receives free and reduced price enrollment data on an annual basis for purposes of administering the family day care home component of CACFP. Section 210.19(f) of the NSLP regulations requires each State agency that administers the NSLP to annually provide to the CACFP State agency a list of all elementary schools in the State in which 50 percent or more of the enrolled children have been determined eligible for free or reduced price meals. For middle school and high school data, we recommend that the CACFP State agency coordinate with the NSLP State agency to obtain a list of eligible schools. If that information is not available at the State level, then organizations should go directly to the appropriate school district or private nonprofit school.

10) Can school district wide data be used to establish area eligibility, or must data from individual school buildings be used?

Only data from the appropriate individual school(s) may be used to establish a site's area eligibility.

- **APPLICATIONS/AGREEMENTS**

11) How do interested schools and organizations participate in these programs?

The State agency must establish application procedures for interested school food authorities/districts and organizations. At a minimum, the application must enable the State

agency to determine whether the eligibility criteria for the NSLP or CACFP (as specified in Question 1) are met. Additionally, the application must identify all afterschool care program sites and, for area eligible sites, provide documentation of the attendance area within which the applicant sites are located. If the school food authority or organization is approved, they must enter into an agreement with the State agency which specifies the terms and conditions of participation.

12) For a school or organization that is already participating in the NSLP or CACFP and now wants to provide afterschool snacks, does its agreement with the State agency need to be amended?

Yes. Once the State agency approves the school food authority's or organization's application to provide afterschool snacks, the agreement with the State agency needs to be amended to reflect this additional meal service and its requirements. This amendment could be as simple as a letter specifying the terms and conditions of expanded participation in afterschool snack service.

- **REIMBURSEMENT**

13) What records are required to receive reimbursement for snacks served October 1, 1998 or later?

In the NSLP, the following records must be maintained:

- For sites that are not area eligible, free and reduced price applications for all children for whom free and reduced priced snacks are claimed.
- Meal counts (total for sites qualifying for free reimbursement for all children; meal counts by type for other sites).
- Documentation for each day of a child's attendance.
- Documentation of compliance with meal pattern requirements and production records.

In the CACFP, the following records must be maintained:

- Total meal counts.
- Documentation for each day of a child's attendance.
- Documentation of compliance with meal pattern requirements.

14) Are eligible afterschool care programs that served snacks on or after October 1, 1998, entitled to receive CACFP or NSLP retroactive reimbursement for these snacks?

Yes, if the school food authority or organization meets all eligibility requirements (as specified in Question 1) for the period of time during which the snacks were served and documentation was maintained (as specified in Question 13), then it is entitled to receive retroactive reimbursement through the NSLP or through the at risk component of the CACFP, as appropriate.

15) Must organizations that want to receive retroactive reimbursement for snacks served on or after October 1, 1998, already have been participating in the CACFP or NSLP at that time?

Retroactive reimbursement to October 1, 1998, is available for all afterschool care programs that met the eligibility requirements (as specified in Question 1) and maintained documentation (as specified in Question 13). Note that school food authorities must operate the lunch component of the NSLP in order to receive reimbursement.

- **ELIGIBLE CHILDREN**

16) Are afterschool snack reimbursements restricted to children ages 13-18?

No. Reimbursement may be claimed for snacks served to all children through the age of 18 in eligible afterschool care programs. Reimbursement may also be claimed for those children who turn age 19 during the school year.

17) Are afterschool care programs eligible to receive reimbursement for snacks served to pre-primary children?

Snacks served to children who are attending classes of preprimary grade in a school (e.g., Head Start or Even Start) and who are participating in an eligible afterschool care program after their regularly scheduled school program may be claimed for reimbursement.

- **MEAL SERVICE REQUIREMENTS**

18) Are point of service meal counts and production records required?

Meal counts taken at the point of service are not required for afterschool snack service though individual State agencies may require them. However, accurate meal count records must be maintained. Production records are required for programs operating through the NSLP and documentation of compliance with the meal pattern is required under CACFP.

- **REPORTING**

19) What data must State agencies submit for the FNS-10 and FNS-44 forms?

The FNS-10 and FNS-44 are being revised to permit reporting of afterschool snacks. Draft copies of the revised forms will be sent to all Regions shortly.