



State of Arizona
Department of Education

CACFP CN# 005-12

MEMORANDUM

TO: Child and Adult Care Food Program Sponsoring Organizations

FROM: Mary Szafranski, Deputy Associate Superintendent
Arizona Department of Education, Health and Nutrition Services

Melissa Conner, Director
Child and Adult Care Food Program

Original Signed

DATE: January 1, 2012

SUBJECT: Timeliness of Alternately Approved Home Inspections / Fingerprint Clearance Cards

The Department of Education (ADE), Child and Adult Care Food Program (CACFP) wishes to provide clarification regarding the scheduling of inspections and submitting applications for fingerprint clearance cards. In the past, CACFP made recommendations in an attempt to assist sponsoring organizations who strived to ensure timely compliance with the annual health inspections, annual fire inspections and fingerprint clearance card renewals. Additionally, in the spirit of good faith effort, CACFP would credit provider inspections as timely if the sponsor actively pursued the recommendations of CACFP staff.

Unfortunately, ADE will no longer be able to provide recommendations or considerations as some sponsors have misconstrued the scheduling recommendations of CACFP staff as policy. The Code of Federal Regulations does not grant state agencies the authority to provide consideration in the event of an untimely inspection. Sponsors have always been responsible for working directly with inspection authorities, asking each authority how much advance notice is needed to ensure a timely inspection, and following the guidance provided by the authority. More importantly, if the provider fails to receive a passing inspection within 12 months from the previous inspection, the provider cannot participate on CACFP until all AA requirements are successfully fulfilled.



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Please review both 7 CFR § 226.6(d)(3)(iii)(A) and (B) as these regulations mandate a current health and fire inspection for alternately approved homes. What is considered current is an inspection conducted by local authority within the past 12 months. This regulation doesn't allow for any time beyond the 12 months for a renewal inspection to be considered as timely. Additionally, 7 CFR § 226.6(d)(4) states that the state agency shall require submission of health/sanitation and fire/safety permits or certificates for all facilities seeking alternate child care standard approval. It also identifies that state agencies can require the sponsors to submit, on behalf of the providers, the current child care standards. This requirement has been successfully in effect and will continue.

Additionally, fingerprint clearance card renewals cannot lapse when a provider wishes to remain active on CACFP. Arizona Revised Statute 46-321 does not provide a grace period for renewing a fingerprint clearance card. Sponsors and providers are encouraged to work together to determine the amount of time necessary to submit the fingerprint renewal requests to ensure the fingerprint clearance **does not expire**. Sponsors can get useful information from the Department of Public Safety website located at <http://www.azdps.gov/services/fingerprint/> as it provides numerous answers to frequently asked questions, including how much time is necessary to ensure a fingerprint card is timely re-issued.

Because sponsors have become dependent on their current process for fingerprint card renewing, ADE is willing to allow a small amount of transition time for sponsors to review their current policies and to implement effective changes. ADE will only accept a copy of the current fingerprint clearance card for renewing providers after February 15, 2012. Copies of fingerprint clearance card applications will no longer be accepted **for renewing** providers after the identified transition date.

Please make all necessary changes to your internal process or systems to ensure timely renewal of required health and fire inspections and fingerprint clearance cards.

ADE appreciates the time and effort that sponsors take to ensure the child care standards, inspection documents and fingerprint clearance cards are submitted to this agency to demonstrate the alternately approved providers are in compliance with all applicable requirements.

Please contact your specialist if you have further questions.

