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## **MEMORANDUM**

**TO:** School District Superintendents

**FROM:** Jacob Oliva

**DATE:** October 12, 2022

**SUBJECT:** **Food and Nutrition Provisions for Students Impacted by Hurricane Ian**

The federal McKinney-Vento Homeless Assistance Act defines a homeless child or youth as “an individual who lacks a fixed, regular, and nighttime residency” including:

- Children and youths 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; or are abandoned in hospitals;
- 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 (as such term is defined in Section 1309 of the Elementary and Secondary Education Act of 1965) living in circumstances described above.  
[Section 725, McKinney-Vento Act]

Students displaced from their homes due to Hurricane Ian and living in nighttime residences mentioned above may meet the McKinney-Vento definition of homeless, making them categorically eligible for free meals. To ensure students eligible for free lunch receive meals in a timely manner, the United States Department of Agriculture’s (USDA) policy allows school officials to keep lists documenting children who are impacted to qualify them for free meals in lieu of collecting individual applications. This is also known as “direct certification.” See the USDA’s [Eligibility Manual for School Meals](#) for more information.

JACOB OLIVA  
SENIOR CHANCELLOR

The following is a list of acceptable documentation to direct certify homeless students for free lunch:

- A list of names of homeless children;
- The effective dates and the signature of a homeless liaison; or
- A letter from a homeless liaison provided by the household to the school confirming the child is currently homeless.

McKinney-Vento eligible students remain eligible for free meals for the duration of the current school year even after moving back to permanent housing and up to 30 days into the subsequent school year, due to the yearlong eligibility requirement [7 Code of Federal Regulations (CFR) §245.6(c)(1)].

In addition to McKinney-Vento eligible students, children in households receiving Disaster Supplemental Nutrition Assistance Program (D-SNAP) benefits are categorically eligible for free meals in the child nutrition programs (CNPs). Certification of these children may be accomplished through direct contact with the SNAP agency or by an application submitted by a household with a case number. Children certified for free or reduced price meal benefits because of a disaster situation maintain their eligibility status for the entire school year and up to 30 days in the next school year [7 CFR §245.6(c)(1)].

For more information on the USDA's policy guidance on disasters, child nutrition programs, and its Food Assistance for Disaster Relief, please visit the following link: [Child Nutrition Programs Role in Disaster Response](#).

JO/pa

cc: School District McKinney-Vento Program Liaisons  
School District Food and Nutrition Coordinators