United States Department of Agriculture

Food and Nutrition Service

3101 Park Center Drive
Alexandria, VA 22302-1500

DATE: May 3, 2010

MEMO CODE: SP 25 -2010; CACFP 11 -2010; SFSP 10 -2010

SUBJECT: Questions and Answers on Extending Categorical Eligibility to Additional Children in a Household

TO: Regional Directors
Child Nutrition Programs
All Regions

State Directors
Child Nutrition Programs
All States

This memorandum provides questions and answers relating to policy memorandum SP 38-2009, CACFP 08-2009, SFSP 07-2009, Extending Categorical Eligibility to Additional Children in a Household, dated August 27, 2009. That memorandum extended categorical eligibility for free meals or free milk for children who are members of a household receiving assistance from the Supplemental Nutrition Assistance Program (SNAP), the Food Distribution Program on Indian Reservations (FDPIR) or the Temporary Assistance to Needy Families (TANF) Program. All Child Nutrition Programs are subject to this policy.

These questions and answers respond to inquiries received from regional offices and State agencies. Because School Year 2009-2010 is nearly over, we did not include questions that only addressed implementation of this policy. We will update the Eligibility Manual for School Meals and the prototype application to reflect this policy prior to the next school year.

State agencies should contact their regional office if they have any questions.

Original Signed

Cynthia Long
Director
Child Nutrition Division

Attachment

The following are definitions of the terms used in this memorandum.

"Household" and "**family**" are used as defined in 7 CFR 245.2 and as they relate to economic units as discussed in Part 4, Section B of the Eligibility Manual for School Meals; in this memorandum, these terms are used interchangeably.

"**Extended or extension of eligibility**" means that all children or adults in the household who are participating in one or more of the Child Nutrition Programs are categorically eligible for free meals if any child or adult receiving SNAP, FDPIR or TANF benefits is a member of that household. Any child or adult receiving SNAP, FDPIR or TANF benefits is always categorically eligible for free meals and their eligibility extends to all household members attending school or participating in the Child and Adult Care Food Program (CACFP) or the Summer Food Service Program (SFSP).

DETERMINING ELIGBILITY

Q1. How does an LEA apply this policy to applications submitted by households?

If an LEA receives an application listing at least one SNAP, TANF, or FDPIR case number for any member of the household, the LEA must certify all children listed on the application as categorically eligible for free meals.

Q2. How should LEAs apply this policy to their direct certification procedures?

At a minimum, the notice provided to families indicating that a child has been directly certified for free meals must explain how the household can report any additional children in the household who are not listed on the notice. LEAs are encouraged to establish other methods to identify additional children in a household with one or more children who are directly certified. See the section of this document entitled "DETERMINING AND DOCUMENTING ADDITIONAL HOUSEHOLD MEMBERS" for ways to identify additional children.

Q3. During a school year, an LEA may learn (for example, from the household) that, although one child in the family was directly certified, additional children in the family are not receiving free meal benefits. When would free meal benefits begin for the additional children who were not identified through the direct certification process?

Benefits would begin on the date these children are certified as eligible. The children are not eligible for retroactive benefits, and the LEA cannot claim free meals for these children retroactively. This also applies to children who become eligible for SNAP, FDPIR or TANF benefits or who submit an application with a case number during the school year.

APPLICABILITY

Q4. If a child is categorically eligible for free meals based on enrollment in Head Start, or certification as a homeless, runaway, or migrant child, is eligibility extended to other children in the household?

No. This policy applies only to children receiving SNAP, FDPIR, or TANF benefits.

Q5. Does extension of eligibility apply to direct certification and applications with SNAP, FDPIR or TANF benefits case numbers?

Yes.

Q6. In some households, the only person receiving SNAP, FDPIR, or TANF benefits may be an adult. Does the adult's eligibility extend to the children in the household?

Yes. Although they are not required to determine if there are adult household members receiving SNAP, FDPIR or TANF benefits, LEAs are encouraged to revise school meal applications to indicate that providing a single case number for any member of the household will establish eligibility for all children in the family.

Q7. If a household member receives SNAP, FDPIR or TANF benefits but does not participate in any child nutrition program or attend school, does that person's eligibility extend to a child in the household who attends school?

Yes, if the child attending school is a member of the same household as the person receiving SNAP, FDPIR or TANF benefits, the child attending school is categorically eligible for free meals. Although the LEA is not required to determine if there are such children in a household, the LEA must extend eligibility if it becomes aware of other household members receiving SNAP, FDPIR or TANF benefits. (See also Q and A 14.) Also, as noted above, LEAs are encouraged to revise school meal applications to indicate that providing a single case number for any member of the household will establish eligibility for all children in the family.

Q8. How does this policy relate to the concept of economic unit?

This policy was not intended to change the definitions of "Family" or "Household" in 7 CFR 245.2. Family and Household are defined as a group of related or unrelated individuals living together as an economic unit. Therefore, the child who is receiving SNAP, FDPIR or TANF benefits may only "extend" status to other children in the same economic unit.

DETERMINING AND DOCUMENTING ADDITIONAL HOUSEHOLD MEMBERS

Q9. The initial policy memo states that if the LEA does not have an application as a reference, it may use school district enrollment information to determine additional children who are part of the household. How would the LEA locate additional children?

To the extent practicable, LEAs should use household composition information that may be available from the school district. Once children have been identified through the direct certification process, schools can search the records of the directly certified children to identify additional children in the household. LEAs also may receive from the State SNAP agency lists of children who are household members of those directly certified. The LEA can then use school district enrollment information to determine whether any of these children attend school within the LEA. Additional household members also may be identified by an adult member of the household.

Q10. What identifiers should the LEA use to establish additional household members? What documentation is required?

It is up to the LEA to determine identifiers for locating additional household members, but parents' names, home addresses, and other specific household indicators, if available, may be the most useful. Acceptable documentation includes school meal applications indicating at least one case number, school district enrollment records identifying all children in the household, custody agreements, information that may be provided by the SNAP, FDPIR or TANF agencies, or information from school officials such as principals or teachers. LEAs also may request that an adult member attest to the household composition as discussed in Q and A 17.

Q11. If children in a household are enrolled in both public and private schools, how is information shared to extend eligibility? Are the public schools and private schools required to identify additional children in the household?

LEAs are not required to identify additional children in the household who are outside of their own school district. However, public and private LEAs are encouraged to share information to the extent practicable.

Q12. When an LEA extends eligibility within the first 30 operating days of the new school year to a sibling who is new to the LEA (i.e., enrolled in kindergarten), what documentation is required?

The LEA should annotate the application or direct certification record to add the sibling and indicate how the determination to extend eligibility to the new student was made (e.g., address match, information from school officials, etc.).

Q13. In an effort to identify all students in the household of a student who is directly certified, can LEAs use addresses to match children? If software can match addresses, is this sufficient identification or must parents' names, or other identifiers also be used?

An address match may be sufficient to identify additional eligible children if the LEA determines that only one household resides at that address. LEAs also may use parents' names, parents' social security numbers, or other identifiers to assist in identifying additional children.

Q14. We may have an address match but other information indicates that more than one household lives at that address or that the address is a multi-unit complex. Does an address match justify extending eligibility when there may be multiple households living at the same address?

If the LEA is aware that more than one household resides at an address, it should confirm through available records which students reside with children who receive SNAP, TANF or FDPIR benefits. The LEA may need to contact the households to determine their composition and establish eligibility.

EXTENDING AND DOCUMENTING EXTENDED ELIGIBILITY

Q15. A child is determined eligible for free meals because he/she is a member of a household with someone directly certified or who has a SNAP, FDPIR, or TANF case number listed on the application. If that child resides in another household during the certification period, does this policy apply to any children in the second household?

No. While that child retains free meal status for the remainder of the certification period, if he/she moves to another household, eligibility is not extended to others. Free meal eligibility based on receipt of SNAP, FDPIR or TANF benefits can be extended only to other children who are in the same household as the child receiving SNAP, FDPIR or TANF benefits.

Q16. A child's parents have shared physical custody during the certification period. How does this policy apply if only one parent's household receives SNAP, FDPIR or TANF benefits?

If a child is determined eligible for free meals because he/she receives SNAP, FDPIR or TANF benefits in one parent's household, he/she retains eligibility for free meals regardless of where the child is living for the remainder of the certification period. When that child is residing in the second parent's household, the child is a member of that household and because he/she was determined eligible for free meals based on receipt of SNAP, FDPIR or TANF benefits, eligibility extends to other children in that household.

If a child is not determined eligible for free meals based on his/her own receipt of SNAP, FDPIR, or TANF benefits, but on the extended eligibility from another family member in the first parent's household, eligibility is not extended to other members of the second parent's household.

Q17. How should the LEA document extended status?

Children in a household with a child or adult receiving SNAP, FDPIR or TANF benefits are considered eligible on the same basis (directly certified or case number) as the person(s) receiving benefits.

However, LEAs must have some record of the basis of eligibility in order to properly apply this policy in the event that a child moves to a new household and for review purposes. Further, when eligibility is extended to additional household members at the request of the household and there is no application currently on file, an adult household member must attest to the household size and membership if agency or school district records are not available. This would happen, for example, if only one child was identified through direct certification and the LEA was unable to identify any other school-age children. In these situations, the LEA could either:

- have an adult member attest to the household composition by signing a statement listing all members of the household with the attesting statement for the application for free and reduced price meals and milk (see 7 CFR 245.6(a)(9) and Part 2, Section F. of the Eligibility for School Meals Manual); or,

- use the application as a way to record this information and have an adult member sign the application.

When there are other records used to extend eligibility, such as an application or school districts records, the LEA must indicate on the application, roster, or other records which children are eligible based on extended eligibility.

If a child with extended eligibility moves from the household receiving SNAP, FDPIR or TANF benefits to a household <u>not</u> receiving these benefits, that child retains free meal eligibility for the remainder of the certification period. However, because eligibility cannot be extended by this child, the LEA must note, using one of the methods above, extended eligibility for that child when adding that child to the new household.

Q18. If an LEA determines that additional children are eligible based on the direct certification match of one child, but the household did not file an application, how is the household notified?

The LEA would include all children on the notification sent to the household regarding direct certification results.

CHILD AND ADULT CARE FOOD PROGRAM (CACFP) SPECIFIC QUESTIONS

Q19. If one child in a household is receiving SNAP, FDPIR or TANF benefits, does that make all of the children in the household categorically eligible for free meals in the CACFP?

Yes. Children receiving SNAP, TANF or FDPIR benefits are categorically eligible for free meals in the CACFP. If one child in the household is receiving any of these benefits, categorical eligibility extends to the other children in the household.

Q20. If a non-area eligible family day care home provider is not receiving SNAP, FDPIR or TANF benefits but a child in her household is receiving these benefits, is the provider eligible to receive CACFP tier I reimbursement rates?

Yes. If at least one child in a household is receiving SNAP, FDPIR or TANF benefits and, therefore, is categorically eligible for free meals in CACFP, this categorical eligibility extends to the entire household. Therefore, a family day care home provider in that family would be considered eligible for tier I reimbursement rates based on the child's receipt of benefits.

Q21. Under the CACFP, if a child who is receiving SNAP, FDPIR or TANF benefits moves in with a family that was not previously eligible for free meals or tier I rates, would that child's receipt of SNAP, TANF or FDPIR benefits extend categorical eligibility to the rest of the family? What if the child has moved from another State?

Regardless of how a child becomes part of a household, the policy applies. Eligibility determinations are made at a point in time. As discussed in Q and A's 15 and 16, if a child moving to another household, even in another State, is receiving SNAP, FDPIR, or TANF benefits, at that point in time the child is eligible for free meals and eligibility is retained for the duration of the certification period. Further, other children in the household become eligible for free meals based on that child's receipt of benefits and an adult member of the household providing family home day care services under CACFP would be eligible for tier I reimbursement rates.

Q22. If an adult in the household participates in the Adult Day Care component of the CACFP and is categorically eligible based on receipt of SNAP, TANF or FDPIR benefits, does categorical eligibility extend to other children or adults in the household participating in a child nutrition program?

Yes. The adult's eligibility extends to the other household members.

Q23. What documentation must a child care institution have on file?

As discussed in Q and A 17, documentation must be maintained indicating the basis for a child's eligibility for free meals. Generally, institutions should obtain an application

which includes the SNAP, FDPIR or TANF case number of the recipient household member. Alternatively, if a child's eligibility is based on a school-age household member's receipt of benefits, the institution may maintain certification from the child's school that he or she is eligible for free or reduced price meals either through direct certification or application. See Q and A 17 for more detailed documentation alternatives.

VERIFICATION

Q24. Are applications for children who receive benefits as a result of this memo subject to verification?

If benefits are extended based on an application with a SNAP, FDPIR or TANF benefits case number, the application is included in the sample and subject to verification. If an application is used only to record and confirm household composition where another child in the household has been directly certified, as discussed in Q and A 17, the application is not included in the sample or subject to verification because verification is not required for children identified through direct certification.

Q25. For the purposes of the FNS-742, Verification Summary Report, how are children coded?

Children who are eligible based on extended categorical eligibility are classified under the same category as the person who extended the eligibility. If the person who extended eligibility was directly certified, all children would be coded as directly certified. Likewise, if a child is listed on an application with a person's SNAP, FDPIR or TANF case number, then all children would be coded based on the provision of a case number.