

Categorical Eligibility for Free Meals for Students in Foster Care Placement Questions and Answers

General

Q1. Who is covered by this provision?

Any foster child formally placed by a state child welfare agency or court with a caretaker household. It does not apply to informal arrangements that may exist outside of state or court based systems.

Q2. How will foster children be certified for free meals?

School food authorities or local education agencies (LEA) should establish formal mechanisms with state and local foster agencies to receive information directly from these agencies to facilitate certification for free meals for foster children. Efforts must be made to certify all students in foster care as eligible for free meals without application. The LEA point of contact for foster care students may provide documentation to certify the foster care placement of students to the SNP contact.

Q3. Can school food authorities obtain documentation from a private foster care agency?

Yes, if the private foster care agency operates under approval and authority of the state child welfare agency and is responsible for placing the foster child in a caretaker household. Such agencies could include residential child care institutions (RCCI) and group homes.

Application process

Q4. When will an application need to be filled out for a foster child?

An application is not required for foster children and the LEA should make every effort to certify foster children without an application. If a state or local foster agency does not initially provide documentation for a categorically eligible foster child, an application identifying the child as a foster child must be filled out. Additionally, a household may now include foster children on their application for other children in the household who are not in foster care placement.

Q5. Is documentation from a state or local foster agency required for a foster child who is identified on an application?

Documentation is not required unless the household application is selected for verification.

Q6. If a foster child is listed on a family's application as a household member and that household happens to be selected for verification, does the school need anything extra for verification?

It depends on the situation. If a household is chosen for verification and the foster child included on the application was identified by a state or local foster agency, then no additional verification is needed for the foster child. If not, then documentation verifying the foster child's status would be required.

Q7. What documentation must be provided if a foster child is listed on a household application that is selected to be verified?

Documentation from a state or local foster care agency or the court where the foster child received placement is acceptable for verification. Direct contact from the foster care agency or court (for example, a list of foster children is sent to the LEA) is also acceptable documentation for verification.

Q8. Are foster children still considered a household of one?

No. Foster children are categorically eligible and are no longer considered a household of one. The categorical eligibility for free meals applies regardless of the foster child's personal use income or the household's income. In addition, foster children can be included as part of the household on applications that include other students who are not foster children. As a result, there may be instances where the foster child(ren) on the application is categorically eligible for free meals and the other non-foster children are either eligible for reduced price meals or ineligible, based on household income and size.

Q9. Who decides whether to include a foster child on a household application?

The household decides whether to include the foster child on their household application with non-foster children.

Q10. If a household chooses to include a foster child on their household application, are they required to report any personal income received by that foster child?

Yes. Households must report any personal income received by the foster child on their household application. As before, foster payments received by the caretaker household from the placing agency are not considered income and should not be reported or considered in the eligibility determination.

Q11. Can school food authorities determine the eligibility for the non-foster child(ren) both by including the foster child as a household member, and not including the foster child as a household member and give the better benefit level to the non-foster child(ren)?

Yes.

Q12. Now that foster children can be considered part of the household, can their eligibility be extended to other non-foster children in the household?

No. The presence of a foster child in the household does not make all children in the household eligible for free meals in the same manner as Supplemental Nutrition Assistance Program (SNAP) or Temporary Assistance for Needy Families (TANF) participation does.

Q13. If the foster child leaves the household and returns to his/her own home located within the same SFA, is the foster child still eligible for free meals, even though the student is no longer considered a foster child?

Yes, a foster child's eligibility is in effect from the date of eligibility for the current school year and for up to 30 operating days in the subsequent school year.

Q14. If the foster child leaves the household and returns to his/her own home outside of the SFA, is the child still eligible for free meals even though the student is no longer considered a foster child?

Yes, as long as the SFA agrees to accept the original eligibility determination. In this scenario, the former foster child's eligibility/application is handled like any other transfer student's.

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Q15. Is the non-foster household that qualified for free meals based on including the foster child as a household member, still eligible for free meals once the foster child leaves their home?

Yes, the non-foster household would continue to be eligible for the current school year and up to 30 operating days in the subsequent school year.

Q16. If a child is in a home for just a few days in an emergency placement, can the foster family count the child and apply for benefits?

Yes, a household may apply for eligibility at any time.