



**North Carolina Department of Health and Human Services**  
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June 15, 2012

CACFP 12-08  
SFSP 12-07

To: All Institutions Participating in the Child and Adult Care Food Program  
Sponsors of the Summer Food Service Program

From: Arnette Cowan, MS, RD, LDN  
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Subject: Disaster Response

This memorandum provides an overview of ways State agencies, school food authorities (SFA) participating in the National School Lunch and School Breakfast Programs (NSLP and SBP), institutions participating in the Child and Adult Care Food Program (CACFP), and sponsors participating in the Summer Food Service Program (SFSP) can respond to situations resulting from damage or disruptions due to natural disasters such as hurricanes, tornadoes, and floods. State agencies should review the avenues available to prepare and plan before a disaster strikes so responses can be as swift as possible.

## **ELIGIBILITY FOR FREE MEALS AND DISASTER BENEFITS**

### *Children Experiencing Homelessness*

Children residing in or evacuated from disaster areas may be determined homeless under the McKinney-Vento Homeless Assistance Act. These children are categorically (automatically) eligible for free meals in the Child Nutrition Programs. A school district’s homeless coordinator makes a determination of homelessness and provides a list of all children determined homeless due to a disaster situation. The SFA, institution, or sponsor must certify these children for free meals.

In cases where a household from a designated disaster area moves in with another household, the homeless liaison may determine the displaced individuals homeless under the McKinney-Vento



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Homeless Assistance Act. Displaced children and adult participants in CACFP are automatically eligible for free meals in centers and tier I meals in family day care homes, even if they are temporarily residing with another family. The host family may include the displaced family members and any income provided to them when applying for free or reduced price meals.

Institutions and sponsors that require eligibility information can receive certification of the participant's homeless status from the agency that assisted with the evacuation or that is providing shelter. If the child is not residing in an emergency shelter, the institution should have an adult living with the child complete an income eligibility form indicating that the child is homeless. No further information is required to certify the child's eligibility.

#### *Disaster Benefits from the Supplemental Nutrition Assistance Program*

Children in households receiving Disaster Supplemental Nutrition Assistance Program (D-SNAP) benefits are categorically eligible for free meals in the Child Nutrition Programs. Certification of these children may be accomplished through direct contact with the SNAP agency or by an application submitted by a household with a case number.

#### *Emergency Shelters in the Child and Adult Care Food Program*

Emergency shelters that provide temporary housing to displaced families are eligible to participate in CACFP. Where significant numbers of persons are being temporarily housed, State agencies may designate any appropriate facility as an emergency shelter, and may waive institution application requirements in these situations. When State agencies have designated a facility as an emergency shelter, all children through age 18 may receive up to three free meals (breakfast, lunch, and supper) each day.

An "appropriate facility" may include a school or an institution which, although it is not providing actual shelter, is nevertheless providing meals to displaced families who are being temporarily housed elsewhere, in locations that may not have the means to provide meal services to these temporary residents.

#### *Duration of Eligibility*

Children certified for free or reduced price meal benefits because of a disaster situation are no longer *temporarily* approved because households are no longer required to report changes in income or household size. Their eligibility, including eligibility based on homeless status or receipt of D-SNAP benefits, remains in effect for the entire school year and up to 30 days in the next school year. CACFP participants remain eligible for free meal benefits for 12 months.

### **USING THE SUMMER FOOD SERVICE PROGRAM (SFSP) OR SEAMLESS SUMMER OPTION (SSO) IN DISASTER SITUATIONS**

State agencies, SFAs, and sponsors may determine that operating SFSP or SSO sites would be useful when schools or day care facilities must remain closed due to disaster situations. SFSP regulations allow expedited approval of feeding sites during an emergency. Organizations with current agreements to operate the SFSP may be approved to open emergency feeding sites (7 CFR 225.6(c)).

## USING USDA FOODS IN DISASTERS

Please refer to the Food Distribution Program's website for information about using and accounting for USDA Foods in disaster situations: <http://www.fns.usda.gov/fdd/programs/fd-disasters/default.htm>

### **FLEXIBILITIES THAT REQUIRE STATE AGENCY OR FOOD AND NUTRITION SERVICE (FNS) APPROVAL**

Child Nutrition Program policies are designed to allow flexibility and support continuation of meal benefits to participants in disaster areas. There are existing flexibilities in meal service requirements and administrative procedures that make it easier for States, SFAs, institutions, and sponsors to operate and respond to disaster situations.

#### *Meal Component and Meal Service*

Flexibility is allowed with regard to time of meal service and use of offer versus serve. These modifications may be made with State agency approval.

If emergency conditions exist that prevent schools, institutions, or sponsors from obtaining fluid milk, the State agency may allow service of meals without milk or with an alternate form of milk, such as canned or dry milk (7 CFR 210.10(m)(2)(i); 7 CFR 225.16(f)(6); 7 CFR 226.20(e)).

If changes to other meal component requirements are needed, SFAs, institutions, and sponsors should consult with their State agencies. For the school meals programs, 7 CFR 210.10 (g)(4) allows SFAs, with approval from FNS, to serve meals that do not meet the menu planning or meal pattern requirements in disaster situations. In CACFP, 7 CFR 226.20 (i) allows special variations in the food components of meals, with FNS approval.

#### *Accountability and Verification Procedures*

In disaster situations, the FNS Regional Offices are authorized to allow State agencies, SFAs, institutions, and sponsors to submit claims beyond the 60/90-day requirement. Claims submitted outside of the 60/90-day requirement, as a result of a disaster, are not subject to the one-time exception for late submissions.

If SFAs, institutions, or sponsors need to reconstruct unsubmitted claims due to loss of current records, they must consult with their State agencies. State agencies may approve such requests in consultation with their FNS Regional Offices.

When records required for review purposes, such as paid claims, approved applications and production records, are destroyed, SFAs, institutions, or sponsors should inform their State agencies of the circumstances and dates of the losses, and the types and approximate age of the records that were lost. State agencies should note the losses in their records for the purpose of any future administrative reviews and audits.

SFAs, institutions, and sponsors that are operational, but unable to maintain normal accountability systems, including counting, claiming, and monitoring, must contact their State

agencies regarding how to proceed. In these situations, waiver requests must be submitted to FNS for approval.

*CACFP, SFSP, and SSO Site Eligibility*

Based on the significant needs of each community, FNS Regional Offices may waive the requirements under CACFP, SFSP, and SSO that sponsors document that each site is serving an area in which poor economic conditions exist (7 CFR 225.6(c)(2); 7 CFR 226.2 (tier I day care home)). These requirements may be waived for existing eligible sites located in the area damaged by a natural disaster that must relocate to areas that are not eligible based on school or census data.

Additionally, State agencies may waive the requirement that, during an unanticipated school closure, SFSP sites may not be located at school sites (7 CFR 225.6(d)(1)(iv)). Although schools may be closed, some school buildings may be unaffected by the disaster and may be approved as a location for emergency feeding.

If you have questions, please contact your assigned regional consultant.

c: SNP Staff (via email)