



United States  
Department of  
Agriculture

APRIL 4, 2002

Food and  
Nutrition  
Service

SUBJECT: Updated Guidance for Homeless Children in the School Nutrition Programs

3101 Park  
Center Drive  
Alexandria, VA  
22302-1500

TO: Regional Directors  
Special Nutrition Programs  
All Regions

Please advise your State agencies that a January 2002 amendment to the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.) clarified the definition of homeless children and youth. Another provision of the statute requires each school district to designate a local educational agency liaison for homeless children and youths. Many districts already have designated a liaison. Other districts may appoint an individual to act as the liaison until one is designated.

**Definition of “homeless”**

As specified in the statute, the term “homeless” means individuals who lack a fixed, regular, and adequate nighttime residence. The definition includes:

- (i) children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;
- (ii) children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
- (iii) children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
- (iv) migratory children who qualify as homeless because the children are living in circumstances described above.

**Cooperation with local educational agency liaison**

In general, some of the duties of the local educational agency liaison are to ensure that homeless children are identified by school personnel, that they have full opportunity to enroll and succeed in school, and that they receive educational and other services for which they are eligible. We are asking State agencies and school food authorities to be particularly sensitive to children and households who are identified by the local educational agency liaison as homeless.

The contents of this guidance document do not have the force and effect of law and are not meant to bind the public in any way. This document is intended only to provide clarity to the public regarding existing requirements under the law or agency policies.

Although many homeless individuals will be living in emergency and transitional shelters, under the expanded definition of homeless, some children or households that temporarily reside with other households may meet the definition of homeless. School food authorities should work with their local educational agency liaison for homeless youths and, where appropriate, the State Coordinator for Education of Homeless Children and Youths to help ensure that these children, as well as other children who are defined as homeless by a director of a homeless shelter, have access to the benefits of the child nutrition programs.

**Documentation of free meal eligibility for homeless children**

To expedite the delivery of nutritional benefits, school officials may accept documentation that the children are homeless from the local educational liaison or directors of homeless shelters where the children reside. Documentation to substantiate free meal eligibility must consist of the child's name or a list of names, effective date(s), and the signature of the local educational liaison or the director of the homeless shelter. This documentation is acceptable in lieu of a free and reduced price meal application.

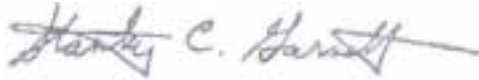
To implement these expedited procedures, school officials must work closely with the educational liaison and directors of homeless shelters to ensure that children are provided free meal benefits as promptly as possible, as well as to ensure that the school food service is promptly advised when children leave the school or are no longer considered homeless. In the latter case, school officials must provide the household with an application for free and reduced price meals.

**Homeless children residing with another household**

A child or family may temporarily reside with another household and still be considered homeless under the definition of homeless in the McKinney-Vento Homeless Assistance Act. In these cases the household size and income of the host family is not taken into consideration in determining the free meal eligibility for the child(ren) designated as homeless by the local educational agency liaison. Additionally, when a host family applies for free and reduced price meals for their own children, the host family may include the homeless family as household members if the host family provides financial support to the homeless family, such as shelter, utilities, clothing or food. In such cases, the host family must also include any income received by the homeless family. School officials must determine eligibility for the host family in the traditional manner. However, free meal eligibility for the homeless child is based on the documentation provided by the local education liaison, even when the child is included on the host family's free and reduced price meal application. If the host family meets the free or reduced price meal eligibility criteria, school officials should provide the host family with temporary approval for free or reduced price meal benefits, as appropriate. The host family's eligibility should be reevaluated when their household size decreases, i.e., the homeless family leaves.

Regional Directors  
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We encourage school food authorities to identify and work with the local educational agency liaison and directors of homeless shelter to expedite benefits to homeless children. We believe this policy complements the policy included in our memorandum of April 6, 1992, attached. Please contact MaryJane Whitney or Barbara Semper at (703) 305-2590 if you have any questions.

A handwritten signature in cursive script that reads "Stanley C. Garnett". The signature is written in dark ink and is positioned above the typed name.

STANLEY C. GARNETT  
Director  
Child Nutrition Division

Attachment



United States  
Department of  
Agriculture

Food and  
Nutrition  
Service

3101 Park Center Drive  
Alexandria, VA 22302

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**APR 6, 1992**

Reply to  
Attn. of: FNS:CND:123

Subject: Documentation of Free and Reduce Price Meal Eligibility for Homeless Children

To: Regional Directors  
Special Nutrition Programs  
All Regions

As many of us are well aware, the problem of homelessness is increasing in our nation. Although homelessness is especially prevalent in large cities, it is also a problem in small cities and rural areas. We want to ensure that free meals are available for all eligible children, including the homeless, in an expeditious manner and that the certification process is not overly burdensome or an impediment to participation. To assist those responsible for eligibility determinations in meeting the nutritional needs of homeless children, we are establishing a nationwide policy to simplify access to the child nutrition programs for homeless children whose parents/guardians fail to return a free and reduced price application or who are not certified under direct certification procedures.

Under the school nutrition programs, if the household does not complete an application for the child, current policy authorizes school officials to complete an application on the child's behalf based on their personal knowledge that the child qualifies for benefits. This authority is intended to be exercised on a case-by-case basis and not categorically to whole groups of children. However, because the number of homeless children has risen dramatically over the past few years, we recognize that there is an increasing need for some schools to make these determinations for a number of students. We are also aware that organizations participating in other child nutrition programs may find themselves in the same position. To address this situation and to alleviate concerns at the State and local levels about the propriety of making these determinations, we are establishing the following procedures for all of the child nutrition programs.

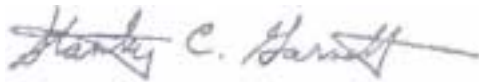
When an application is not submitted by the household or it is not anticipated that an application will be submitted, it is acceptable for the director of the homeless shelter at which the child resides to complete and submit an application for the child; or local level officials may complete an application for a child and approve the child for free meals based solely on their knowledge that the child's address is a homeless shelter or that the

child has no known address and is indeed homeless. Moreover, when it is not practical for those officials to complete individual applications because of large numbers of homeless children or for some other reason, documentation to substantiate free meal eligibility may consist of a list containing the following information:

- Child's name
- Effective date
- Date of withdrawal
- Residence (shelter, etc.)
- Signature of determining official

Because the homeless population is often very transient and their circumstances may change, when using a list to document eligibility, it is particularly important that the list is updated as changes occur. The objective is to keep the list of eligible children current, removing names of children who may have left the school or institution or whose circumstances may have changed and adding new names to the list.

We hope this procedure will assist in responding to the nutritional needs of homeless children. Please let us know if you have any questions about this policy or need further clarification.



STANLEY C. GARNETT  
Acting Director  
Child Nutrition Division