



**United States
Department of
Agriculture**

Food and
Nutrition
Service

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SUBJECT: Eligibility Based on 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 guidance regarding the duration of site eligibility determinations based on census data in the Child and Adult Care Food Program (CACFP) and the Summer Food Service Program (SFSP).

CACFP family day care homes located in low-income areas are eligible to receive reimbursement at the higher tier I rate for all meals served to enrolled children. The National School Lunch Act (NSLA) allows the use of census data to establish that an area is eligible for the tier I rates (42 U.S.C. 1766((f)(3)(A)(ii)). Similarly, SFSP sites are eligible to serve all meals free to participating children if they are located in areas in which poor economic conditions exist. The NSLA permits identification of such areas through the use of census data (42 U.S.C. 1761(a)(1)(A)(i)).

Previously, decennial census income data used to establish these areas were based on the 10-year long form sample. The Food and Nutrition Service (FNS) released these data, from the 2000 decennial census, in May 2003. Beginning 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.

The first five-year estimates derived from the ACS were released in 2009 and are considered the most reliable and precise data, especially for small areas such as census block groups. Census block groups will continue to be the geographical unit used to assess eligibility for CACFP and SFSP when using census data.

CACFP family day care homes and SFSP sites that establish eligibility using census data are required to use the most recent data available (7 CFR 226.6(f); 7 CFR 225.6(c)). Because census data were previously released every 10 years, eligibility determinations based on census data were valid for 10 years or until new census data were released.

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Under the new ACS, new five-year estimates will be available each year. In order to minimize administrative burden and align with other eligibility durations, however, the duration of determination for site eligibility based on census data will now be five years. This means eligibility must be reassessed every five years for SFSP sites and CACFP providers relying on census data to establish eligibility. This redetermination timeframe is consistent with SFSP policy regarding the use of free and reduced price school meal data to establish eligibility.

We are currently working with the Census Bureau to develop special tabulations of the ACS data to be updated annually. We will provide additional information about these data and how to use them to determine eligibility when they become available.

State agencies should direct any questions concerning this memorandum to the appropriate FNS Regional Office. Regional Offices with questions should contact the Child Nutrition Division.

Original Signed

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