Reply to
Attn. of: SFSP-337

Subject: Summer Food Service Program (SFSP) Policy Memorandum
#8-98: Use of Other Programs' Eligibility Information for Closed Enrolled Sites in the SFSP

To: STATE AGENCY DIRECTORS - Colorado ED, Iowa, Kansas, Missouri DH, Montana OPI, Nebraska ED, North Dakota, South Dakota, Utah and Wyoming DHSS
(Child Nutrition Programs)

This memorandum concerns use by SFSP sponsors of free and reduced price (F/RP) meal application information (including eligibility determinations based on direct certification information) collected by schools, and other eligibility information collected by other government entities or private nonprofit organizations (PNOs) sponsoring the SFSP in order to establish eligibility at closed enrolled sites. Although we previously addressed the school application issue in SFSP-151 dated March 18, 1992, this memo formally extends the policy to government entities and PNOs which have access to eligibility information and operate closed enrolled sites.

The Food and Nutrition Service (FNS) continues to consider the confidentiality of information submitted by a household to be of paramount concern. However, in the interest of paperwork reduction and ease of program administration, we are providing the following guidelines for use of children's F/RP eligibility status contained in a database maintained by a SFSP sponsor.

To reiterate the guidance issued in 1992, School Food Authorities (SFAs) that sponsor the SFSP already have household eligibility information which they collect for the National School Lunch and School Breakfast Programs. Therefore, if the SFA already has a current school-year application on file for a particular student, and that student will be attending an enrolled SFSP site administered by the same SFA, the SFA is not required to obtain another application from the household.

Similarly, other government entities and private nonprofit organizations (PNOs) administering the SFSP may have access to family size and income data by virtue of their administration of other assistance programs.
The FNS will permit government agencies other than SFAs and PNOs to make use of income eligibility information from an agency database to make eligibility determinations for closed enrolled SFSP sites. Of course, such eligibility information may only be used if the assistance program has comparable definitions of income and household size and the income scale is comparable to or more restrictive than the Income Eligibility Guidelines in effect in the child nutrition programs. In addition, government entities and PNOs must take every precaution to ensure that there is controlled access to the income information being utilized to establish SFSP eligibility. Finally, in all cases, the information that is used to establish an enrolled site's eligibility for the SFSP must be accessible and retrievable by a reviewer.

We do not believe that this policy poses any risk of compromising the household's confidentiality, since it is limited to situations where government agencies or PNOs already have direct access to current data concerning the income eligibility of children for other public assistance programs and only share this data internally (i.e., with other staff of the same government agency or PNO). It is important to reiterate that, as in the past, any organization which possesses income information regarding the households of specific children participating in any child nutrition program shall not share this information with any person outside of their organization for the purpose of establishing the child's eligibility for any means-tested benefit, except with the express written permission of the student's parents or guardians.

Please contact our office at (303) 844-0359 if you have any questions concerning the application of this guidance.

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Regional Director
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cc: Bill Pohl, MO ED
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