

October 08, 1993

Child and Adult Care Food Program (CACFP) - Group Day Care Homes

Regional Directors
Special Nutrition Program
All Regions

It has come to our attention that several States are allowing child care conducted in buildings which are not private residences to be considered day care homes for purposes of Child and Adult Care Food Program (CACFP). This memorandum clarifies our policy on the participation of group and family day care homes.

Program regulations clearly state (in 226.2, Definition of Day Care Home) that: "Day care home means an organized nonresidential child care program for children enrolled in a **private home**, licensed or approved as a family or group day home and under the auspices of a sponsoring organization." To participate in the CACFP as a day care home, day care must be conducted in a private residence.

The purpose of the group and family day care home provision is to assist small, home-based, child care efforts operated by the individual themselves in their homes. While we are aware that day care situations have evolved and parameters are no longer easily defined, we believe that the nature of those group and family day care homes for which CACFP benefits are intended are those which provide day care to small groups of children in a private home.

While we recognize the right and responsibility of State and local agencies to license homes as they see fit, not all such licensed facilities are eligible for CACFP benefits. A CACFP-eligible home is one which operates in a private residence. A residence may be either a single family home or an individual apartment unit. We are aware that, in some cases more than one provider may operate out of the same residence. When this does occur, both individuals must be licensed by the State at the same residence, care for different children on **different shifts**, and both providers must participate under the same sponsoring organization.

The contents of this guidance document do not have the force and effect of law and are not meant to bind the public in any way. This document is intended only to provide clarity to the public regarding existing requirements under the law or agency policies.

We recognize that this memorandum may result in the disqualification of facilities now operating in the CACFP as day care homes. In order to avoid disruption of service to children, a State agency may provide some time to allow a disqualified provider to make the appropriate adjustments or to prepare for the discontinuation of program participation. However, in no case may a disqualified provider be allowed to participate in the Program for longer than one year after he/she has been notified of his/her disqualification. Effective immediately, no new providers may be approved that do not comply with the provisions of this memorandum.

If you have any questions concerning this policy, please contact Robert Eadie or Norma Ball at 703/305-2621.

/ORIGINAL SIGNED/

STANLEY C. GARNETT
Director
Child Nutrition Division