

# Support the CARE for Kids Act of 2021

**T**he Caregivers Access and Responsible Expansion (CARE) for Kids Act of 2021 ([S. 1590](#)), introduced by Senator Bob Casey (D-PA), will help support children who are being raised by grandparents or relatives other than their parents by ensuring automatic access to free school meals. The School Breakfast Program and National School Lunch Program provide nutritious meals that support learning and health. Participation is linked to improved academic achievement, test scores, attendance, and behavior. The programs also significantly reduce household food costs and can help ease the financial burden on grandparents, aunts, uncles, and other extended family members who have taken on the important responsibility of raising children for the parents who are unable to do so.

## Automatic Eligibility for Free School Meals

Children are eligible to receive free school meals if their household income is 130 percent or below the federal poverty line. When a household applies for free school meals, the school meal application takes into account the gross income of all members of the “economic unit,” including social security, pension, and earnings of all household members under that roof.<sup>1</sup> For many relatives who are raising children, their income, while limited, and the definition of “household” for school meal purposes can keep the children from qualifying for free school meals.

In order to ensure that our most vulnerable children are able to access free school meals, Congress has taken the important step to make specific children categorically

(automatically) eligible for free school meals. Under federal law, children who live in households that participate in the means-tested Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance for Needy Families (TANF), and the Food Distribution Program for Indian Reservations (FDPIR) are categorically eligible for free school meals,<sup>2</sup> as are children who are homeless, migrant, or in Head Start.<sup>3</sup>

The Healthy Hunger-Free Kids Act of 2010 expanded categorical eligibility for free school meals status to include children in foster care.<sup>4</sup> This was an important step, particularly as the number of children in foster care has grown as families across the country have been devastated by the opioid epidemic. However, many children that the addition was meant to help are not in “foster care” as defined under the statute.

## Supporting Children Living With Grandparents

Many children who are excluded from categorical eligibility to receive free school meals have moved out of the foster care system and are in the care of grandparents or other relatives who have adopted them or have become their legal guardians. Other children have been diverted by child welfare agencies to the care of relatives to prevent them from entering foster care. A number of children being raised by relatives have severe disabilities or other special needs that require significantly more services than a traditional foster home. “Kinship care” arrangements are those in which children live with and are being raised by grandparents, other adult family members, or close family friends without

<sup>1</sup> 7 CFR 245.6

<sup>2</sup> Some states participate in the “Medicaid Direct Certification” pilot, which confers eligibility for free school meals to children who participate in Medicaid and meet an income test. Even in those states, children are excluded from being categorically eligible for free meal status because their Medicaid coverage is provided through receipt of another benefit, such as Supplemental Security Income or Title IV-E benefits, so their income is not documented.

<sup>3</sup> 42 U.S.C. 1758(b)

<sup>4</sup> 42 U.S.C. 1758(b)(5)(E).

their parents in the home. These arrangements are often the preferred and less traumatic route for children who cannot remain with their parents. Research shows that providing support and services to grandparents and other relatives to help them raise children results in better mental and behavioral health outcomes and greater stability for the children. Yet, according to U.S. Department of Agriculture policy, these children are not categorically eligible for free school meals, limiting their access to nutritious meals that are linked to improved academic achievement and health.

## What Does the CARE for Kids Act of 2021 Propose?

The bill would allow automatic eligibility for free school meals for the following groups of children:

- **Children being raised by a relative who receives adoption or guardianship assistance:** Children who are placed in long-term care-giving arrangements with family other than the parents, such as grandparents, are not automatically eligible for free school meals, and the bill would change that. Ensuring these children have automatic access to school meals will help ease the financial burden on families who have taken on the responsibility for caring for these children.
- **Children being raised by grandparents or other relatives due to placement by a state or tribal child welfare agency:** The bill will ensure that children who are diverted from the foster care system and placed with grandparents or other relatives by a state or tribal child welfare agency are still able to access free school meals regardless of whether the agency takes responsibility for the child.
- **Children living in “grandfamily” housing or receiving housing assistance under the Native American Housing Assistance and Self-Determination Act of 1996:** The bill would allow children living in a housing

development that is dedicated to low-income families with grandparents or other relative caregivers, or in a development receiving affordable housing assistance under the Native American Housing Assistance and Self-Determination Act of 1996, to be automatically eligible for free school meals.

- **Children who are automatically eligible for Medicaid, such as children formerly in foster care or children with a disability:** Some children receiving Medicaid benefits do not have to meet an income test because they were formerly in foster care or they have a disability. However, without income verification, the child cannot be automatically identified for free school meals. The bill would close this gap in benefits by ensuring that children who are automatically enrolled in Medicaid are certified for free school meals.

**Additionally, the bill extends children’s eligibility for free or reduced-price school meals into the school year immediately following placement with a grandparent or other relative.** The bill would extend eligibility for free or reduced-price school meals for children who were determined to be eligible in the school year prior to placement with a grandparent or relative for the school year immediately following placement. In this way, the provision seeks to ease the financial burden on households while ensuring continuous healthy meals at school for the child.

## How Will the CARE for Kids Act of 2021 Benefit Communities?

Placing children with their grandparents and other family members supports better outcomes and provides much-needed stability. It is the right thing to do for grandfamilies, and it shouldn’t limit their access to free school meals. The CARE for Kids Act of 2021 will close this unintentional gap in benefits and ensure the many children in kinship care have automatic access to healthy school meals at no cost.