

## Free/Reduced Fact Sheet: Foster Status

Foster children can be approved for free meals through:

### 1. Direct Certification (DC) on the STN Database

- a. Identified as a W in column U.
- b. Only that student can qualify for free meals. The other students in the household will have to qualify because of SNAP/TANF or income submitted on an application.
- c. Recordkeeping – keep copies of the DC matches on file.

### 2. Direct Certification (DC) with a Letter from Foster Agency or Court

- a. Schools can accept a State or local agency's or court's letter confirming the child's status as a foster child submitted by the household.
- b. Also allowable – welfare agency or court documents stating that the courts have taken legal custody of a child and s/he has been placed in the foster care system.
- c. A list of children in foster care from the welfare or court system is sufficient.
- d. Recordkeeping – keep copy of the letter or other documentation on file.

### 3. Foster box checked on F/R Application

- a. School should conduct a DC-Lookup to see if the student or guardian can be found in the STN database. If found, print out a copy of the DC-Lookup Match and retain on file.
- b. If no match can be made, call the household to see if the child is actually a ward of the state or if the child is considered “foster” as a result of an informal arrangement (no legal process involved).
  - i. If the household says the child is a ward of the state, document this information and process the application at face value. This application can still be verified at any time.
  - ii. If the household says it is an informal arrangement, do not make an eligibility determination on the application. Instead, obtain household size/income or Food Stamp/TANF information from the household. To get the required information, the school may return the application to the household or contact the household by phone or in writing, including e-mail. Schools should document the requested information on the application, initial, date, and record any additional information that would be beneficial.
  - iii. If the phone call to the household concludes that the child is runaway or homeless, the school should contact their local or State homeless liaison to make this determination.
  - iv. If all the above steps still do not result in a clear identification of foster status and the household cannot provide sufficient documentation, advise the household to submit household size/income to determine eligibility.
- c. Recordkeeping – keep copies of the of the DC matches on file or keep documentation of the process involved to determine eligibility.

<b>Foster</b>	<b>Not Foster</b>
Formally placed with caretaker household or in kinship care	Informally placed with relatives or other caretaker arrangement without court or State intervention
Formally placed by State child welfare agency or court	Informally placed in kinship care or with families who assume guardianship responsibilities that exist outside of State or court based systems
Formally placed by judgment, decree or other order of any court of competent jurisdiction	Household obtains legal guardianship of child
State must retain legal custody of the child	Household adopts child

**Important definitions:**

A **foster child** is a child whose care and placement is the responsibility of an agency that administers a State plan under part B or E of title IV of the Social Security Act, or a foster child who a court has placed with a caretaker household. These provisions only apply to children formally placed in foster care by a State child welfare agency or a court. They do not apply to informal arrangements such as caretaker arrangements or permanent guardianship placements that may exist outside of or as a result of State or court based systems. Whether placed by the State child welfare agency or a court, in order for a child to be considered categorically eligible for free meals, the state must retain legal custody of the child.

A foster child is considered a member of the foster parents’ household. The category of “foster child” also includes a child placed with relatives through a formal arrangement by the courts or State child welfare agency. A child is not considered a foster child if placed with relatives informally instead of through court or State intervention. (Eligibility Manual pgs. 14, 21, 35-36)

**Legal guardian** means a judicially created relationship between a child and caretaker which is intended to be permanent and self-sustaining. A child in foster care is under the responsibility of the State, whereas, a child who has a legal guardian is under the responsibility of the legal guardian. (SP 17-2011)

An **adopted child** for whom a household has accepted legal responsibility is considered to be a member of that household. If the adoption is a “subsidized” adoption, which may include children with special needs, the subsidy is included in the total household income. Other adoption assistance payments are also included as income (Eligibility Manual pg. 20)

**Memos/Policies to reference:**

- [SP 17-2011 Child Nutrition Reauthorization 2010: Categorical Eligibility of Children in Foster Care](#)
- [USDA Eligibility Manual for School Meals](#) – specifically pages 14, 20, 21, 25, 35-36, 53, 87