



**North Carolina Department of Health and Human Services  
Division of Public Health**  
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Michael F. Easley, Governor

Dempsey Benton, Secretary

May 30, 2008

CACFP 08-08  
SFSP 08-05

**MEMORANDUM**

**To:** Sponsors of Head Start Programs Participating in the Child and Adult Care Food Program  
Sponsors Participating in the Summer Food Service Program

**From:** Arnette Cowan, MS, RD, LDN  
Head, Special Nutrition Programs

**SUBJECT:** Automatic Eligibility for Free Meal Benefits Extended to All  
Children Enrolled in Head Start

This memorandum provides guidance regarding amendments to the Richard B. Russell National School Lunch Act (NSLA) that extend automatic eligibility for free meal benefits, including free milk, to all children enrolled in Head Start and participating in child nutrition programs.

On December 12, 2007, the President signed The Improving Head Start for School Readiness Act of 2007 (Public Law 110-134) which contains several significant revisions to the Head Start program, including amendments to the eligibility criteria in section 645 of the Head Start Act (42 U.S.C. 9840). Public Law 110-134 also amends sections 9(b)(12)(A)(iii) and 17(c)(5) of the NSLA to correspond with the new eligibility criteria.

Head Start serves primarily children from families with household incomes at or below the Federal poverty level. However a small proportion of children in families with household incomes above the poverty level may be served. In the past, only those children who were income eligible for Head Start were considered automatically eligible for free meals in the child nutrition programs.

Public Law 110-134 makes any child enrolled in Head Start automatically eligible for free meals without further application or eligibility determination. Therefore, even a child who is not from a household with an income at or below the poverty level is automatically eligible for free meals if they are enrolled in Head Start.

Institutions may now establish eligibility of all Head Start enrollees through documentation provided by the Head Start program.



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Head Start Eligibility

May 30, 2008

Page 2

All reimbursable meals served to children enrolled in Head Start may be claimed at the free rate. Institutions may submit revised claims to claim all reimbursable meals served to Head Start enrollees that were not previously claimed at the free rate. All such reimbursable meals served on December 12, 2007, and beyond may be claimed. If applicable, please submit these revised claims, no later than July 15, 2008, to:

SNP Claims  
2032 Mail Service Center  
Raleigh, NC 27699-2032

The claims should be labeled revised Heart Start claim.

The new eligibility criteria also applies to children in State-funded pre-kindergarten programs which have been provided waivers under the authority of the memorandum dated July 22, 1999, *Automatic Eligibility of State-Funded Pre-Kindergarten Participants for Free Meals in the Child and Adult Care Food Program (CACFP), the National School Lunch Program (NSLP), and the School Breakfast Program (SBP)*. Institutions that have received waivers, and have the same or stricter income eligibility standards than Head Start, may also revise claims dating back to December 12, 2007, for those children enrolled in their programs who were not previously eligible for free meals.

If you have questions, please contact your regional consultant.

cc: SNP Staff  
Auditors  
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