

TEXAS POLICY

In Texas, organizations that contract directly with Texas Department of Agriculture's USDA federally funded nutrition programs are called Contracting Entities or CEs. The Summer Food Service Program (SFSP) is identified as a nutrition program and, as such, sponsors are considered CEs.

Child Care Licensing – Shared Space

Some contracting entities (CEs) may be both child care centers and sponsor the Summer Food Service Program (SFSP). These CEs must follow specific rules regarding sharing the same indoor and outdoor activity spaces that are licensed for their child care center for the operation of their SFSP site.

The rules and regulations for licensed child care centers, dated December 2010, of the Texas Department of Family and Protective Services (DFPS) "Minimum Standards for Child-Care Centers" state the following frequently asked questions:

§746.4215: May other programs use my indoor activity space at the same time I have children in care?

- a) You may share the indoor activity space that is not classroom space with other programs at the same time you have children in care, if you have a written plan specifying how caregivers will supervise and account for children in your care. The plan must address the following:
 - 1) The ages of the children;
 - 2) The proximity of restroom facilities and the operation entrances and exits to the children's area; and
 - 3) The nature of other activities and persons who may be sharing the space.
- b) You must follow your written plan and submit a copy to Licensing upon request.
 - The intent of the written plan regarding shared space is to protect and reduce risk to the children in care at your center.
 - Your plan will be unique and should take into consideration your program and other programs using the space. For this reason no two written plans will look the same.
 - It is important to review and update your written plan anytime there are changes in what programs use the space, the nature of these programs or the needs of the children in your care.

§746.4315: May other programs use my outdoor activity space at the same time I have children in care?

- a) You may share the outdoor activity space with other programs at the same time you have children in care, if you have a written plan specifying how caregivers will supervise and account for children in your care. The plan must address the following:
- 1) The ages of the children;
 - 2) The proximity of restroom facilities and the operation entrances and exits to the children's area; and
 - 3) The nature of other activities and persons who may be sharing the space.
- b) You must follow your written plan and submit a copy to Licensing upon request.
- The intent of the written plan regarding shared space is to protect and reduce risk to the children in care at your center.
 - Your plan will be unique and should take into consideration your program and other programs using the space. For this reason no two written plans will look the same.
 - It is important to review and update your written plan anytime there are changes in what programs use the space, the nature of these programs, or the needs of the children in your care.

If the Texas Department of Agriculture becomes aware of a specific center violating these or any other licensing rules, the center will be reported to DFPS and the CE will be notified.