United States Department of Agriculture

Food and Nutrition Service

3101 Park Center Drive
Alexandria, VA
22302-1500

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SUBJECT: Use of School and Census Data

TO: Regional Directors
Special Nutrition Programs
All Regions

State Directors
Child Nutrition Programs
All States

The purpose of this memorandum is to provide additional guidance on the use of school and census data to establish area eligibility in the Child and Adult Care Food Program (CACFP), Summer Food Service Program (SFSP), and the Seamless Summer Option (SSO) of the National School Lunch Program (NSLP). In addition, this memorandum consolidates previous guidance and simplifies the area eligibility determination process to reduce administrative burdens on State agencies and Program operators. This memorandum supersedes:

- SFSP 02-1998, *Availability of School and Census Eligibility Data*, February 24, 1998;
- SFSP 05-2007, *Area Eligibility Duration in the Summer Food Service Program*, April 20, 2007; and
- CACFP 02-2012, *Eligibility Based on Census Data*, October 31, 2011.

The two primary sources of data that may be used to determine whether a site is area eligible are school data and census data. The Richard B. Russell National School Lunch Act (NSLA) allows the use of school data to establish area eligibility in the CACFP [42 U.S.C. 1766(f)(3)(A)(ii)(I)(bb)] and SFSP [42 U.S.C. 1761(a)(1)(A)(i)(I)]. The NSLA also allows the use of census data to establish tier I eligibility for CACFP day care homes [42 U.S.C. 1766(f)(3)(A)(ii)(I)(aa)] and area eligibility for SFSP sites [42 U.S.C. 1761(a)(1)(A)(i)(II)]. The use of school data and census data to determine whether a site is area eligible in SSO is established in SP 32-2013, *2013 Edition of Questions and Answers for the National School Lunch Program's Seamless Summer Option*, March 29, 2013.

Availability of Census Data

CACFP day care homes, SFSP sites, and SSO sites are considered area eligible if they are located in a Census Block Group (CBG) in which 50 percent or more of the children are eligible for free or reduced price school meals.

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The contents of this guidance document do not have the force and effect of law and are not meant to bind the public in any way. This document is intended only to provide clarity to the public regarding existing requirements under the law or agency policies.

In 2005, the Census Bureau began to annually estimate household income using the American Community Survey (ACS). The ACS is an ongoing survey that provides annual estimates, based on sampling data, in order to give communities more current information than the decennial census is able to provide. In 2012, the Food and Nutrition Service (FNS) began releasing these ACS data annually. For more information see: SFSP 04-2014, *Census Data Release: Fiscal Year 2014*, November 8, 2013. State agencies should use the most recently released census data to determine eligibility under CACFP, SFSP, and SSO.

Availability of School Data

School data may be used to establish area eligibility for the CACFP and for SFSP and SSO, excluding camps. In order for a site to be determined area eligible, school data must indicate that the proposed meal location is located in a school attendance area where at least 50 percent of the children are eligible for free or reduced price school meals.

CACFP regulations require State agencies to coordinate with their State's NSLP administering agency to obtain a list of schools, including elementary, middle, and high schools in the State where at least 50 percent of their enrolled children are eligible for free or reduced price school meals. This information must be provided by the NSLP State agency each year by February 15, and must be based on data from a designated month, most commonly the month of October [7 CFR 226.6(f)(1)(viii)(A) and 226.6(f)(1)(ix)(A)]. While SFSP regulations do not require State agencies to designate the use of school data from one particular month, FNS encourages using school data from the month designated for CACFP.

At the discretion of the applicable CACFP and SFSP State agencies, in situations where data from a more recent month in the school year is available and would establish area eligibility for an otherwise ineligible location, school data from that month may now be used to establish area eligibility.

Prioritization of Data

The NSLA permits the use of either school or census data to determine eligibility of CACFP day care homes without prioritizing either data source. However, CACFP regulations currently require institutions to first make a reasonable effort to establish area eligibility with school data prior to using census data [7 CFR 226.15(f)]. Previously, when census data were released decennially, school data were thought to more closely reflect the current socioeconomic status of a given area. Because census data are now annually estimated and released, this policy is no longer necessary. Therefore, this memorandum amends this policy to now allow the use of either school or census data for applicable area eligibility determinations in the CACFP.

As a reminder, census data may not be used to establish area eligibility for at-risk afterschool centers in the CACFP.

Duration of Area Eligibility

Area eligibility determinations made using either school or census data must be re-determined every five years. For schools or school food authorities participating in either SFSP or SSO, once a site establishes area eligibility, the eligibility stands for a period of five years, regardless of any transition from one Program to the other.

State agencies are reminded to distribute this information to Program operators immediately. Program operators should direct any questions regarding this memorandum to the appropriate State agency. State agency contact information is available at http://www.fns.usda.gov/cnd/Contacts/StateDirectory.htm. State agencies should direct questions to the appropriate FNS Regional Office.

Original Signed

Cynthia Long
Director
Child Nutrition Division