



STATE OF CONNECTICUT

DEPARTMENT OF EDUCATION



TO: Potential 2010 Summer Food Service Program (SFSP) Sponsors

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Bureau of Health/Nutrition, Family Services and Adult Education

DATE: March 25, 2010

SUBJECT: Operational Memorandum #04-10 SFSP

- 1. Eligibility of Haitian Refugees for the Child Nutrition Programs**
- 2. Military Combat Pay**

1. Eligibility of Haitian Refugees for the Child Nutrition Programs

The United States Department of Agriculture has received inquiries about the eligibility of children who were evacuated to the United States as result of the earthquake in Haiti. The National School Lunch Program (NSLP), School Breakfast Program (SBP), Child and Adult Care Food Program (CACFP) and **Summer Food Service Program (SFSP)** do not require lawful presence in the United States prior to receiving a federal benefit and refugee children are eligible for meal benefits if they enroll in a participating school or institution.

Determining Eligibility for the SFSP

Summer institutions that require eligibility information can receive certification of the child's or adult's homeless status from the agency that assisted with the evacuation or is providing shelter. If the child is not residing in an emergency shelter, the institution should have an adult living with the child complete an income eligibility form indicating that the child is homeless. No further information is required to certify that child's eligibility.

Certifying Homeless Children Residing with another Household and How it Impacts the Host Family

A child or family may temporarily reside with another household and still be considered homeless under 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. 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. The summer institution determines 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 homeless liaison or other source, even when the child is included on the host family's income eligibility form.

2. Military Combat Pay

This memorandum provides guidance regarding the exclusion of military combat pay received by service members during a deployment. This exclusion of military combat pay is authorized by the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2010 (P.L. 111-80; October 21, 2009).

As set forth in the statute, combat pay is defined as an additional payment made under Chapter 5 of Title 37 of the United States Code, or as otherwise designated by the Secretary to be excluded, that is received by the household member who is deployed to a designated combat zone. Combat pay is excluded if it is:

- a. received in addition to the service member's basic pay;
- b. received as a result of the service member's deployment to or service in an area that has been designated as a combat zone; **and**
- c. not received by the service member prior to his/her deployment to or service in the designated combat zone.

A combat zone is any area that the President of the United States designates by Executive Order as an area in which the U.S. Armed Forces are engaging or have engaged in combat. As with other types of income commonly received by military personnel (such as the Basic Allowance for Housing or Basic Allowance for Subsistence payments), combat pay received by service members is normally reflected in the entitlements column of the military Leave and Earning Statement. Information regarding deployment to or service in a combat zone may also be available through military orders or public records on deployment of military units. Deployed service members are considered members of the household for purposes of determining income eligibility for the Child Nutrition Programs.

Questions pertaining to this memorandum may be directed to Susan Bohuslaw at 860-807-2073 or susan.bohuslaw@ct.gov or Robert Zwack at 860-807-2081 or robert.zwack@ct.gov.

CR:sb

Important: This is a numbered Operational Memorandum that contains important program information. Please read carefully and retain in a binder for your future reference. Operational Memoranda are also posted on the Child Nutrition website at: <http://www.sde.ct.gov/sde/cwp/view.asp?a=2626&q=321576>