



DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF PUBLIC HEALTH

ROY COOPER
GOVERNOR

MANDY COHEN, MD, MPH
SECRETARY


DANIEL STALEY
DIRECTOR

CACFP 18-02

January 23, 2018

Memorandum

To: Institutions Participating in the Child and Adult Care Food Program

From: Arnette Cowan, Head 
Special Nutrition Programs

Subject: Providing Child Nutrition Program Benefits to Disaster Survivor Evacuees

This memorandum provides a reminder overview of options available under current Program policy and regulation for connecting children and adult survivors, who have evacuated from areas subject to major disaster and emergency declarations, with Child Nutrition Program (CNP) benefits. Many survivors have evacuated as a result of the recent hurricanes and wildfires and Program operators are working hard to enroll and provide services for those evacuees. This memorandum does not contain new policy, instead it summarizes options available to school food authorities and institutions participating in the National School Lunch Program (NSLP), School Breakfast Program (SBP), and Child and Adult Care Food Program (CACFP), as they provide services to those in these very specific circumstances.

These options will help Program operators provide needed meals to survivor evacuees in a short timeframe within the parameters of statutory requirements. In addition to the options outlined in this memorandum, the Food and Nutrition Service (FNS), provided administrative flexibilities including waivers of program requirements, during the active aftermath of the recent hurricanes and wildfires. State agencies and Program operators should refer to SP 46-2014, CACFP 12-2014, SFSP 18-2014: *Disaster Response*, May 19, 2014, <https://www.fns.usda.gov/disaster-response-0>, for general guidance on responding to disasters.

Children Identified as Homeless

Children determined to be homeless are categorically (automatically) eligible for free meals in the NSLP, SBP, and CACFP, as provided for in Section 9(b)(12)(A)(iv) of the Richard B. Russell National School Lunch Act, 42 USC 1758(b)(12)(A)(iv). Program regulations define a homeless child as: “a child identified as lacking a fixed, regular and adequate nighttime residence, as specified under section 725(a) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)), by the local educational agency (LEA) liaison, director of a homeless shelter or other individual identified by FNS.” [7 CFR 245.2]

It is important that school staff and Program officials understand and inform families, as appropriate, that children who are evacuated due to disasters may be determined categorically eligible for free School Meal benefits due to their homeless status under the McKinney-Vento Act. Consistent with current Program policy, this may include children temporarily residing with another household. There are various ways that a child can be determined homeless and categorically eligible for free meals. An LEA homeless liaison, an organization assisting evacuees, or a homeless shelter representative can make a determination of homelessness and can provide a list of all children determined homeless to the school. Additionally, an adult living with the child or a school official can fill out an application indicating a child is homeless [7 CFR 245.6(d)]. Please refer to the *Eligibility Manual for School Meals* and *Updated Guidance for Homeless Children in the School Nutrition Programs* (<https://www.fns.usda.gov/updated-guidance-homeless-children-school-nutrition-programs>) for more information.

In CACFP, evacuated children and adults determined to be homeless are categorically eligible for meals and snacks at the free rate in child and adult day care centers. For day care homes, meals and snacks served to children determined to be homeless may be claimed at the tier 1 rate. Program operators can find an explanation of CACFP tier 1 reimbursement rates at the following link: <https://www.fns.usda.gov/cacfp/why-cacfp-important>

Eligibility for D-SNAP and NAP Recipients

In response to the devastation caused by the 2017 hurricanes and wildfires, FNS approved Disaster Supplemental Nutrition Assistance Program (D-SNAP) benefits for areas of Texas, Florida, the U.S. Virgin Islands, and California. Additionally, FNS issued several policies to provide temporary D-SNAP benefits to survivors who evacuated from certain affected areas. These are unique SNAP policies specific to these disasters only. Most of the SNAP evacuee options have expired. However, eligible households that were evacuated from Puerto Rico and were receiving benefits under the Nutrition Assistance Program (NAP) may currently be receiving SNAP benefits at the discretion of the State where they currently reside (SNAP policy memorandum dated November 2, 2017, titled, *Treatment of Households Receiving Puerto Rico's NAP who Apply for SNAP - Extension of Option for Temporarily Displaced Households*). Those SNAP benefits are provided either under regular SNAP rules or through a special policy that provided two months of benefits for these households. Applications to receive benefits under this option were due by November 30, 2017.

Certification of free meal eligibility for children in households receiving D-SNAP or SNAP benefits through the Displaced NAP Households Policy, referenced in the previous paragraph, may be accomplished through direct contact with the SNAP agency or by an application submitted by a household with a case number.

Other Eligibility Determinations

In cases where an evacuated family or child is not categorically eligible and an application cannot be completed or obtained, school officials may submit an application on behalf of a child based on the best available knowledge of the household's economic circumstances [7 CFR 245.6(d)]. This may also be relevant in situations where schools or districts that have closed in the aftermath of a disaster are unable to provide the eligibility status of evacuated students.

Duration of Eligibility

Children determined eligible for free meal benefits in the school meal programs, including eligibility based on homeless status, receipt of D-SNAP or temporary SNAP evacuee benefits, maintain that eligibility determination for the entire school year and 30 operating days into the next school year (or until a new eligibility determination is made, whichever comes first). CACFP participants remain eligible for free meal benefits for 12 months.

Additional Resources

The best strategy for serving evacuated children and adult participants following a disaster is to ensure policies and procedures are in place to meet their needs before a disaster occurs. Having an established and thorough plan in place prior to a disaster will help State agencies and Program operators implement strategies during a disaster efficiently and ensure that affected participants do not experience a break in access to nutritious meals.

The following resources are available to Program operators to assist in planning for and responding to disasters:

- FNS Disaster Resources Website: <https://www.fns.usda.gov/disaster/disaster-assistance>
- SP 46-2014, CACFP 12-2014, SFSP 18-2014: *Disaster Response*, May 19, 2014, <https://www.fns.usda.gov/disaster-response-0>
- SP 55-2016, CACFP 26-2016, SFSP 18-2016: *Meal Service during Unanticipated School and Day Care Closures*, September 9, 2016, <https://www.fns.usda.gov/meal-service-during-unanticipated-school-and-day-care-closures>
- SP 36-2017, CACFP 15-2017, SFSP 11-2017: *Eligibility Manual for School Meals*, <https://www.fns.usda.gov/2017-edition-eligibility-manual-school-meals>
- *Updated Guidance for Homeless Children in the School Nutrition Programs*, April 4, 2002, <https://www.fns.usda.gov/updated-guidance-homeless-children-school-nutrition-programs>
- National Center for Homeless Education: McKinney-Vento Toolkit, https://nche.ed.gov/pr/liaison_toolkit.php
- FEMA: Guide for Developing High-Quality School Emergency Operations Plans, <https://www.fema.gov/media-library/assets/documents/33599>

If you have questions or need additional information, please contact your Regional Consultant.