# SNP Memo #2023-2024-17


**COMMONWEALTH of VIRGINIA
Department of Education**

DATE: August 31, 2023

TO: Directors, Supervisors, and Contact Persons Addressed

FROM: Sandra C. Curwood, PhD, RDN, ***Sandy***

## SUBJECT: Certification of Ineligibility to Participate in the Child and Adult Care Food Program

The purpose of the memorandum is to provide guidance on the Virginia Department of Education, Office of School Nutrition Programs (VDOE-SNP), procedure for collecting certification forms from local education agencies (LEA) ***ineligible*** to participate in the At-Risk Afterschool Meals portion of the Child and Adult Care Food Program (CACFP) due to no regularly scheduled afterschool academic or enrichment activities or a community organization operating the CACFP in the eligible school(s).

### CACFP Mandate

The Code of Virginia §22.1-207.4:2 requires that effective July 1, 2022, each LEA with a school(s) that have 50 percent or more students eligible for free or reduced-priced meals in the National School Lunch Program (NSLP) and also offer regularly scheduled afterschool enrichment or academic activities must participate in the CACFP.

This requirement can also be met if a community organization participates in the CACFP in the LEA’s eligible school(s). Schools without afterschool enrichment or academic activities are exempt from this requirement.

The Code of Virginia §22.1-207.4:2 includes authority for the Superintendent of Public Instruction to waive this requirement if an evaluation determines participation in the CACFP is not financially viable for the LEA. Waiver applications are available in the *Download Forms* section of SNPWeb.

### Certification Form

LEAs with a school(s) that have 50 percent or more students eligible for free or reduced-priced meals in the NSLP but ***do not*** offer regularly scheduled afterschool academic or enrichment activities are required to submit a *Certification of Ineligibility to Participate in the Child and Adult Care Food Program* (Attachment A) form.

LEAs compliant with the mandate due to a community organization participating in the CACFP in the LEA’s eligible school(s) must also submit a certification form.

This form must be signed by the LEA’s superintendent and uploaded to the *Attachments* section of the school year 2023–2024 NSLP SNPWeb application packet by October 1, 2023.

This information will also be included in an upcoming *Virginia Education Update* Newsletter.

### Action Required

* The LEA’s superintendent must sign the *Certification of Ineligibility to Participate in the Child and Adult Care Food Program* form, certifying the LEA does not offer regularly scheduled afterschool enrichment or academic activities, or a community organization is operating the CACFP to satisfy the requirement.
* The school nutrition director must upload the signed certification form to the *Attachments* section of the school year 2023–2024 NSLP SNPWeb application packet by October 1, 2023.
* No action is required if:
	+ the LEA does not have a school(s) with 50 percent or more students eligible for free or reduced-priced meals in the NSLP; or,
	+ the LEA is already participating in the CACFP.

**For More Information**

For more information, please contact Maggie Parker, Child Nutrition Programs Coordinator, via phone at (804) 786-1147 or via email at Maggie.Parker@doe.virginia.gov.

SCC/MVP/cc

**Attachment**:

1. Certification of Ineligibility to Participate in the Child and Adult Care Food Program