



United States  
Department of  
Agriculture

Food and  
Nutrition  
Service

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**DATE:** December 17, 2010

**MEMO CODE:** CACFP 04-2011

**SUBJECT:** Child Nutrition Reauthorization 2010: Nationwide Expansion of At-Risk Afterschool Meals in the Child and Adult Care Food Program

**TO:** Regional Directors  
Special Nutrition Programs  
All Regions

State Directors  
Child Nutrition Programs  
All States

The Healthy, Hunger-Free Kids Act of 2010 (the Act), Public Law 111-296, was signed into law by the President on December 13, 2010. The Act extends eligibility for at-risk afterschool meal reimbursement to all States participating in the Child and Adult Care Food Program (CACFP). The purpose of this memorandum is to provide guidance on the implementation of this expansion in CACFP.

Section 122 of the Act amends Section 17(r) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766(r)) to extend eligibility for at-risk afterschool meal reimbursements to all States participating in the CACFP. Previously, reimbursement for at-risk afterschool snacks was available in all States; however, only 14 designated States were allowed to reimburse for meals, typically suppers, in afterschool care programs. Effective October 1, 2010, all institutions participating in the at-risk afterschool care component of CACFP are eligible to claim reimbursement at the free rate for up to one snack and one meal served to each eligible participant per day. At-risk afterschool meals and snacks must be served free of charge and are reimbursed at the applicable free rates (7 CFR §226.17a(n)). Regulations and guidance regarding the implementation of an afterschool meal program can be found at [www.fns.usda.gov/cnd/care/Afterschool.htm](http://www.fns.usda.gov/cnd/care/Afterschool.htm).

Because the provision extending eligibility for at-risk afterschool meal reimbursements is retroactive to October 1, 2010, any institution currently participating in the at-risk afterschool care component of CACFP that has documentation to support that it served reimbursable meals to eligible children on or after October 1<sup>st</sup> may amend their claims to be reimbursed for those meals retroactively. Final amended claims for meals served in October, November, and December 2010 shall be submitted to the appropriate State agency no later than February 28, 2011. States will be allowed to reimburse these institutions without regard to the required 60-day reimbursement claim deadline through this date. State agencies shall submit their final claims for October, November, and

AN EQUAL OPPORTUNITY

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.

Regional Directors  
State Directors  
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December, no later than April 30, 2011. Beginning with the January claim, all reimbursement claims should be submitted according to the regular claiming deadlines.

States should ensure that participating institutions operating at-risk afterschool snack programs or other afterschool programs for children are made aware of this important opportunity as soon as possible.

State agencies should direct any questions concerning this guidance to the appropriate FNS Regional Office. Regional Offices with questions should contact the Child Nutrition Division.

**Original Signed**

Cynthia Long  
Director  
Child Nutrition Division