



COLORADO DEPARTMENT OF EDUCATION

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To: Food Service Directors

From: Dan C. McMillan, Director, Nutrition and Transportation

Date: July 19, 2002

Subject: Updated Guidance for Homeless Children in Child Nutrition Programs

This memo further defines and clarifies the unique eligibility provisions that should be applied to homeless children and the Child Nutrition Programs.

A January 2002 amendment to the McKinney-Vento Homeless Assistance Act 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.

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, if it chooses, 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.

The Prevention Initiatives Unit at CDE expects the final listing of individual district liaisons to be available on the CDE website early this fall. If you have questions regarding the McKinney-Vento Homeless Assistance Act, please contact Margie Milenkiewicz at 303.866.6930.

If you have any questions regarding implementation of the Act with the Child Nutrition Programs, please contact our office at 303.866.6661, or 888.245.6092 outside of the Denver Metro area.