

Posted: 4/8/2015

To: SFSP Directors and Area Managers

Subject: SFSP 15-07 Licensed Daycare Facilities and CNP Participation

This memo is intended to provide guidance to Child Nutrition Program (CNP) staff on rules/regulations surrounding Licensed Daycare facilities and CNPs.

This information applies to School Food Authorities (SFAs) participating in the National School Lunch (NSLP) and/or School Breakfast Programs (SBP) with licensed daycare facilities on campus, as well as to Summer Food Service Program (SFSP) sponsors that currently serve (or are considering providing service to) licensed daycare facilities. This information also impacts sponsors participating in the Child and Adult Care Feeding Program (CACFP).

Prior to providing service to a potential new (or a returning) licensed daycare facilities, sponsors/SFAs should request a copy of the daycare center's current state license. Daycare facilities that are licensed Class B (Type 1) centers are **not** allowed to receive any federal or state funds, directly or indirectly. **If you are a sponsor/SFA that is presently providing CNP services to a Class B (Type 1) licensed daycare center, please notify LDOE immediately.**

Class B (Type 1) licensed daycare facilities do occasionally request for SFAs/sponsors to furnish meals. In these cases, the SFA/sponsor may provide these services on a "contractual" basis only. Through the agreement entered into between the daycare center and the SFA/sponsor, meals are provided in accordance with pre-determined instructions for a set rate throughout the program year. These meals **cannot** be claimed for reimbursement under any Federal Child Nutrition Program. If a center contracts with a third party vendor for meal preparation, the center is still providing the meal service under the state Licensing Regulations. Please note that section 1919 A. states that, "All meal and snacks provided by the center, and their preparation, service and storage, shall meet the requirements for meals of the U.S. Department of Agriculture (USDA) Child and Adult Care Program (CACFP) and 7 CFR 226.20 and the Louisiana Sanitary Code, Title 51, Part XXIII, found at LAC 51:XXXIII."

Type II and Type III licensed daycare centers are eligible to receive funds from Federal Food and Nutrition Programs. Federal food and nutrition programs are defined as "federal nutrition reimbursement programs funded by the U.S. Department of Agriculture through the Louisiana Department of Education, Division of Nutrition Support." Type II licensed facilities receive public funding through the Federal Food and Nutrition Programs ONLY and Type III licensed facilities receive funding from sources other than or in addition to the Federal Food and Nutrition Programs. There are different licensing requirements for each type of license.

For Type II and Type III licensed daycare facilities requesting services from National School Lunch/ School Breakfast and/or Summer Food Service programs, the sponsoring authority or school food authority must determine if the center is receiving services from another Federal food program, such as CACFP. The children may not participate in any two federal programs at the same time, with the exception of the CACFP "At Risk" Program which provides supper and/or snack meal service. The NSLP and SBP may be provided to children enrolled in Type II and III daycare facilities that also participate in the CACFP "At Risk" program provided that snacks are not offered through both NSLP and CACFP and the children are considered "enrolled" in the school district which offers the NSLP/SBP.

If a licensed daycare facility chooses to participate in CNP(s), there are regulations that prevent additional children from the community (other than those enrolled at the facility) from participating in CNP(s) at the licensed daycare facility.

Please contact the LA Department of Education, Division of Nutrition Support (DNS), and/or the Division of Licensing for more information.