

**Ohio Department of Education  
Office for Safety, Health and Nutrition  
Nutrition Program Policy Memo**

## **POLICY STATEMENT**

Extending Categorical Eligibility to Additional Children in a Household

**Source:** USDA Memo SP-38 2009 and the USDA Eligibility Manual for School Meals  
**Code:** NSLP 13-09  
**Audience:** **All Local Education Agencies (LEAs)**  
**Effective Date:** **09/21/2009**  
**Replaces:** **ODE NSLP Memo 10-08**  
**Program:** NSLP, CACFP, SFSP

## **INTRODUCTION**

On August 27, 2009, the United State Department of Agriculture (USDA) published USDA Policy Memo SP 38-2009. This policy memo modifies the former USDA policy related to categorical eligibility for free meals or free milk for children who are members of a household receiving assistance through the Food Assistance Program (SNAP, formerly the Food Stamp Program) or Ohio Works First (OWF). The process published in USDA Policy Memo 38-2009 supersedes the process published on page 16 and pages 47-48 in the USDA Eligibility Manual, January 2008 edition.

## **STATEMENT OF POLICY**

### **A. OVERVIEW OF SCHOOL MEAL PROGRAM ELIGIBILITY BASED ON FOOD STAMP NUMBERS**

1. Per Federal Regulations 7 CFR 245.6 (c), when a household submits a Free and Reduced Price School Meals Family Application containing the required SNAP (formerly the Food Stamp Program), or OWF case number, any children in school to which the case number pertains must be approved for free meal benefits.
2. Commencing with school year 2008-2009, section 9 of the Richard B. Russell National School Lunch Act mandates Local Education Agencies (LEAs) to participate in Direct Certification and permits Direct Verification of children in food stamp households.
3. On August 27, 2009, USDA released policy memo SP 38-2009 which modifies the process for approving Free and Reduced Price Student applications and Direct Certification lists for additional students in a household if at least one student is approved for free meal benefits through either Direct Certification or provision of a SNAP or OWF case number on a Free and Reduced Meal Application.

### **B. PROCEDURE FOR EXTENDING CATEGORICAL ELIGIBILITY TO ADDITIONAL CHILDREN IN A HOUSEHOLD BASED ON FREE AND REDUCED PRICE SCHOOL MEAL FAMILY APPLICATIONS CONTAINING SNAP OR OWF CASE NUMBERS**

1. In Ohio, SNAP and OWF case numbers contain 10 numerical digits.
2. Per USDA Policy Memo SP 38-2009, when a household submits an application with case numbers listed for some, but not all, of their children, the LEA must certify all children as categorically eligible for free meals or milk.
3. Disregard any income information on an application of which children qualify for free meals based on a SNAP or OWF case number.

**25 South Front St. ML 303  
Columbus, Ohio 43215**

**1-800-808-6325**

**Ohio Department of Education  
Office for Safety, Health and Nutrition  
Nutrition Program Policy Memo**

**C. PROCEDURE FOR EXTENDING CATEGORICAL ELIGIBILITY TO ADDITIONAL CHILDREN IN A HOUSEHOLD BASED ON DIRECT CERTIFICATION DATA**

1. Per USDA Policy Memo SP 38-2009, commencing in the 2009-2010 School Year, LEAs must extend eligibility for free meals to all students in what would be considered a "family" for the purposes of applying for free or reduced price meals or free milk.
  - a. \*A family is defined, for the purposes of applying for free or reduced price meals or free milk, as a group of related or nonrelated individuals, who are not residents of an institution or boarding house, but who are living as one economic unit.
2. If one child in a family is Directly Certified, the LEA must use district enrollment records, a submitted Free and Reduced Price Application, or other school documentation as a reference to determine if there are additional students who are part of the family who were not identified through direct certification.
3. If the LEA determines that there are additional students in the family, the LEA may Directly Certify these students for free meals without further need for submission of a meal application.
4. For the purposes of an audit or Coordinated Review Effort (CRE), the LEA must make available the documentation that was used to determine that additional students were in the family.

**D. CARRY OVER OF MEAL BENEFIT ELIGIBILITY INTO THE NEXT SCHOOL YEAR**

1. For the purposes of carry-over into a new school year, LEAs must extend categorical eligibility, to the extent feasible, to newly enrolled siblings within a family who were approved for free meals through Direct Certification or provision of a SNAP or OWF case number on a Free and Reduced Price Meal Application.

Please keep this memo on file for reference. A copy of the memo is available for downloading from the Ohio Department of Education (ODE) website at: <http://www.education.ohio.gov/> . If you have any questions regarding this memo, please contact your ODE School Meal Programs Regional Consultant at 1-800-808-6325. The School Meal Programs are administered by the Ohio Department of Education, Office for Safety, Health, and Nutrition. The Office is located at 25 S. Front St, Mail Stop 303, Columbus, OH 43215.

Prepared By: Brigette Hires  
Approved By: Cecelia Torok

**25 South Front St. ML 303  
Columbus, Ohio 43215**

**1-800-808-6325**