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June 13, 2014

**MEMORANDUM**

**To:** Superintendents

**Fr:** Donia Intriere, Nutritionist, Coordinated School Health and Wellness Bureau *DI*  
Dana Malone, McKinney-Vento Homeless Education Coordinator, Coordinated School  
Health and Wellness Bureau *DM*

**RE:** **Disaster Response – Child Nutrition Programs**

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This memorandum supersedes United States Department of Agriculture (USDA) memoranda SP 25-2012, CACFP 12-2012, SFSP 10-2012, Disaster Response. This newly issued memorandum provides an overview of ways State agencies, School Food Authorities (SFAs) participating in the National School Lunch (NSLP) and School Breakfast Programs (SBP), institutions participating in the Child and Adult Care Food Program (CACFP), and sponsors participating in the Summer Food Service Program (SFSP) can respond to situations, resulting from damage or disruptions due to natural disasters such as hurricanes, tornadoes, and floods as well as other exceptional emergency situations or man-made disasters. Sponsors of USDA meal service are encouraged to plan for emergency situations in advance to ensure a rapid response in the event that a disaster strikes.

**ELIGIBILITY FOR FREE MEALS AND DISASTER BENEFITS**

- Children residing in or evacuated from disaster areas may be determined homeless under the McKinney-Vento Homeless Assistance Act and are categorically (automatically) eligible for free meals in the Child Nutrition Programs (CNPs).
  - Homelessness must be determined by the school district's homeless liaison or from the agency that assisted with the evacuation or that is providing shelter and the SFA, Institution or sponsor must certify these children for free meals.
  - When a child or household moves in with another household due to a disaster/evacuation, the displaced individuals are still considered homeless under the McKinney-Vento Homeless Assistance Act and as such, are categorically eligible for free meals.
  - Children are to receive regular free meals immediately upon submitting verification information to the homeless liaison even if it takes a few days to verify this information.

- Children in households receiving Disaster Supplemental Nutrition Assistance Program (D-SNAP) benefits are categorically eligible for free meals.
  - This is accomplished through either Direct Certification or a submitted application by a household with a case number.
- Emergency shelters that provide temporary housing to displaced families are eligible to participate in CACFP.
- State agencies may designate any appropriate facility as an emergency shelter, and may waive institution application requirements in these situations.
- School officials may submit applications on behalf of children they know to be homeless and therefore categorically eligible for free meals.
- Students identified by such school officials as eligible based on homeless status or receipt of D-SNAP benefits remain eligible for the entire school year and up to 30 operating days into the next school year.
- Summer Food Service Program (SFSP) and The Seamless Summer Option (SSO) regulations allow expedited approval of feeding sites during an emergency, provided that organizations with current agreements to operate the SFSP have been approved to open emergency feeding sites.
- Flexibilities to Meal Components and Meal Times
  - Flexibility is allowed regarding meal times and Offer vs. Serve.
  - If milk is not available, meals may be served without milk or with an alternate such as dried or canned milk.
  - Consult PED or refer to 7 CFR § 210.10 (m)(4) for further guidelines.
- Accountability and Verification Procedures in Disaster situations:
  - State agencies, SFAs and Institutions are allowed to submit claims beyond the 60/90 day requirement.
  - Claims submitted outside the 60/90 day requirement are not subject to the one-time exception for late submissions.
  - When records required for review purposes are destroyed/lost in a disaster, State Agencies need to be informed of the circumstances and dates of the losses as well as the types and age of the records destroyed/lost.
  - Please reference this memo on waivers and exceptions when normal meal program accountability (counting, claiming, monitoring) can be waived.
- CACFP, SFSP, and SSO Site Eligibility during disasters/evacuations:
  - Site Eligibility requirements can be waived when existing eligible sites must be relocated to areas that would otherwise not be eligible.

Please reference this memo for “Other Exceptional Emergency or Man-made Disasters”. The enclosed fact sheet from the National Center for Homeless Education will assist you in planning for disasters. If you have any questions regarding the child nutrition programs, contact Ms. Donia Intriere at (505) 827-1465 or [donna.intriere@state.nm.us](mailto:donna.intriere@state.nm.us). Ms. Dana Malone can address your questions regarding homelessness education and she can be reached at (505) 827-1464 or [dana.malone@state.nm.us](mailto:dana.malone@state.nm.us).

Enclosures (2)

National Center for Homeless Education brief  
USDA Memorandum SP 46 CAF 12 SFSP 18-2014(2)

cc: Hanna Skandera, Secretary of Education  
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