

**SOUTH CAROLINA DEPARTMENT OF SOCIAL SERVICES  
POST OFFICE BOX 1520  
COLUMBIA, SOUTH CAROLINA 29202-1520**

May 17, 2011

**MEMORANDUM**

**TO:** All Child and Adult Care Food Program Administrators

**FROM:** Mary A. Young, Program Manager  
Child and Adult Care Food Program

**SUBJECT:** Child and Adult Care Food Program Applications, CACFP Policy 11-13

The Healthy, Hunger-Free Kids Act of 2010 (the Act), Public Law 111-296, modifies the requirements for the periodic submission of renewal applications by institutions participating in the Child and Adult Care Food Program (CACFP). The purpose of this memorandum is to provide guidance on the implementation of this modification to the CACFP.

Section 331(b) of the Act amends Section 17(d) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766(d)) with regard to institution application requirements in the CACFP. Under previous statutory and regulatory requirements, renewing institutions were required to re-apply at intervals of between 12 and 36 months after their initial application was approved by the State agency. Section 331 of the Act stipulates that institutions will no longer be required to re-apply after submitting the initial application; rather, they will be required to submit annually information as described below.

Thus, the requirements set forth at 7 CFR §226.6(b)(1) for new institutions submitting an initial application remain unchanged. However, renewing institutions are no longer required to submit a renewal application. Instead, renewing institutions will be required to annually submit:

- Updated licensing information for each independent center and facility participating in CACFP (this represents no change from current regulations at 7CFR §226.6(f)(1)(vi)). Since the current policy allows the State agency to obtain this information directly from the State licensing agency rather than requiring submission by the institution, our office will confirm the licensing status of participating child care facilities with the South Carolina Department of Social Services (SCDSS) Child Care Licensing and Regulatory Services. Sponsoring organizations must continue to maintain a copy of the sponsored facility's current license or registration in their file.

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- A single certification that any information previously submitted to the State to support all of the eligibility requirements set forth in 7 CFR §226.6(b)(2) for the institution, its facilities and all of its current principals is current, or that the institution has submitted any changes or updates to the State. This certification must address all required elements. Our office will continue using the process previously used for application updates.
- For sponsoring organizations, a budget for the upcoming year and, if required by the State agency, a budget for independent centers (this represents no change from current regulations at 7 CFR §§226.6(f)(1)(iv) and 226.6(f)(3)(iv)(A)).

All annual responsibilities contained in 7 CFR §226.6(f)(1) continue to apply.

The United States Department of Agriculture (USDA) Food and Nutrition Service (FNS) plans to issue a proposed rule implementing these and other changes. However, until FNS analyzes comments on the proposed rule and issues a final rule, participating institutions are required to submit only the updated information specified by the State agency.

Please contact your CACFP consultant if you have any further questions concerning this policy.