

## **Categorical Eligibility for Migrant, Homeless, and Runaway Children Under the National School Lunch and Breakfast Programs**

Effective July 1, 2004, Section 107 of the Child Nutrition and WIC Reauthorization Act of 2004 amended Section 9(b) of the Richard B. Russell National School Lunch Act to make runaway, homeless and migrant children categorically eligible for free meal/milk benefits under the National School Lunch, School Breakfast, Afterschool Snack, and Special Milk Programs.

Categorically eligible means the student is eligible for free meals without the need for a Free or Reduced Price Household Meal Benefit Application. Determination as runaway, homeless or migrant may only be made by the local Homeless Liaison or Migrant Education Program (MEP) Office. Once documented, the eligibility for free meals/milk is valid for the school year. Following are guidelines set out by the Pennsylvania Department of Education for implementation of this amendment.

### **Definition of “Homeless”**

As specified in the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et. seq.), the term “homeless” means individuals who lack a fixed, regular, and adequate nighttime residence. The definition includes:

- Children and youth 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;
- 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;
- Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
- Migratory children who qualify as homeless because the children are living in circumstances described above.

### **Definition of “Runaway”**

A runaway child is one who is receiving assistance through the Runaway and Homeless Youth Act. These programs are established by the Family and Youth Services Bureau and coordinated with the school Homeless Liaison.

### **Documents Required to Determine Categorical Eligibility for Free Meals**

Acceptable documentation to substantiate free meal/milk eligibility for a “Homeless/Runaway” student consists of a list from the Homeless Liaison or homeless shelter director containing the following information:

- Child's name
- Effective date
- Signature of Homeless Liaison or homeless shelter director

Documentation from the Homeless Liaison or homeless shelter director takes precedence over a Free or Reduced Price Household Meal Benefit Application. Once eligibility is established, it is valid *for the entire school year*.

The homeless/runaway population is often very transient and their circumstances may change. It is particularly important that eligible students are documented and certified for free meals promptly.

### **Homeless/Runaway Residing With Another Household**

A child or family may temporarily reside with another household and still be considered homeless/runaway under the definitions mentioned earlier. In these cases, the household size and income of the host family is **not** taken into consideration in determining the free meal/milk eligibility for the child(ren) designated homeless/runaway by the local Homeless Liaison. Additionally, when a host family applies for free or reduced price meals/milk 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/milk eligibility for the homeless/runaway child(ren) is based on the documentation provided by the local Homeless Liaison, even when the child is included on the host family's free or reduced price meal application. Once the free eligibility is established for the homeless/runaway child, it is valid for the school year. If the host family meets the free or reduced price meal eligibility criteria, school officials must provide the host family with approval for free or reduced price meal benefits, as appropriate, that is valid for the entire school year.

### **Definition of "Migrant"**

A migrant child is one who has moved across school district lines, within the last three years, in order to accompany or join a parent or guardian who has moved to seek or obtain temporary or seasonal work in agriculture or fishing.

### **Documents Required to Determine Categorical Eligibility for Free Meals**

Migratory children are automatically certified as eligible for free meal/milk benefits upon verification from the MEP and can begin receiving free meal/milk benefits upon proper documentation. Please note that documentation as migratory can only be provided by the MEP and must be obtained through COMPASS. Please review the COMPASS Training Guide, "Migrant Inquiry" section that was provided to all sponsors in Spring 2008. Through the COMPASS Migrant Inquiry, you will be able to search the documented migrant list for your school's students, thus making them categorically eligible for free meals/milk.

The migrant list on COMPASS is updated weekly. Obtain your migrant list at the beginning of each school year and check COMPASS weekly for updates.

## CONSIDERATIONS

- The Migrant/Homeless/Runaway (M/H/R) indicator on the COMPASS Free and Reduced Price Household Meal Benefit Application does not determine the child(ren) as categorically eligible. Any M/H/R indicator on the second page of the COMPASS Free or Reduced Price Household Meal Benefit Application only implies that this is a possible migrant/homeless/runaway. In either case, documentation must be verified from the appropriate means; COMPASS Migrant List, Homeless Liaison.
- Documentation of status provided by MEP through COMPASS and the Homeless Liaison is in lieu of free or reduced price meal benefit applications and must be sought, as much as possible, **prior** to an application being completed by the responsible parent or guardian.
- Upon enrollment, if school staff suspect that a child is migrant/homeless/runaway but the student has not been documented as migrant or homeless/runaway by MEP via COMPASS/Homeless Liaison, contact the local MEP/Homeless Liaison so the child's eligibility may be determined.
- The MEP may be accessed through COMPASS, "Migrant Inquiry, Migrant Student not Found – Send to MEP."
- The Homeless Liaison may be a designated person in your school or district or you may contact the area Intermediate Unit (IU) and have the Homeless Liaison there make the determination.

## ADDITIONAL INFORMATION

- Contact information for the MEP/Homeless Liaison in each area is accessible by going to their respective websites:

Pennsylvania Migrant Education Program – [www.migrated.state.pa.us](http://www.migrated.state.pa.us)

Pennsylvania Homeless Children's Initiative – <http://www.pde.state.pa.us/homeless>

- Additional information regarding the National School Lunch, School Breakfast and Afterschool Snack Programs can be found at [http://www.pde.state.pa.us/food\\_nutrition/site/default.asp](http://www.pde.state.pa.us/food_nutrition/site/default.asp)