



State of Arizona  
**Department of Education**

**Tom Horne**  
Superintendent of  
Public Instruction

CN #21-10  
SFSP CN #01-10

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**MEMORANDUM**

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**TO:** Sponsors of the National School Lunch Program & School Breakfast Program

**FROM:** Tina Herzog, Acting Deputy Associate Superintendent  
Arizona Department of Education, Health and Nutrition Unit

*Original Signed*

Lynn Ladd, Director  
Arizona Department of Education, School Health and Education Programs

**DATE:** November 16, 2009

**SUBJECT:** Exclusion of Military Combat Pay from Income Eligibility Determination

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This memorandum provides information on implementation of the exclusion of military combat pay from income eligibility determination for Free and Reduced-Price meals provided as part of the National School Lunch Program, School Breakfast Program, Special Milk Program, and the Summer Food Service Program. This exclusion is authorized by the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2010 (P.L. 111-80; October 21, 2009).

As set forth in the statute, combat pay is defined as an additional payment made under Chapter 5 of Title 37 of the United States Code, or as otherwise designated by the secretary to be excluded, that is received by the household member who is deployed to a designated combat zone. Combat pay is excluded if it is:

- Received in addition to the service member's basic pay;
- Received as a result of the service member's deployment to or service in an area that has been designated as a combat zone; and
- Not received by the service member prior to his/her deployment to or service in the designated combat zone.

A combat zone is any area that the President of the United States designates by Executive Order as an area in which the U.S. Armed Forces are engaging or have engaged in combat. As with

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other types of income commonly received by military personnel (such as the Basic Allowance for Housing or Basic Allowance for Subsistence payments), combat pay received by service members is normally reflected in the entitlements column of the military Leave and Earnings Statement (LES). Information regarding deployment to or service in a combat zone may also be available through military orders or public records on deployment of military units. Deployed service members are considered members of the household for purposes of determining income eligibility for the Child Nutrition Programs.

Please consider combat pay as an exclusion from all future income eligibility determinations. The combat pay exclusion will be included in the next updates to the Arizona Department of Education's Free and Reduced Price Policy Manual's guidance for military benefits and the USDA Eligibility Manual for School Meals.

If you have any questions or concerns regarding this memo, please contact your assigned School Health and Nutrition Program Specialist at (602) 542-8700.

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