



North Carolina Department of Health and Human Services
Division of Public Health Women's & Children's Health Section

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Michael F. Easley, Governor

Carmen Hooker Odom, Secretary

April 5, 2002

CACFP 0 2-25

MEMORANDUM

TO Sponsoring Organizations of Day Care Homes

FROM Arnette Cowan, MS, RD, LDN
Head, Special Nutrition Programs

SUBJECT Definition of "Providers' Own Child" in the Child and Adult Care
Food Program (226 : 0 2-0 2)

Provisions in Section 17(a) of the National School Lunch Act limit participation in the Child and Adult Care Food Program to nonresidential institutions providing care. This provision clearly excludes residential institutions from the CACFP, but does not address the receipt of benefits by children who live in child care facilities which are, in character, nonresidential and are participating in the CACFP.

The Congressional intent remains — the CACFP should serve only nonresidential child care situations. Children living with their child care provider are not eligible to receive CACFP. The only exception to this provision is a foster child who may live with a provider.

A foster child is defined as a ward of the court or welfare agency who has been placed in residence in a private household. Since the court or welfare agency retains legal responsibility for such a child, the foster home is an extension of the agency, and a foster child is considered a household of one and is eligible for CACFP benefits. Also, excepted are children of a family day care home provider (termed "provider's own children), who may, by law, receive CACFP meal benefits if the provider's household qualifies for free or reduced price meals.

Several provisions of the Public Law 101-147 are directed at expanding program participation in low-income households. Therefore, the definition of "provider's own children" includes all residential children in a household who are a part of the economic unit of the family. Children living with grandparents or other non-parental family members are included in the provisions.

In the Child and Adult Care Food Program (CACFP), a family is defined as a group of related or unrelated individuals who are not resident of an institution or boarding house, but who are living as one economic unit. An economic unit is a group of related or unrelated people who share housing and all significant income and expenses. Children whose parents or guardians have made a contractual agreement, whether formal or informal, with a provider for residential child care, and whose relationship with the provider is defined primarily by the child care situation, are not considered the "providers own."



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For eligibility purposes, at least one nonresidential child must receive care by the provider in order for the provider to qualify as a family day care home. Under the program, meals are reimbursable if a nonresidential child is in attendance and participating in the meal service.

If you have questions, please contact your regional consultant.

AC/ERB/clg

cc: SNP Staff
Auditor