



United States
Department of
Agriculture

Food and
Nutrition
Service

3101 Park
Center Drive
Alexandria, VA
22302-1500

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SUBJECT: Categorical Eligibility in the Summer Food Service Program

TO: Regional Directors
Special Nutrition Programs
All Regions

State Directors
Child Nutrition Programs
All States

The purpose of this memorandum is to provide consolidated guidance regarding categorical eligibility determinations in the Summer Food Service Program (SFSP). This memorandum supersedes:

- *Eligibility of Upward Bound Sites*, May 26, 2004;
- *Follow up Questions on Upward Bound*, May 3, 2002;
- *Categorical Eligibility for Upward Bound Sites*, January 31, 2002;
- *Categorical Eligibility of Job Training Partnership Act/Workforce Investment Act Participants in the Summer Food Service Program*, May 23, 2000; and
- *Certifying Eligibility of National Youth Sports Program Sites to Participate in the SFSP*, December 4, 1998.

In instances where sites or sponsors must take applications to determine eligibility, categorical eligibility eliminates the need for individuals who already meet income eligibility requirements in a specified program to submit additional income information for another program with similar requirements.

There are two ways children may be classified as categorically eligible: (1) through participation in another comparable Federal assistance program, including the Supplemental Nutrition Assistance Program (SNAP), the Food Distribution Program on Indian Reservations (FDPIR), or Temporary Assistance for Needy Families (TANF); or (2) through documentation that the child is:

- Homeless, runaway, or migrant;
- A foster child; or
- Enrolled in a Federally-funded Head Start Program or a comparable State-funded Head Start Program or pre-kindergarten programs [42 USC 1758(b)(12)].

Federal Assistance Programs

In order to establish categorical eligibility based on participation in SNAP, FDPIR, or TANF, SFSP sponsors generally collect Income Eligibility Forms from Program participants. Such participants are not required to provide income information, but instead may simply indicate on the form that they participate in an eligible program. On the form, only the name(s) and appropriate SNAP, FDPIR, or TANF case number(s) for the child(ren) and the signature of an adult member of the household are required.

Income eligibility forms are considered current and valid until the last day of the month in which the form was dated one year earlier. For more information on income eligibility forms see CACFP 07-2014, SFSP 12-2014 *Guidance on Income Eligibility Determinations and Duration - REISSUED*, January 10, 2014. A household application prototype is located at: <http://www.fns.usda.gov/school-meals/applying-free-and-reduced-price-school-meals>.

However, the SFSP regulations state that applications are not necessary if other information sources are available and can be used to determine eligibility of individual children [7 CFR 225.15(f)(1)]. Therefore, sponsors may use income eligibility information obtained from sources such as schools to establish individual eligibility. Additionally, sponsors may use forms from other programs with the same or more restrictive income eligibility criteria as SFSP, but should contact the State agency to verify that the same thresholds and definitions are used for both programs.

Homeless or Runaway Children

The National School Lunch Act (NSLA) provides homeless or runaway children with categorical eligibility for free meals provided through the Child Nutrition Programs, including SFSP [42 USC 1758(b)(12)(A)(iv)]. In these situations, the sponsor can confirm eligibility for homeless or runaway children by obtaining documentation of the child's status from an appropriate State or local agency, such as the school district's homeless liaison or a local emergency shelter director. Applicant families also may indicate a child's homeless status on the Income Eligibility Form.

Foster Children

The NSLA also provides that children placed in foster homes are categorically eligible for free meals [42 USC 1758(b)(12)(A)(vii)]. Further, foster children are to be certified eligible for free meals without application if the sponsor obtains documentation from an appropriate State or local agency indicating the status of the child as a child in foster care [SP 17-2011, CACFP 08-2011, SFSP 05-2011-Revised, *Child Nutrition Reauthorization 2010: Categorical Eligibility of Children in Foster Care*, April 16, 2013]. The foster family also may indicate that the child is a foster child on the Income Eligibility Form.

This provision applies to all foster children, including those placed with caretaker households by Tribal courts and by Tribal agencies that have approved child welfare services plans under Title IV-B or Title IV-E of the Social Security Act. State agencies should work with program operators to determine the best method of ensuring this population of children receives free meals.

Head Start

Children enrolled in Federal and State-funded Head Start or Early Head Start Programs are categorically eligible for free meals in SFSP without further application [42 USC 1758(b)(12)(A)(iii)]. Sponsors may establish eligibility of all Head Start enrollees through documentation provided by the Head Start program. Forms of acceptable documentation include: an approved Head Start application, a statement of Head Start enrollment, or a list of participants from a Head Start official. In addition, infants and toddlers, and, in some instances, pregnant women, who receive Early Head Start services also are categorically eligible [SP 38-2009, CACFP 08-2009, SFSP 07-2009, *Extending Categorical Eligibility to Additional Children in a Household*, August 27, 2009]. Applicant families also may indicate a child's participation in Head Start on the Income Eligibility Form.

Categorical Eligibility Specific to SFSP

Upward Bound

Upward Bound is a program funded by the U.S. Department of Education to provide academic support to teens from low-income families preparing for college. Although participants in Upward Bound are not categorically eligible for free or reduced price meals under SFSP, sponsors of Upward Bound programs may use an Upward Bound application in lieu of an SFSP application to determine individual eligibility. However, participants who are determined eligible for Upward Bound based on criteria other than income, such as being a potential first generation college student, must complete an Income Eligibility Form in order to determine individual eligibility for SFSP. Those children who are determined eligible for Upward Bound based on income may be considered eligible for SFSP meals without further application.

Closed enrolled sites that are not area eligible and that serve both Upward Bound and non-Upward Bound participants must maintain applications on file to document that enough children meet the individual income eligibility requirements to satisfy the 50 percent threshold required for closed enrolled sites. However, because Upward Bound requires that two-thirds of the participants in a program must be both low-income and potential first-generation college students, closed enrolled sites that serve only Upward Bound participants automatically qualify for SFSP participation [7 CFR 225.2].

National Youth Sports Programs

The National Youth Sports Program (NYSP) is a national program intended to provide economically disadvantaged youth, ages 9 to 16, the opportunity to receive daily sports instruction and educational programs. Although the NYSP is not currently funded by Congress, the NSLA states that children participating in NYSPs operated by higher education institutions

are eligible to participate in SFSP upon showing residence in a low-income area or on the basis of income eligibility information provided for enrollment in the NYSP [42 USC 1761(c)(2)]. Therefore, colleges and universities that offer NYSP and adhere to participant eligibility requirements that are the same as or stricter than the SFSP income requirements may consider participants categorically eligible for free SFSP meals.

Workforce Investment Act

The Workforce Investment Act (WIA) is designed to enhance youth programs linked to local labor markets, community youth programs, and youth services. The SFSP and WIA have the same income eligibility requirements. Therefore, for purposes of establishing SFSP eligibility, sponsors may obtain either a signed free and reduced-price SFSP meal application with a notation that the applicant is a WIA participant or a list containing the names and ages of individual WIA participants enrolled at that site and signed by a WIA official. As a reminder, for purposes of SFSP, only children 18 years of age and younger are eligible for participation.

Additional Information

For additional information on categorical eligibility, please see *the Eligibility Manual for School Meals* at: <http://www.fns.usda.gov/sites/default/files/cn/EliMan.pdf>. This manual contains information on Federal requirements regarding the determination and verification of eligibility for free and reduced price meals in the National School Lunch Program, and is generally applicable to the SFSP. Sponsors should confer with their State agency to determine which procedures and options are followed in their State.

State agencies are reminded to distribute this information to Program operators immediately. Program operators should direct any questions regarding this memorandum to the appropriate State agency. State agency contact information is available at <http://www.fns.usda.gov/cnd/Contacts/StateDirectory.htm>. State agencies should direct questions to the appropriate FNS Regional Office.

Original Signed

Angela Kline
Director, Policy and Program Development Division
Child Nutrition Programs