

Free and Reduced Price School Meals Family Application Forms School Year 2011-2012

The Free and Reduced Price School Meals Family Application prototype and related materials for School Year 2011-2012 are attached. For detailed instructions on the eligibility determination process, please read the attached document Critical Information for the Free and Reduced Price School Meals Family Application and refer to the *Eligibility Guidance for School Meals Manual* available at: http://www.fns.usda.gov/cnd/Guidance/eligibility_guidance.pdf.

Packet Contents

Required materials that must be provided to households:

- Letter to Parents (3 pages printed front and back)
- Free and Reduced Price School Meals Family Application (2 pages printed front and back)
- Approval-Disapproval Letter to Households (1 page)

Optional application-related materials that may be provided to households:

- Sharing Information with Other Programs (1 page)

Other materials:

- Critical Information for the Free and Reduced Price School Meals Family Application (3 pages)
- Income Eligibility Guidelines for Use in Schools (1 page)
- Direct Certification Notification (2 pages)

The pages are designed to be printed on 8½" by 11" paper.

Questions regarding this packet may be directed to the School Nutrition Programs Office at: mde-schoolnutrition@michigan.gov.

Dear Parent/Guardian:

Children need healthy meals to learn. [School Name] offers healthy meals every school day. Students may buy lunch for \$_____ and breakfast for \$_____. Your children may qualify for free meals or for reduced price meals. We sell reduced price lunches for \$_____ and breakfasts for \$_____. If a doctor has determined that your child has a disability, and the disability would prevent the child from eating the regular school meal, the school will make *any substitution prescribed by a licensed physician* at no extra charge. The physician's statement, including prescribed diet and/or substitution, must be submitted to the food service department at your school. For further information, please call [name and phone number].

1. DO I NEED TO FILL OUT AN APPLICATION FOR EACH CHILD?

No. Complete the application to apply for free and reduced price school meals. Use one Free and Reduced Price School Meals Family Application for all students in your household. We cannot approve an application that is not complete, so be sure to fill out all required information. Return the completed application to: [name, address, and phone number].

2. WHO CAN GET FREE MEALS?

Children in households getting Food Assistance Program (FAP), Family Independence Program (FIP), or Food Distribution Program on Indian Reservations (FDPIR), can get free meals regardless of your income. Also, your children can get free meals if your household income is within the free limits on the Federal Income Guidelines.

3. CAN FOSTER CHILDREN GET FREE MEALS?

Yes, foster children that are under the legal responsibility of a foster care agency or court, are eligible for free meals. Any foster child in the household is eligible for free meals regardless of income.

4. CAN HOMELESS, RUNAWAY, AND MIGRANT CHILDREN GET FREE MEALS?

Yes, children who meet the definition of homeless, runaway, or migrant qualify for free meals. If you haven't been told your children will get free meals, please call [name and phone number], homeless liaison or migrant coordinator to see if your child(ren) qualify.

5. WHO CAN GET REDUCED PRICE MEALS?

Your children can get low cost meals if your household income is within the reduced price limits on the Federal Income Guidelines.

6. SHOULD I FILL OUT AN APPLICATION IF I RECEIVED A LETTER THIS SCHOOL YEAR SAYING MY CHILDREN ARE APPROVED FOR FREE MEALS?

Please read the letter you got carefully and follow any instructions if provided. Call the school at [phone number] if you have questions.

7. MY CHILD'S APPLICATION WAS APPROVED LAST YEAR. DO I NEED TO FILL OUT ANOTHER ONE?

Yes. Your child's application is only good for that school year and for the first few days of this school year. You *must* send in a new application unless the school told you that your child is eligible for the new school year.

8. I GET WOMEN, INFANTS, & CHILDREN (WIC). CAN MY CHILD(REN) GET FREE MEALS?

Children in households participating in WIC may be eligible for free or reduced price meals. An application must be filled out by WIC households.

9. WILL THE INFORMATION I GIVE BE VERIFIED?

Yes, we may ask you to send written proof of any information provided on the application.

10. IF I DON'T QUALIFY NOW, MAY I APPLY LATER?

Yes. You may apply at any time during the school year if your house-hold size goes up, income goes down, or if you start getting FAP, FIP, FDPIR, or other benefits. If you lose your job, your children may be able to get free or reduced price meals.

11. WHAT IF I DISAGREE WITH THE SCHOOL'S DECISION ABOUT MY APPLICATION?

You should talk to school officials. You also may ask for a hearing by calling or writing to: [name, address, and phone number].

12. MAY I APPLY IF SOMEONE IN MY HOUSEHOLD IS NOT A U.S. CITIZEN?
Yes. You or your child(ren) do not have to be a U.S. citizen to qualify for free or reduced price meals.
13. WHO SHOULD I INCLUDE AS MEMBERS OF MY HOUSEHOLD?
You must include all people living in your household, related or not (such as grandparents, other relatives, or friends) who share income and expenses. You must include yourself and all children living with you. If you live with other people who are economically independent (for example, people who you not support, who do not share income with you or your children, and who pay a pro-rated share of the expenses), do not include them.
14. WHAT IF MY INCOME IS NOT ALWAYS THE SAME?
List the amount that you normally get. For example, if you normally get \$1000 each month, but you missed some work last month and only got \$900, put down that you get \$1000 per month. If you normally get overtime, include it, but not if you get it only sometimes. If you have lost a job or had your hours or wages reduced, use your current income.
15. WE ARE IN THE MILITARY. DO WE INCLUDE OUR HOUSING ALLOWANCE AS INCOME?
If you get an off-base housing allowance, it must be included as income. However, if your housing is part of the Military Housing Privatization Initiative, do not include your housing allowance as income.
16. WHAT IF MY CHILD DOES NOT HAVE HEALTH INSURANCE?
Your children may qualify for low cost or free health insurance through MIChild and Healthy Kids Program. To apply online, go to www.michigan.gov/michild or call 1-888-988-6300 for help or to request a paper application.
17. MY SPOUSE IS DEPLOYED TO A COMBAT ZONE. IS HIS/HER COMBAT PAY COUNTED AS INCOME?
No, if the combat pay is received in addition to his/her basic pay because of his/her deployment and it wasn't received before he/she was deployed, combat pay is not counted as income. Contact your school for more information.
18. MY FAMILY NEEDS MORE HELP. ARE THERE OTHER PROGRAMS WE MIGHT APPLY FOR?
To find out how to apply for Food Assistance Program (FAP) or other assistance benefits, contact your local assistance office or call 1-800-481-4989.

Sincerely,

APPLICATION INSTRUCTIONS:

Your children may qualify for free and reduced price school meals if your household income falls within the limits on this chart.

Total Family Size	Annual	Monthly	Twice per Month	Every Two Weeks	Weekly
1	\$20,147	\$1,679	\$840	\$775	\$388
2	\$27,214	\$2,268	\$1,134	\$1,047	\$524
3	\$34,281	\$2,857	\$1,429	\$1,319	\$660
4	\$41,348	\$3,446	\$1,723	\$1,591	\$796
5	\$48,415	\$4,035	\$2,018	\$1,863	\$932
6	\$55,482	\$4,624	\$2,312	\$2,134	\$1,067
7	\$62,549	\$5,213	\$2,607	\$2,406	\$1,203
8	\$69,616	\$5,802	\$2,901	\$2,678	\$1,339
*Each additional household member add:	\$7,067	\$589	\$295	\$272	\$136

IF YOUR ENTIRE HOUSEHOLD GETS FAP, FIP, OR FDP, FOLLOW THESE INSTRUCTIONS:

- Part 1: Skip this part.
- Part 2: List the name and case number for any household member (including adults) receiving FAP, FIP, or FDP.
- Part 3: List child(ren)'s name, grade, and building.
- Part 4: Skip this part.
- Part 5: Sign and date the form. A Social Security Number is not necessary.
- Part 6: Answer this question.

If you are applying for a homeless, migrant, or runaway child, check the appropriate category and contact your Homeless Liaison or Migrant Coordinator. Fill out application by following instructions for ALL OTHER HOUSEHOLDS.

IF YOU ARE APPLYING FOR ONLY FOSTER CHILD(REN), FOLLOW THESE INSTRUCTIONS:

- Part 1: Skip this part.
- Part 2: Skip this part.
- Part 3: List the foster child(ren)'s name, circle Yes for foster child, and list grade and building.
- Part 4: Skip this part.
- Part 5: Sign and date the form. A Social Security Number is not necessary.
- Part 6: Answer this question.

FOLLOW THESE INSTRUCTIONS FOR ALL OTHER HOUSEHOLDS: (Includes households with WIC, homeless, migrant, runaway, and households with both foster and non-foster children.)

- Part 1: Complete if applicable.
- Part 2: Skip this part.
- Part 3: Follow these instructions to report ALL household members:
 - Column 1 - Names: List the first and last name of each person living in your household, related or not (such as grandparents, other relatives, or friends). You *must* include yourself and all children living with you. Be sure to include all children. Attach another sheet of paper, if needed.
 - Column 2 - Circle Yes if Foster Child: Circle Yes if applicable.
 - Column 3 - Grade: Fill in the grade for each child attending school.
 - Column 4 - Building Name: Fill in the building name for each child attending school.
- Part 4: GROSS INCOME: Use this section to report all income in your household from the previous month: Next to each person's first and last name, list each type of income received last month. *Next to the amount, circle how often the person got it (weekly, every 2 weeks, twice a month, or monthly).*
 - o All persons must claim some income, or indicate that they receive no income. If a person, including any child listed in part 3, does not have any income, then \$0 *must* be circled in the column labeled "Circle if NO Income."
 - o *Earnings from Work:* List the gross income each person earned from work. This is not the same as take-home pay. *Gross income is the amount earned before taxes and other deductions.* Net income should ONLY be reported for self-owned business, farm, or rental income.
 - o *Welfare, Child Support, and Alimony:* List the amount each person received last month.
 - o *Pensions, Retirement, and Social Security:* List the amount each person received last month.
 - o *All Other Income:* All Other Income includes Worker's Compensation, unemployment, strike benefits, Supplemental Security Income (SSI), Department of Veterans Affairs (VA) benefits, disability benefits, regular contributions from people who do not live in your household, personal income from foster children, and *any other income.*
- Part 5: An adult household member *must* sign and date the form, list the last four (4) digits of their *Social Security Number*, or check the box "I do not have a Social Security Number."
- Part 6: Answer this question.

FREE AND REDUCED PRICE SCHOOL MEALS FAMILY APPLICATION

Part 1 - If the child you are applying for is homeless, migrant or a runaway, check the appropriate category and verify with the district/school Homeless Liaison or Migrant coordinator at _____
 _____ Homeless _____ Migrant _____ Runaway List the Child's Name, Grade, and Building in Part 3.

Part 2 - If any member of your household received Food Assistance Program (FAP), Family Independence Program(FIP), or FDPIR, provide the name and case number for the person who receives benefits.
 Name: _____ Case Number: _____ Bridge Card Numbers and Medicaid Numbers are NOT ACCEPTABLE case numbers
 If a case number is provided only students need to be listed in Part 3.

Part 3 - Household Names - List below *all* people living in your household, students and non-students, foster children, related or unrelated. For example, grandparents, other relatives, and/or friends, including yourself and children who live with you, *must* be listed.

Part 4 - Total Household Gross Incomes - Include the amount of money and circle how often it is received. If the person does not receive any income "\$0" must be circled in the column Circle if NO income. If you listed a FAP/FIP/FDPIR number in Part 2, skip to Part 5.

Names	Circle Yes if Foster Child	Grade (if applicable)	Building Name (if applicable)	Circle if NO Income	Earnings from Work (before any deductions and taxes)		Welfare, Child Support, Alimony		Pensions, Retirement, Social Security		All Other Income		
					weekly	every 2 weeks	weekly	every 2 weeks	weekly	every 2 weeks	weekly	every 2 weeks	
Example: <i>Jane Doe</i>	Yes			\$0	\$600	monthly			\$250	monthly			
1	Yes			\$0		weekly	every 2 weeks	weekly	every 2 weeks	weekly	every 2 weeks	weekly	every 2 weeks
2	Yes			\$0		twice a month	monthly	twice a month	monthly	twice a month	monthly	twice a month	monthly
3	Yes			\$0		weekly	every 2 weeks	weekly	every 2 weeks	weekly	every 2 weeks	weekly	every 2 weeks
4	Yes			\$0		twice a month	monthly	twice a month	monthly	twice a month	monthly	twice a month	monthly
5	Yes			\$0		weekly	every 2 weeks	weekly	every 2 weeks	weekly	every 2 weeks	weekly	every 2 weeks
6	Yes			\$0		twice a month	monthly	twice a month	monthly	twice a month	monthly	twice a month	monthly
7	Yes			\$0		weekly	every 2 weeks	weekly	every 2 weeks	weekly	every 2 weeks	weekly	every 2 weeks
8	Yes			\$0		twice a month	monthly	twice a month	monthly	twice a month	monthly	twice a month	monthly

Part 5 - Signature and Last Four (4) Digits of Adult Social Security Number (*Adult household member MUST sign and date.*)

If Part 4 is completed, the adult signing the form must also list the last four (4) digits of his or her Social Security Number or check the "I do not have a social security number box". See Privacy Act Statement on the back of this page.

I certify (promise) that all information on this application is true and that all income is reported. I understand that the sponsor will get federal funds based on the information I give. I understand that sponsor officials may verify (check) the information. I understand that if I purposely give false information, my child may lose benefits and I may be prosecuted.

Sign Here: X _____ Print Name: _____ Date: _____

Last Four (4) Digits of Adult Social Security Number: XXX-XX-_____ I do not have a Social Security Number

Address	City	Zip Code	County
Home/Cell Phone	Work Phone	Email Address	By providing your email address you may be notified via email of your eligibility for free and reduced price school meals.

Part 6 - Child's Racial/Ethnic Identity (optional)

Check One or More Racial Identities:

- American Indian or Alaskan Native Asian
 Black or African American White
 Native Hawaiian or Other Pacific Islander Other

Check One Ethnic Identity:

- Hispanic or Latino
 Neither Hispanic or Latino

Privacy Act Information: Social Security Number

The Richard B. Russell School Lunch Act requires the information on this application. You do not have to give the information, but if you do not, we cannot approve your child for free or reduced price meals. You must include the last four (4) digits of the Social Security Number of the adult household member who signs the application. The Social Security Number is not required when you apply on behalf of a foster child, list a FAP or FIP case number or other FDPIR identifier for your child, or indicate that the adult household member signing the application does not have a Social Security Number. We will use your information to determine if your child is eligible for free or reduced price meals, and for administration and enforcement of the lunch and breakfast programs. We MAY share your eligibility information with education, health and nutrition programs to help them evaluate, fund, or determine benefits for their programs, auditors for program reviews, and law enforcement officials to help them look into violations of program rules.

Non-discrimination Statement: This explains what to do if you believe you have been treated unfairly.

In accordance with Federal Law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability. To file a complaint of discrimination, write USDA, Director, Office of Adjudication, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410 or call toll free (866) 632-9992 (Voice). Individuals who are hearing impaired or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339; or (800) 845-6136 (Spanish). USDA is an equal opportunity provider and employer.

VERIFICATION - FOR SCHOOL USE ONLY

Date Selected for Verification: _____		Date Follow-up/Second Notice: _____		Date of Adverse Notice Sent: _____
Confirming Officials Signature: _____		Follow-up Official's Signature: _____		_____
Response Due from Household: _____		Verification Official's Signature: _____		_____
FAP/FIP/FDPIR/Foster Eligibility: <input type="checkbox"/> Not confirmed Confirmed: <input type="checkbox"/> Department of Human Services <input type="checkbox"/> Notice of Eligibility	Income \$ _____ <input type="checkbox"/> Weekly <input type="checkbox"/> Every 2 weeks <input type="checkbox"/> Twice a month <input type="checkbox"/> Monthly <input type="checkbox"/> Annual	_____ Wage Stubs _____ Written Documents _____ Collateral Contact _____ Agency Records _____ Other _____	Verification Result <input type="checkbox"/> Free to Reduced <input type="checkbox"/> Free to Paid <input type="checkbox"/> Reduced to Free <input type="checkbox"/> Reduced to Paid <input type="checkbox"/> No Change	Reason for Eligibility Change: <input type="checkbox"/> Income <input type="checkbox"/> Household Size <input type="checkbox"/> Refused to Cooperate <input type="checkbox"/> Other _____

APPROVAL/DISAPPROVAL - FOR SCHOOL USE ONLY

Annual Income Conversion: Weekly x 52, Every 2 Weeks x 26, Twice a Month x 24, Monthly x 12

Household Size: _____ Total Gross Income: \$ _____ <input type="checkbox"/> Weekly <input type="checkbox"/> Every 2 Weeks <input type="checkbox"/> Twice a Month <input type="checkbox"/> Monthly <input type="checkbox"/> Annual	_____ Number of Children Free _____ Number of Children Reduced _____ Number of Children Paid _____ Temporary Free - Time Period: _____ (expires after _____ days)	Reason for Denial: <input type="checkbox"/> Income Too High <input type="checkbox"/> Incomplete Application <input type="checkbox"/> Other (specify) _____
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Determining Official's Signature: _____ **Date:** _____ **Date Dropped/Withdrawn:** _____

Date: _____

Dear Parent or Guardian:

Your Free and Reduced Price School Meals Family Application or Free Milk Family Application has been evaluated.

Name of Student	Grade	School

APPROVED:

- Free Lunch
- Free Breakfast
- Free Afterschool Snack
- Reduced Price Lunch Your cost: _____ cents per Lunch
- Reduced Price Breakfast Your cost: _____ cents per Breakfast
- Reduced Price Snack Your cost: _____ cents per Snack
- Free Milk

DISAPPROVED

- Total household income exceeds published income limits.

INCOMPLETE

- Income by source is not listed. Please send corrected copy.
- Names of all household members are missing or not listed. Please send corrected copy.
- Signature of primary wage earner or adult is missing. Please send corrected copy.
- Social security number of adult who signed the application is missing.
- Other (*specify*): _____

You may reapply or appeal at any time during the school year. If you wish to review the decision further, you have a right to a fair hearing. This may be done by calling or writing the following official:

Name and Title: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Phone Number: _____

Sincerely,

Non-discrimination Statement: This explains what to do if you believe you have been treated unfairly. In accordance with Federal Law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability. To file a complaint of discrimination, write USDA, Director, Office of Adjudication, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410 or call toll free (866) 632-9992 (Voice). Individuals who are hearing impaired or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339; or (800) 845-6136 (Spanish). USDA is an equal opportunity provider and employer.

Sharing Information with Other Programs

Dear Parent/Guardian:

Your child may qualify for other programs, based on the information you gave on your Free and Reduced Price School Meals Family Application. For the following programs, we must have your permission to share your information. Sending in this form will not change whether your children get free or reduced price meals.

- Yes! **I DO** want school officials to share information from my Free and Reduced Price School Meals Family Application with [Name of Person Specific to Your School].
- Yes! **I DO** want school officials to share information from my Free and Reduced Price School Meals Family Application with [Name of Person Specific to Your School].
- Yes! **I DO** want school officials to share information from my Free and Reduced Price School Meals Family Application with [Name of Person Specific to Your School].

If you check "Yes" to any or all of the boxes above, please fill out form below. Your information will be shared only with the programs you checked.

Child's Name: _____ School: _____

Signature of Parent/Guardian: _____ Date: _____

Printed Name: _____

Address: _____

For more information, you may call _____ at _____

Return this form to: [Name, Address, and Phone Number].

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Critical Information for the Free and Reduced Price School Meals Family Application

- Local Educational Agencies (LEAs) are **required** to use the Free and Reduced Price School Meals Family Application.
- The Free and Reduced Price School Meals Family Application cannot be completed and signed before July 1 of the effective school year. Annually, Income Eligibility Guidelines (IEG) are effective from July 1 to June 30.
- The Free and Reduced Price School Meals Family Application materials are available in several languages. The translations of application materials can be found at: www.fns.usda.gov/cnd/FRP/frp.process.htm.
- **New** programs *must* submit a copy of the Free and Reduced Price School Meals Family Application and Letter to Parents, with any appropriate district/school information or additions, to the Michigan Department of Education (MDE) for approval.
- **Renewing** programs that make changes to the Free and Reduced Price School Meals Family Application and Letter to Parents prototypes, or use a different application format (e.g., scanable), *must* submit a copy to MDE for approval every year.
- Every year, MDE will release to all editors/publishers of local media outlets in Michigan the Annual Public Notice for USDA Child Nutrition Programs. This publication meets the requirement of a Public (Media) Release being provided to the local news media. However, LEAs are responsible to forward the public release to any major employer who is contemplating large layoffs in the attendance area of its school.

Family Application Approval Process Information

- Refer to the *Eligibility Guidance for School Meals Manual* when approving free and reduced price school meals. It is available at: http://www.fns.usda.gov/cnd/Guidance/eligibility_guidance.pdf.
- LEAs are responsible for assuring that the certification process meets all regulatory requirements and policies for application processing and approval. If software is used to perform all or part of the certification process, the LEA *must* assure the software used is performing correctly and is meeting all requirements. Please refer to Scanned Income Applications: Memo SP 04-2007. It is available at: http://www.fns.usda.gov/cnd/Governance/Policy-Memos/2007/SP_04-2007.pdf.
- LEAs *must* carry over the eligibility status from the previous school year for up to 30 days. Any prior school year applications used beyond the 30th day of operation are not valid for free and reduced meal benefits and will result in fiscal action.
- Eligibility determinations are valid for the entire school year.

- Electronic Benefit Transfer (EBT) Bridge Cards are now used throughout the state of Michigan. The EBT Bridge Card Number is a 16-digit numerical number, for example: 1234 2345 3456 4567, while the Food Assistance Program (FAP) Case Number is a numerical number, with a total number of 9 digits beginning with the number 1. The United States Department of Agriculture (USDA) has determined that the number on a household's EBT Bridge Card cannot be accepted as a Food Assistance Program (FAP) Case Number on applications for meal benefits. As you receive and review applications for meal benefits, be sure that households providing a FAP Case Number in Part 2 of the application are providing a FAP Case Number and not an EBT Bridge Card Number.
- If any member in a household has a FAP, Family Independence Program (FIP), or Food Distribution Program on Indian Reservation (FDPIR) number, all of the children in the household are categorically eligible for free meals.
- If a household has only one (1) income source, or if all sources are the same frequency (e.g., all weekly), do not use conversion factors. Compare the income or the sum of the incomes to the published Income Eligibility Guidelines (IEG) for the appropriate frequency and household size to make the eligibility determination.
- If a household reports income sources at more than one (1) frequency, the correct method is to annualize all income. Annual Income Conversion: weekly x 52; every 2 weeks x 26; twice a month x 24; or monthly x 12.
- Do not round the values resulting from each conversion. Sum all the unrounded converted values and compare the unrounded total to the published IEG for annual income for the appropriate household size.
- All persons claim some income, or indicate that they receive no income. If the person, including any child listed in Part 3 on the application, does not have any income, then \$0 *must* be circled in the column labeled "Circle in NO Income" under Part 4.
- Homeless, migrant, and runaway youth are categorically eligible for free meals.
- Please refer to Categorical Eligibility for Free Lunches and Breakfasts of Runaway, Homeless, and Migrant Youth: Reauthorization 2004 Implementation Memo SP4. It can be found at: http://www.fns.usda.gov/cnd/Governance/Reauthorization_Policy_04/Reauthorization_04/2004-07-19.pdf
- As stated in the *Eligibility Guidance for School Meals Manual* (January 2008), Part 5 - Categorical Eligibility, a child from a household currently certified to receive benefits through the FDPIR is categorically eligible for free benefits in the National School Lunch Program (NSLP).
- When a household submits a complete application that contains: (1) the name of the child, (2) a current FDPIR case number or identifier with Program affiliation, e.g., "Sault Ste. Marie Commodity Program," and (3) an adult signature, the determining official *must* approve the child for free meals or free milk, as applicable. For further information please refer to: <http://www.fns.usda.gov/fdd/programs/fdpir/>.

- Previously, a separate application for free and reduced price meals was submitted for a foster child who was considered a household of one. Now, the foster child is categorically eligible for free meals and may be certified without an application. Households with foster and non-foster children may choose to include the foster child as a household member, as well as any personal income earned by the foster child, on the same household application that includes their non-foster children. This will streamline the application process and may help the foster family's non-foster children qualify for free or reduced price meals based on household size and income.

In processing the application, the child nutrition program institution would certify the foster child for free meals, and then make an eligibility determination for the remainder of the household based on the household's income (including personal income earned by the foster child) or other categorical eligibility information reported on the application. As before, foster payments received by the family from the placing agency are not considered income and do not need to be reported. Please note that the presence of a foster child in the household does *not* convey eligibility for free meals to all children in the household in the same manner as FAP, FIP, and FDPIR participation does.

- All applications for the students in a particular building *must* be easily retrievable. A household application can be filed and retrieved by a number system using a computer database or spread sheet cross-reference system. A cross-reference system might use an application number given to each household family application. A child in the household would have their application number listed with their information on the building rosters. The system used *must* clearly identify the location of the family application for any child listed on that application.
- Every month sponsors should print and retain a roster of students eligible for free, reduced price, and paid school meals. This record serves as a basis for the claim for reimbursement and for audit and review purposes. It *must* be kept three years after the date of the final claim for reimbursement for the fiscal year to which it pertains or as long as there are unresolved audit findings related to the record.

Sharing Information with Other Programs

- School food authorities may disclose, without parent/guardian consent, participants' names and eligibility status (whether they are eligible for free meals or free milk or reduced price meals) to persons directly connected with the administration or enforcement of federal education or state education programs such as Title I, MEAP, and No Child Left Behind.
- The attachment, *Sharing Information with Other Programs*, *must* be used when a school/district plans to use information from free and reduced applications for purposes other than evaluating eligibility for school meals or for programs authorized by the National School Lunch Act (42 USC 1758 (b)(2)(C)(iii)). A signature from the parent or legal guardian *must* be on file before the school/district can release any information from the application. Please refer to Food Service Administrative Policy #4, SY 98-99: Parental Consent to Release Information for Free and Reduced Price School Meal Eligibility and refer to the *Eligibility Guidance for School Meals Manual Part 7 - Confidentiality/Disclosure of Eligibility Information*.

Special Milk Program

The Special Milk Program and Free Milk Family Application materials can only be provided to students who do not have access to the School Breakfast Program (SBP) or National School Lunch Program (NSLP) (i.e., ½ day afternoon kindergarten). School food authorities may **not** claim the Special Milk Program for students who purchase/receive only milk when the SBP or NSLP is available.

Notification of Eligibility Determination

E-mail may be used as a method to notify households of their eligibility status. However, it is optional for households to provide an e-mail address and an application cannot be denied if the household does not provide an e-mail address. If a household does not provide an e-mail address or the e-mail address provided does not work, notification of approval/disapproval *must* be made in writing to the household. Confidentiality/disclosure of eligibility information regulations apply to e-mail of information on household applications.

Verification

- Verification of eligibility for free and reduced priced school meals *must* be done each year. The size of the sample is based on the number of approved family applications on file as of October 1, 2011. The deadline for completing Verification of Eligibility for School Meals is November 15, 2011. Verification activities and outcomes *must* be reported on the MDE Michigan Education Information System (MEIS) website by March 1, 2012.
- A confirmation review *must* be done of all applications selected for verification. On the back side of the Free and Reduced Price School Meals Family Application, under the Verification section, there is a line for the Confirmation Official to sign after they have reviewed the application.

Income Eligibility Guidelines for Use in Schools

(This form is for school personnel use only.)

- Family income criteria to be used for the 2011-2012 school year for School Lunch, School Breakfast or Special Milk Programs.

A. Scale for Free Meals or Free Milk

B. Scale for Reduced Price Meals

Total Family Size	A. Scale for Free Meals or Free Milk					B. Scale for Reduced Price Meals				
	Annual	Monthly	Twice per Month	Every Two Weeks	Weekly	Annual	Monthly	Twice per Month	Every Two Weeks	Weekly
1	\$14,157	\$1,180	\$590	\$545	\$273	\$20,147	\$1,679	\$840	\$775	\$388
2	\$19,123	\$1,594	\$797	\$736	\$368	\$27,214	\$2,268	\$1,134	\$1,047	\$524
3	\$24,089	\$2,008	\$1,004	\$927	\$464	\$34,281	\$2,857	\$1,429	\$1,319	\$660
4	\$29,055	\$2,422	\$1,211	\$1,118	\$559	\$41,348	\$3,446	\$1,723	\$1,591	\$796
5	\$34,021	\$2,836	\$1,418	\$1,309	\$655	\$48,415	\$4,035	\$2,018	\$1,863	\$932
6	\$38,987	\$3,249	\$1,625	\$1,500	\$750	\$55,482	\$4,624	\$2,312	\$2,134	\$1,067
7	\$43,953	\$3,663	\$1,832	\$1,691	\$846	\$62,549	\$5,213	\$2,607	\$2,406	\$1,203
8	\$48,919	\$4,077	\$2,039	\$1,882	\$941	\$69,616	\$5,802	\$2,901	\$2,678	\$1,339
	\$4,966*	\$414*	\$207*	\$191*	\$96*	\$7,067*	\$589*	\$295*	\$272*	\$136*

*For each additional household member add this amount.

All children from families at or below the income levels in Column A are eligible to receive meals, after school snack or milk at no cost**, if available (Special Milk Program). Column A is used for the National School Lunch Program and School Breakfast Program, or Special Milk Program.

In addition, Federal P.L. 94-105 makes mandatory the service of reduced price meals to those children from families within the range of incomes in Column B. These children must be provided with lunches at a price not exceeding 40 cents. If the Breakfast Program or an after school snack program is available, all children qualifying for free and reduced price lunches will also qualify for free and reduced price breakfasts and/or snack. The charge for a reduced price breakfast may not exceed 30 cents; the charge for reduced price snack may not exceed 15 cents.

Column B must therefore be used in providing reduced price meals.

**Service of free milk is optional.

INCOME TO REPORT

Earnings from Work

- Wages/Salaries/Tips
- Strike Benefits
- Unemployment Compensation
- Worker's Compensation
- Net Income from Self-owned Business, Day Care, or Farm

Welfare/Child Support/Alimony

- Public Assistance Payments
- Welfare Payments
- Alimony/Child Support Payments

Pensions/Retirement/Social Security

- Pensions
- Supplemental Security Income (SSI)
- Retirement Income
- Veteran's Income
- Social Security

Other Monthly Income/Self-Employment

- Disability Benefits
- Cash Withdrawn from Savings
- Interest/Dividends
- Income from Estate/Trusts/Investments
- Regular Contributions from Persons Not Living in the Household
- Net Royalties/Annuities/Net Rental Income
- Any Other Income

Direct Certification School Year 2011-2012

Local Educational Agencies (LEAs) must notify households of their eligibility for free meals based on Direct Certification and maintain a record of the notification. The notification must include:

- the student(s) eligible for free benefits;
- a statement that no further application is necessary; and
- the household must notify school officials if they do not want free benefits for their student(s).

Attached is a prototype notification letter for Direct Certification, *Eligibility Notification Letter-Direct Certification*. The page is designed to be printed on 8½" by 11" paper.

Questions regarding this packet may be directed to the School Nutrition Programs Office at mde-schoolnutrition@michigan.gov.

Eligibility Notification Letter – Direct Certification

Date:

Dear Parent or Guardian:

The following student(s) in your household is (are) approved for free school meals based on participation in the Food Assistance Program (FAP)/Family Independence Program (FIP).

Name of Student	Grade	School

APPROVED:

- Free Lunch
- Free Breakfast
- Free Afterschool Snack

No further application is necessary, please do not complete a Free and Reduced Price School Meals Family Application for the student(s) listed above.

If there are other children in the household who are not listed above and you would like them to receive free meals, or if you have any questions please contact:

[Name]

[Phone]

[Email]

If a doctor has determined that your child has a disability, and the disability would prevent the child from eating the regular school meal, the school will make any substitution prescribed by a doctor at no extra charge. The doctor's statement, including prescribed diet and/or substitution, must be submitted to the food service department at your school. For further information, please call the number listed above.

Non-discrimination Statement: This explains what to do if you believe you have been treated unfairly. In accordance with Federal Law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability. To file a complaint of discrimination, write USDA, Director, Office of Adjudication, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410 or call toll free (866) 632-9992 (Voice). Individuals who are hearing impaired or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339; or (800) 845-6136 (Spanish). USDA is an equal opportunity provider and employer.

If you do not want your student(s) to receive free meals, please fill out and return the statement below to the school office.

----- *Cut Here* -----

I do *not* want my student(s) _____ to receive free meals.

Parent or Guardian Signature

Date



**United States
Department of
Agriculture**

Food and
Nutrition
Service

3101 Park
Center Drive
Alexandria, VA
22302-1500

DATE: 3/16/2011

MEMO CODE: SP 17-2011, CACFP 08-2011, SFSP 05-2011 - Revised

SUBJECT: Child Nutrition Reauthorization 2010: Categorical Eligibility of Foster Children

TO: Regional Directors
Special Nutrition Programs
All Regions

State Directors
Child Nutrition Programs
All States

This memorandum provides questions and answers to update the Child Nutrition Reauthorization 2010 implementation memorandum SP 17-2011, CACFP 08-2011, SFSP 05-2011, Categorical Eligibility of Foster Children, dated January 31, 2011. The Healthy, Hunger-Free Kids Act of 2010 (the Act), Public Law 111-296, provides categorical eligibility for free meals to foster children.

Section 102 of the Act amends Section 9(b)(12)(A) of the Richard B. Russell National School Lunch Act (NSLA) to provide categorical eligibility for free meals, without further application, to any foster child whose care and placement is the responsibility of the State or who is placed by a court with a caretaker household. In addition, the Act amends Section 9(b)(5) of the NSLA to allow certification of a foster child for free meals, without application, if the local educational agency or other child nutrition program institution obtains documentation from an appropriate State or local agency indicating the status of the child as a foster child whose care and placement is the responsibility of the State or that the foster child has been placed with a caretaker household by a court. These provisions are effective October 1, 2010.

We strongly encourage school food authorities and other child nutrition institutions to establish formal mechanisms with State and local foster agencies to receive information directly from these agencies to facilitate certification for free meals for foster children.

It is important to note that these provisions only apply to foster children formally placed by a State child welfare agency or a court. They do not apply to informal arrangements that may exist outside of State or court based systems.

Regional Directors

State Directors

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Changes to Application Process

This change to allow categorical eligibility for free meals for foster children necessitates changes in the way free and reduced price applications are handled. Previously, a separate application for free and reduced price meals was submitted for a foster child who was considered a household of one.

Now, the foster child is categorically eligible and may be certified without an application. Households with foster and non-foster children may choose to include the foster child as a household member, as well as any personal income earned by the foster child, on the same household application that includes their non-foster children. This will streamline the application process and may help the foster family's non-foster children qualify for free or reduced price meals based on household size and income.

In processing the application, the local educational agency (LEA) or other child nutrition program institution would certify the foster child for free meals, and then make an eligibility determination for the remainder of the household based on the household's income (including personal income earned by the foster child) or other categorical eligibility information reported on the application. As before, foster payments received by the family from the placing agency are not considered income and do not need to be reported. Please note that the presence of a foster child in the household does not convey eligibility for free meals to all children in the household in the same manner as Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance for Needy Families (TANF), and Food Distribution Program on Indian Reservation (FDPIR) participation does.

LEAs and other child nutrition program institutions should implement this change as soon as possible for any new foster children identified by foster agencies or who submit applications for the remainder of this school year. All household applications and supporting materials must be updated to reflect these changes no later than the beginning of School Year 2011-2012. FNS will provide updated prototype applications and supporting materials for all Child Nutrition Programs in the near future.

Finally, we are working with our partners at the Department of Health and Human Services to notify State child welfare agencies of this provision. We encourage State Child Nutrition Directors to also reach out to their State Health and Human Services colleagues to develop or strengthen communication that will ease the implementation of this provision locally. States can request contact information for State child welfare officials by contacting the appropriate Health and Human Services regional staff through www.acf.hhs.gov/programs/oro/regions/regional_contacts.html.

Regional Directors

State Directors

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

Original Signed

Cynthia Long

Director

Child Nutrition Division

Attachment

General

Q1. Who is covered by this provision?

Any foster child formally placed by a State child welfare agency or court with a caretaker household. Foster children formally placed in kinship care by a welfare agency or court are included in this group. It does not apply to informal arrangements that may exist outside of State or court based systems.

Q2. Do Tribal child welfare agencies fall in the category of “an agency that administers a state plan under part B or E of title IV of the Social Security Act” under this provision?

If the Tribal child welfare agency is directly responsible for the administration of a title IV-B program or a title IV-E program (meaning, the Tribal child welfare agency has submitted an approved title IV-B or title IV-E plan), or if the Tribal child welfare agency operates under an agreement with a title IV-E agency for the placement and care of children eligible under section 472(a) of the Social Security Act, the agency would be considered “an agency that administers the State plan under part B or E of the Social Security Act.”

Q3. Do Tribal court placements fall under this provision?

Yes, if the Tribal court has jurisdiction over the foster child placement.

Q4. Is this provision retroactive and if so what action must be taken for foster children in the 2010-2011 School Year who currently do not receive free meals?

We do not require this provision be implemented retroactively and therefore no action is required for children currently enrolled. However, if a child is known to be a foster child as defined in the memorandum we encourage the LEA to make them categorically eligible immediately.

Q5. How will foster children be certified for free meals?

School food authorities and other child nutrition institutions should establish formal mechanisms with State and local foster agencies to receive information directly from these agencies to facilitate certification for free meals for foster children.

Q6. Can school food authorities and other child nutrition institutions obtain documentation from a private foster care agency?

Yes, if the private foster care agency operates under approval and authority of the State child welfare agency and is responsible for placing the foster child in a caretaker household.

Q7. Does this provision apply to the Special Milk Program?

Yes.

Application process

Q8. When will an application need to be filled out for a foster child?

If a State or local foster agency does not initially provide documentation for a categorically eligible foster child, an application identifying the child as a foster child must be filled out. Additionally, a household may now include foster children on their application.

Q9. Is documentation from a State or local foster agency required for a foster child who is identified on an application?

Not unless the household application is selected for verification.

Q10. If a foster child is listed on a family's application as a household member and that household happens to be selected for verification, does the school need anything extra for verification?

It depends on the situation. If a household is chosen for verification and the foster child included on the application was identified by a State or local foster agency, then no additional verification is needed for the foster child. If not, then documentation verifying the foster child's status would be required.

Q11. What documentation must be provided if a foster child is listed on a household application that is selected to be verified?

Documentation from a State or local foster care agency or the court where the foster child received placement is acceptable for verification. Direct contact from the foster care agency or court (for example, a list of foster children is sent to the LEA) is also acceptable documentation for verification.

Q12. Are foster children still considered a household of one?

No. Foster children are categorically eligible so are no longer considered a household of one. In addition, foster children can now be included as part of the household on applications that include their non-foster children.

Q13. Who decides whether to include a foster child on a household application?

The household decides whether to include the foster child on their household application with non-foster children.

Q14. If a household chooses to include a foster child on their household application, are they required to report any personal income received by that foster child?

Yes. Households must report any personal income received by the foster child on their household application. As before, foster payments received by the family from the placing agency are not considered income and do not need to be reported.

Q15. Can school food authorities determine the eligibility for the non-foster child(ren) both by including the foster child as a household member, and not including the foster child as a household member and give the better benefit level to the non-foster child(ren)?

Yes.

Q16. Now that foster children can be considered part of the household, can their eligibility be extended to other non-foster children in the household?

No. The presence of a foster child in the household does not make all children in the household eligible for free meals in the same manner as Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance for Needy Families (TANF), and Food Distribution Program on Indian Reservation (FDPIR) participation does.

Q17. If the foster child leaves the household and returns to his/her own home located within the same SFA, is the foster child still eligible for free meals, even though the student is no longer considered a foster child?

Yes, a foster child's eligibility is in effect from the date of eligibility for the current school year and for up to 30 operating days in the subsequent school year.

Q18. If the foster child leaves the household and returns to his/her own home outside of the SFA, is the child still eligible for free meals even though the student is no longer considered a foster child?

Yes, as long as the SFA agrees to accept the original eligibility determination. In this scenario, the former foster child's eligibility/application is handled like any other transfer student's.

Q19. Is the non-foster household that qualified for free meals based on including the foster child as a household member, still eligible for free meals once the foster child leaves their home?

Yes, the non-foster household would continue to be eligible for the current school year and up to 30 operating days in the subsequent school year.

Q20. If a child is in a home for just a few days in an emergency placement, can the foster family count the child and apply for benefits?

Yes, a household may apply for eligibility at any time.

Michigan Department of Education Migrant Director and Homeless Liaison Information

Migrant Education Directors

Go to: www.michigan.gov/mde

1. Click Offices
2. Click School Improvement and Innovation
3. Click Academic Support
4. Click Migrant Education

School Improvement & Curriculum

- [Alternative Education](#)
 - [Blue Ribbon Exemplary Schools Program](#)
 - [Charter Public Schools](#)
 - [Comprehensive School Reform \(CSR\)](#)
 - [Dual Enrollment](#)
 - [English Language Learner Programs](#)
 - [Family FUNdamentals Pre K-3 Learning Activities](#)
 - [Grade Level Content Expectations \(GLCE\)](#)
 - [MI-Map Toolkit](#)
 - [Migrant Education Program](#) 
 - [Reading First](#)
 - [Schools of Choice](#) PDF
 - [Student Government Programs](#)
 - [Talent Development](#)
-

5. Click Regular Year and Summer Migrant Program Directors

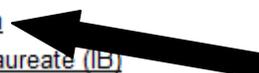
Resources

- [Migrant Qualifying Activities](#) PDF
- [FAQs on Eligibility - 2010-11](#) DOC
- [Michigan Migrant Education Program Recruiters](#) PDF
- [Scholarship Opportunities For Migrant Students](#)
A site dedicated to informing migrant students on the opportunities and scholarships available for college or universities.
- [Migrant Education Directory Information Form](#) DOC
- [Regular Year and Summer Migrant Program Directors](#) PDF 

Homeless Liaisons

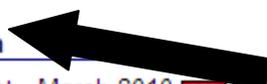
Go to: www.michigan.gov/mde

1. Click Offices
2. Click Education Improvement and Innovation
3. Click Academic Support
4. Click Homeless Education

School Support	Programs <ul style="list-style-type: none">• Advanced Placement (AP)• Alternative Education• Blue Ribbon Exemplary Schools• Boarding Schools• Charter Public Schools• Comprehensive School Reform (CSR)• Dual Enrollment• English Language Learners (ELL)• Homeless Education • International Baccalaureate (IB)• Migrant Education• Student Government Programs• Talent Development• Testing Out
> Financial Management	
> Michigan School for Deaf	
> Professional Preparation	
> Recognition Programs	
> School Finance & School Law	
> School Improvement	
Event Calendar	
Academic Support	
Curriculum & Literacy	
Field Services	
Good Morning OSI	
Mailing Lists	
School Improvement	
> Special Education & Early Intervention Services	
> State Aid & School Finance	

5. Choose from various documents with Homeless Liaison Information

Homeless Liaison Information



- [Continuum of Care Contact List - March 2010](#) PDF
- [FREE Homeless Education Posters and Brochures](#)
- [McKinney-Vento Homeless Liaison Form](#) DOC
- [Special Education & Homelessness Q & A, 2-08](#) PDF
- [Caregiver Authorization Form](#) DOC
- [Gas Voucher Form for families](#) DOC
- [Dispute Resolution Procedure](#) PDF
- [Guidance: Mileage Reimbursement](#) PDF
- [Homeless Identification Form](#) PDF
- [Rural Transportation Tips & Ideas. NCHE](#) PDF
- [Transportation Strategies for Homeless Children and Youth](#) PDF
- [Liaison Training Powerpoint Presentation](#) PDF



United States
Department of
Agriculture

August 16, 2004

Food and
Nutrition
Service

SUBJECT: Categorical Eligibility for Free Lunches and Breakfasts for Migrant Children

3101 Park
Center Drive
Alexandria, VA
22302-1500

TO: Special Nutrition Programs
All Regions

State Agencies
Child Nutrition Programs
All States

This memorandum supplements our Reauthorization Implementation Memo SP 4 (July 19, 2004) by providing additional information on identifying migrant children and on the procedures that school food authorities (SFAs) and local education agencies (LEAs) should use to coordinate with the Migrant Education Program (MEP) in order to document the categorical eligibility of migrant children for free meals.

Background on the Migrant Education Program

The MEP is authorized under Title I, Part C of the Elementary and Secondary Education Act (ESEA) and provides grants to State educational agencies. The State educational agency, in turn, makes sub-grants to LEAs and other entities to provide supplemental educational and support services to migrant children. A major goal of the MEP is to minimize the disruption caused by migrant children's frequent moves. While the full definition of a migrant child in section 1309 of ESEA is rather complicated, in general under this definition, a migrant child is one who has moved across school district lines, within the last three years, in order to accompany or join a parent or guardian who has moved to seek or obtain temporary or seasonal work in agriculture or fishing.

Please note, however, that it is not necessary for local SFA personnel to apply the ESEA definition because there are already State educational agency and local MEP staff who are responsible for identifying (and maintaining supporting documentation) as to who is an eligible migrant child under ESEA.

Local Level MEP Contacts

Most State educational agencies sub-grant MEP funds to local operating agencies (LOAs) to provide program services. These LOAs are typically LEAs; however, in some states, the LOAs may be regional units that administer the MEP in multiple LEAs. When an LOA/LEA receives MEP funds, a MEP coordinator is usually designated. (However, in some LEAs, a Federal program director administers multiple federal programs including the MEP). Each LEA/LOA typically identifies and recruits migrant children in their geographic area and maintains a list of eligible migrant children.

Regional Directors
State Directors
Page 2

Documenting Free Meal Eligibility for Migrant Children

SFAs/LEAs should work directly with their LOA/LEA MEP coordinators or, where appropriate, the State MEP director, to identify migrant children and to document their eligibility for free school meals. SFAs/LEAs must accept documentation that the children are migrant children from the LOA/LEA MEP coordinator.

Documentation of migrant status to substantiate free meal eligibility is a dated list with each child's name and the signature of the LOA/LEA MEP coordinator or the State MEP director. This documentation is in lieu of free and reduced price meal applications and must be sought, as much as possible, prior to a household completing an application. Once documentation is obtained, the SFA/LEA must notify the household as soon as possible about the child's free meal eligibility. Any application submitted on behalf of the child would be disregarded.

It is particularly important that newly arrived migrant children in the LEA be documented and certified for free meals as promptly as possible. SFAs/LEAs need to establish procedures with the LOA/LEA MEP coordinator to assure prompt notification when a new migrant child is identified.

Continuing Certification

Public Law 108-265 also amended the Richard B. Russell National School Lunch Act to establish that, once a child is certified as eligible to receive free or reduced price meals, eligibility remains effective for the remainder of the school year. Our policy further allows SFAs to continue a child's eligibility from the previous year for 30 operating days into the subsequent school year or until a new eligibility determination is made, whichever occurs first. Because of this and because the MEP strives to minimize a child's disruption in services and benefits, SFAs/LEAs should attempt to share the child's free meal eligibility status with the new SFA/LEA when a migrant child moves from their jurisdiction if the family knows their new location.

Please contact Rosemary O'Connell in my office if you have any questions on this guidance.

STANLEY C. GARNETT
Director,
Child Nutrition Division



SUBJECT: Categorical Eligibility for Free Lunches and Breakfasts of Runaway,
Homeless, and Migrant Youth: Reauthorization 2004 Implementation
Memo SP 4

TO: Special Nutrition Programs
All Regions

State Agencies
Child Nutrition Programs
All States

Section 107 of the Child Nutrition and WIC Reauthorization Act of 2004 (Act) amended section 9(b) of the Richard B. Russell National School Lunch Act to make runaway, homeless and migrant children categorically eligible for free meal benefits under the National School Lunch and School Breakfast Programs and is effective July 1, 2004. In addition to establishing free meal eligibility, the Act also establishes a requirement for documenting a child's status as runaway, homeless, or migratory.

Previously, through guidance, the Food and Nutrition Service extended categorical eligibility for free school meals to children considered homeless under the McKinney-Vento Homeless Assistance Act. School officials were allowed to accept statements that children were homeless from the local educational liaison for the homeless or directors of homeless shelters where the children reside. The Act now establishes in law the categorical eligibility of these children for free school meals. Please see the previously issued memoranda of April 6, 1992, *Documentation of Free and Reduce Price Meal Eligibility for Homeless Children* and of April 4, 2002, *Updated Guidance for Homeless Children in the School Nutrition Programs*, on documentation for homeless children under McKinney-Vento.

There were, however, no similar eligibility and documentation provisions for runaway youth or migrant children. At this time, we are in discussions with the Department of Health and Human Services, regarding implementation of that portion of the Act that addresses categorical eligibility for runaway youth served through grant programs established under the Runaway and Homeless Youth Act. We hope to provide guidance in the very near future on how to determine and document if a child is receiving services as a runaway and is therefore categorically eligible for free school meals.

Regional and State Directors
Page 2

For migratory children, each State Educational Agency's Migrant Education Program establishes their own process for determining if a child meets the criteria provided under Elementary and Secondary Education Act of 1965. State Child Nutrition Agencies must contact their State Migrant Education Program to develop a plan for sharing and documenting the migratory child's eligibility for free school meals. To find the contact for your State Migrant Education Program view the following website:

- Contact Information for all State Directors of Migrant Education
<http://www.ed.gov/programs/mep/contacts.html>

If you have any questions, please contact Rosemary O'Connell or Mara McMurray at 703-305-2590.



STANLEY C. GARNETT
Director
Child Nutrition Division



United States
Department of
Agriculture

Food and
Nutrition
Service

3101 Park
Center Drive
Alexandria, VA
22302-1500

DATE: May 3, 2010

MEMO CODE: SP 25 -2010; CACFP 11 -2010; SFSP 10 -2010

SUBJECT: Questions and Answers on Extending Categorical Eligibility to Additional Children in a Household

TO: Regional Directors
Child Nutrition Programs
All Regions

State Directors
Child Nutrition Programs
All States

This memorandum provides questions and answers relating to policy memorandum SP 38-2009, CACFP 08-2009, SFSP 07-2009, Extending Categorical Eligibility to Additional Children in a Household, dated August 27, 2009. That memorandum extended categorical eligibility for free meals or free milk for children who are members of a household receiving assistance from the Supplemental Nutrition Assistance Program (SNAP), the Food Distribution Program on Indian Reservations (FDPIR) or the Temporary Assistance to Needy Families (TANF) Program. All Child Nutrition Programs are subject to this policy.

These questions and answers respond to inquiries received from regional offices and State agencies. Because School Year 2009-2010 is nearly over, we did not include questions that only addressed implementation of this policy. We will update the Eligibility Manual for School Meals and the prototype application to reflect this policy prior to the next school year.

State agencies should contact their regional office if they have any questions.

Original Signed

Cynthia Long
Director
Child Nutrition Division

Attachment

The following are definitions of the terms used in this memorandum.

“Household” and **“family”** are used as defined in 7 CFR 245.2 and as they relate to economic units as discussed in Part 4, Section B of the Eligibility Manual for School Meals; in this memorandum, these terms are used interchangeably.

“Extended or extension of eligibility” means that all children or adults in the household who are participating in one or more of the Child Nutrition Programs are categorically eligible for free meals if any child or adult receiving SNAP, FDPIR or TANF benefits is a member of that household. Any child or adult receiving SNAP, FDPIR or TANF benefits is always categorically eligible for free meals and their eligibility extends to all household members attending school or participating in the Child and Adult Care Food Program (CACFP) or the Summer Food Service Program (SFSP).

DETERMINING ELIGIBILITY

Q1. How does an LEA apply this policy to applications submitted by households?

If an LEA receives an application listing at least one SNAP, TANF, or FDPIR case number for any member of the household, the LEA must certify all children listed on the application as categorically eligible for free meals.

Q2. How should LEAs apply this policy to their direct certification procedures?

At a minimum, the notice provided to families indicating that a child has been directly certified for free meals must explain how the household can report any additional children in the household who are not listed on the notice. LEAs are encouraged to establish other methods to identify additional children in a household with one or more children who are directly certified. See the section of this document entitled “DETERMINING AND DOCUMENTING ADDITIONAL HOUSEHOLD MEMBERS” for ways to identify additional children.

Q3. During a school year, an LEA may learn (for example, from the household) that, although one child in the family was directly certified, additional children in the family are not receiving free meal benefits. When would free meal benefits begin for the additional children who were not identified through the direct certification process?

Benefits would begin on the date these children are certified as eligible. The children are not eligible for retroactive benefits, and the LEA cannot claim free meals for these children retroactively. This also applies to children who become eligible for SNAP, FDPIR or TANF benefits or who submit an application with a case number during the school year.

APPLICABILITY

Q4. If a child is categorically eligible for free meals based on enrollment in Head Start, or certification as a homeless, runaway, or migrant child, is eligibility extended to other children in the household?

No. This policy applies only to children receiving SNAP, FDPIR, or TANF benefits.

Q5. Does extension of eligibility apply to direct certification and applications with SNAP, FDPIR or TANF benefits case numbers?

Yes.

Q6. In some households, the only person receiving SNAP, FDPIR, or TANF benefits may be an adult. Does the adult's eligibility extend to the children in the household?

Yes. Although they are not required to determine if there are adult household members receiving SNAP, FDPIR or TANF benefits, LEAs are encouraged to revise school meal applications to indicate that providing a single case number for any member of the household will establish eligibility for all children in the family.

Q7. If a household member receives SNAP, FDPIR or TANF benefits but does not participate in any child nutrition program or attend school, does that person's eligibility extend to a child in the household who attends school?

Yes, if the child attending school is a member of the same household as the person receiving SNAP, FDPIR or TANF benefits, the child attending school is categorically eligible for free meals. Although the LEA is not required to determine if there are such children in a household, the LEA must extend eligibility if it becomes aware of other household members receiving SNAP, FDPIR or TANF benefits. (See also Q and A 14.) Also, as noted above, LEAs are encouraged to revise school meal applications to indicate that providing a single case number for any member of the household will establish eligibility for all children in the family.

Q8. How does this policy relate to the concept of economic unit?

This policy was not intended to change the definitions of "Family" or "Household" in 7 CFR 245.2. Family and Household are defined as a group of related or unrelated individuals living together as an economic unit. Therefore, the child who is receiving SNAP, FDPIR or TANF benefits may only "extend" status to other children in the same economic unit.

DETERMINING AND DOCUMENTING ADDITIONAL HOUSEHOLD MEMBERS

Q9. The initial policy memo states that if the LEA does not have an application as a reference, it may use school district enrollment information to determine additional children who are part of the household. How would the LEA locate additional children?

To the extent practicable, LEAs should use household composition information that may be available from the school district. Once children have been identified through the direct certification process, schools can search the records of the directly certified children to identify additional children in the household. LEAs also may receive from the State SNAP agency lists of children who are household members of those directly certified. The LEA can then use school district enrollment information to determine whether any of these children attend school within the LEA. Additional household members also may be identified by an adult member of the household.

Q10. What identifiers should the LEA use to establish additional household members? What documentation is required?

It is up to the LEA to determine identifiers for locating additional household members, but parents' names, home addresses, and other specific household indicators, if available, may be the most useful. Acceptable documentation includes school meal applications indicating at least one case number, school district enrollment records identifying all children in the household, custody agreements, information that may be provided by the SNAP, FDPIR or TANF agencies, or information from school officials such as principals or teachers. LEAs also may request that an adult member attest to the household composition as discussed in Q and A 17.

Q11. If children in a household are enrolled in both public and private schools, how is information shared to extend eligibility? Are the public schools and private schools required to identify additional children in the household?

LEAs are not required to identify additional children in the household who are outside of their own school district. However, public and private LEAs are encouraged to share information to the extent practicable.

Q12. When an LEA extends eligibility within the first 30 operating days of the new school year to a sibling who is new to the LEA (i.e., enrolled in kindergarten), what documentation is required?

The LEA should annotate the application or direct certification record to add the sibling and indicate how the determination to extend eligibility to the new student was made (e.g., address match, information from school officials, etc.).

Q13. In an effort to identify all students in the household of a student who is directly certified, can LEAs use addresses to match children? If software can match addresses, is this sufficient identification or must parents' names, or other identifiers also be used?

An address match may be sufficient to identify additional eligible children if the LEA determines that only one household resides at that address. LEAs also may use parents' names, parents' social security numbers, or other identifiers to assist in identifying additional children.

Q14. We may have an address match but other information indicates that more than one household lives at that address or that the address is a multi-unit complex. Does an address match justify extending eligibility when there may be multiple households living at the same address?

If the LEA is aware that more than one household resides at an address, it should confirm through available records which students reside with children who receive SNAP, TANF or FDPIR benefits. The LEA may need to contact the households to determine their composition and establish eligibility.

EXTENDING AND DOCUMENTING EXTENDED ELIGIBILITY

Q15. A child is determined eligible for free meals because he/she is a member of a household with someone directly certified or who has a SNAP, FDPIR, or TANF case number listed on the application. If that child resides in another household during the certification period, does this policy apply to any children in the second household?

No. While that child retains free meal status for the remainder of the certification period, if he/she moves to another household, eligibility is not extended to others. Free meal eligibility based on receipt of SNAP, FDPIR or TANF benefits can be extended only to other children who are in the same household as the child receiving SNAP, FDPIR or TANF benefits.

Q16. A child's parents have shared physical custody during the certification period. How does this policy apply if only one parent's household receives SNAP, FDPIR or TANF benefits?

If a child is determined eligible for free meals because he/she receives SNAP, FDPIR or TANF benefits in one parent's household, he/she retains eligibility for free meals regardless of where the child is living for the remainder of the certification period. When that child is residing in the second parent's household, the child is a member of that household and because he/she was determined eligible for free meals based on receipt of SNAP, FDPIR or TANF benefits, eligibility extends to other children in that household.

If a child is not determined eligible for free meals based on his/her own receipt of SNAP, FDPIR, or TANF benefits, but on the extended eligibility from another family member in the first parent's household, eligibility is not extended to other members of the second parent's household.

Q17. How should the LEA document extended status?

Children in a household with a child or adult receiving SNAP, FDPIR or TANF benefits are considered eligible on the same basis (directly certified or case number) as the person(s) receiving benefits.

However, LEAs must have some record of the basis of eligibility in order to properly apply this policy in the event that a child moves to a new household and for review purposes. Further, when eligibility is extended to additional household members at the request of the household and there is no application currently on file, an adult household member must attest to the household size and membership if agency or school district records are not available. This would happen, for example, if only one child was identified through direct certification and the LEA was unable to identify any other school-age children. In these situations, the LEA could either:

- have an adult member attest to the household composition by signing a statement listing all members of the household with the attesting statement for the application for free and reduced price meals and milk (see 7 CFR 245.6(a)(9) and Part 2, Section F. of the Eligibility for School Meals Manual); or,
- use the application as a way to record this information and have an adult member sign the application.

When there are other records used to extend eligibility, such as an application or school districts records, the LEA must indicate on the application, roster, or other records which children are eligible based on extended eligibility.

If a child with extended eligibility moves from the household receiving SNAP, FDPIR or TANF benefits to a household not receiving these benefits, that child retains free meal eligibility for the remainder of the certification period. However, because eligibility cannot be extended by this child, the LEA must note, using one of the methods above, extended eligibility for that child when adding that child to the new household.

Q18. If an LEA determines that additional children are eligible based on the direct certification match of one child, but the household did not file an application, how is the household notified?

The LEA would include all children on the notification sent to the household regarding direct certification results.

CHILD AND ADULT CARE FOOD PROGRAM (CACFP) SPECIFIC QUESTIONS

Q19. If one child in a household is receiving SNAP, FDPIR or TANF benefits, does that make all of the children in the household categorically eligible for free meals in the CACFP?

Yes. Children receiving SNAP, TANF or FDPIR benefits are categorically eligible for free meals in the CACFP. If one child in the household is receiving any of these benefits, categorical eligibility extends to the other children in the household.

Q20. If a non-area eligible family day care home provider is not receiving SNAP, FDPIR or TANF benefits but a child in her household is receiving these benefits, is the provider eligible to receive CACFP tier I reimbursement rates?

Yes. If at least one child in a household is receiving SNAP, FDPIR or TANF benefits and, therefore, is categorically eligible for free meals in CACFP, this categorical eligibility extends to the entire household. Therefore, a family day care home provider in that family would be considered eligible for tier I reimbursement rates based on the child's receipt of benefits.

Q21. Under the CACFP, if a child who is receiving SNAP, FDPIR or TANF benefits moves in with a family that was not previously eligible for free meals or tier I rates, would that child's receipt of SNAP, TANF or FDPIR benefits extend categorical eligibility to the rest of the family? What if the child has moved from another State?

Regardless of how a child becomes part of a household, the policy applies. Eligibility determinations are made at a point in time. As discussed in Q and A's 15 and 16, if a child moving to another household, even in another State, is receiving SNAP, FDPIR, or TANF benefits, at that point in time the child is eligible for free meals and eligibility is retained for the duration of the certification period. Further, other children in the household become eligible for free meals based on that child's receipt of benefits and an adult member of the household providing family home day care services under CACFP would be eligible for tier I reimbursement rates.

Q22. If an adult in the household participates in the Adult Day Care component of the CACFP and is categorically eligible based on receipt of SNAP, TANF or FDPIR benefits, does categorical eligibility extend to other children or adults in the household participating in a child nutrition program?

Yes. The adult's eligibility extends to the other household members.

Q23. What documentation must a child care institution have on file?

As discussed in Q and A 17, documentation must be maintained indicating the basis for a child's eligibility for free meals. Generally, institutions should obtain an application which includes the SNAP, FDPIR or TANF case number of the recipient household member. Alternatively, if a child's eligibility is based on a school-age household member's receipt of benefits, the institution may maintain certification from the child's school that he or she is eligible for free or reduced price meals either through direct certification or application. See Q and A 17 for more detailed documentation alternatives.

VERIFICATION

Q24. Are applications for children who receive benefits as a result of this memo subject to verification?

If benefits are extended based on an application with a SNAP, FDPIR or TANF benefits case number, the application is included in the sample and subject to verification. If an application is used only to record and confirm household composition where another child in the household has been directly certified, as discussed in Q and A 17, the application is not included in the sample or subject to verification because verification is not required for children identified through direct certification.

Q25. For the purposes of the FNS-742, Verification Summary Report, how are children coded?

Children who are eligible based on extended categorical eligibility are classified under the same category as the person who extended the eligibility. If the person who extended eligibility was directly certified, all children would be coded as directly certified. Likewise, if a child is listed on an application with a person's SNAP, FDPIR or TANF case number, then all children would be coded based on the provision of a case number.



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF EDUCATION
LANSING



MICHAEL P. FLANAGAN
SUPERINTENDENT OF
PUBLIC INSTRUCTION

FOOD SERVICE

**ADMINISTRATIVE POLICY NO. 3
SCHOOL YEAR 2009-2010**

SUBJECT: Extending Categorical Eligibility to Additional Children in a Household

DATE: September 11, 2009

This memorandum modifies the policy related to categorical eligibility for free meals or free milk for children who are members of a household receiving assistance under the Food Assistance Program (FAP), the Food Distribution Program on Indian Reservations (FDPIR), or the Family Independence Program (FIP) Program.

Beginning in School Year 2009-2010, for Direct Certification with FAP, FDPIR, or FIP and applications with case numbers for these programs, all children in the family, as defined in 7 CFR 245.2, are categorically eligible for free meals. If the local educational agency (LEA) does not have an application as a reference, it may be able to use school district enrollment records to determine additional children who are part of the family who were not identified through direct certification. To the extent possible, the LEA must extend eligibility for free meals to all children in what would be considered a family for the purposes of applying for free or reduced price meals or free milk.

For households submitting applications with case numbers for some, but not all, of their children, the LEA must certify all children as categorically eligible for free meals or milk. Any income information on the application is disregarded. Further, for purposes of carry-over into the new school year, categorical eligibility must, to the extent feasible, be extended to newly enrolled siblings.

This memorandum supersedes the policy provided in the January 2008 edition of the *Eligibility Manual for School Meals* concerning categorical eligibility. The United States Department of Agriculture will be updating the manual. These policies extend to the Child and Adult Care Food Program and to the Summer Food Service Program when applications are taken. Please note that these policies do not extend to other categorically eligible categories such as Head Start or children enrolled in the Migrant Education Program.

Questions regarding the content of this memo may be directed to the Grants Coordination and School Support, School Nutrition Training and Programs unit by email to MDE-SchoolNutrition@michigan.gov or phone 517-373-3347.

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United States
Department of
Agriculture

Food and
Nutrition
Service

3101 Park
Center Drive
Alexandria, VA
22302-1500

DATE: February 15, 2011

MEMO CODE: SP 19-2011, CACFP 09-2011, SFSP 06- 2011

SUBJECT: Child Nutrition Reauthorization 2010: Privacy Protection and the Use of Social Security Numbers in Child Nutrition Programs

TO: Regional Directors
Special Nutrition Programs
All Regions

State Directors
Child Nutrition Programs
All States

The Healthy, Hunger-Free Kids Act of 2010 (the Act), Public Law 111-296, amends statutory requirements for collection of Social Security Numbers (SSNs) in all Child Nutrition Programs. The purpose of this memorandum is to provide guidance on the implementation of this requirement.

Section 301 of the Act amends section 9(d)(1) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(d) (1)) by removing the requirement that the adult household member who signs a household application for free and reduced-price meals also must provide his or her complete SSN, as a condition of eligibility. As amended by the Act, Section 9(d)(1) now requires that only the last four digits of the SSN must be provided on the application. The Act also removes the requirement that the SSN of each household member be collected to verify applications. The new requirements increase privacy protections.

Because Section 301 of the Act became effective on October 1, 2010, all household applications and supporting materials must be updated to reflect these requirements as soon as possible, but no later than July 1, 2011. It may be that State agencies, local educational agencies and institutions are not able to print all new materials for immediate use. However, State agencies must notify local educational agencies and institutions regarding the privacy protections and assist in developing mechanisms for implementation of the new statutory requirement.

FNS will provide updated prototype applications and supporting materials for all Child Nutrition Programs in the near future.

Regional Directors
State Directors
Page 2

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

Original Signed

Cynthia Long
Director
Child Nutrition Division



United States
Department of
Agriculture

Food and
Nutrition
Service

3101 Park
Center Drive
Alexandria, VA
22302-1500

DATE: April 27, 2011

MEMO CODE: SP 31-2011

SUBJECT: Frequency of Direct Certification Matching Activities Beginning in School Year 2011-2012

TO: Regional Directors
Special Nutrition Programs
All Regions

State Directors
Child Nutrition Programs
All States

The interim rule, *Direct Certification and Certification of Homeless, Migrant and Runaway Children for Free School Meals*, was published on April 25, 2011. One of the provisions in this rule concerns the frequency of direct certification matching activities with the Supplemental Nutrition Assistance Program (SNAP) and is effective July 1, 2011. The provision, found at 7 CFR 245.6(b)(3), requires that direct certification matching activities with SNAP be done at least three times per school year:

- At or around the beginning of the school year;
- Three months after the initial effort; and
- Six months after the initial effort.

As discussed in the preamble of the interim rule, the purpose of the additional matching activities is to facilitate participation of children in the school meals programs and to work towards on-going direct certification with SNAP through computer matching. Please see the interim rule for additional information about this provision:
(<http://www.fns.usda.gov/cnd/Governance/regulations/2011-04-25.pdf>)

We recognize that this is a very short deadline and want to assure State agencies and local educational agencies (LEAs) that we know that increasing the frequency of direct certification matching activities may need to be phased-in for some locations. We expect those State agencies and LEAs unable to accomplish SNAP direct certification at least three times in School Year (SY) 2011-2012, to work toward this goal and comply with the requirement no later than SY 2012-2013. Appropriate actions for SY 2011-2012 include:

- Revising agreements between the Child Nutrition State agency and the SNAP State agency to increase the frequency of matches annually;
- Budgeting and using any appropriate grant funds and other resources, such as State Administrative Expense funds, to support needed changes. (Information about

Regional Directors

State Directors

Page 2

available grant opportunities to improve direct certification is located on the FNS Child Nutrition Division's grant website at:

<http://www.fns.usda.gov/cnd/grants.htm>. Also refer to Memorandum SP 27-2011, Expansion of Opportunities for Additional States to Apply for Direct Certification Planning and Implementation Grants); and

- Requesting extensions of full compliance until SY 2012-2013, if needed.

We are working with SNAP to facilitate compliance with the requirement for increasing the frequency of direct certification matching activities. SNAP will work with their State agencies to promote cooperation. State agencies should direct any questions concerning this guidance to the appropriate FNS Regional Office. Regional Offices should contact the Child Nutrition Division.

Original Signed

Cindy Long

Director

Child Nutrition Division

Direct Certification School Year 2011-2012

Local Educational Agencies (LEAs) must notify households of their eligibility for free meals based on Direct Certification and maintain a record of the notification. The notification must include:

- the student(s) eligible for free benefits;
- a statement that no further application is necessary; and
- the household must notify school officials if they do not want free benefits for their student(s).

Attached is a prototype notification letter for Direct Certification, *Eligibility Notification Letter-Direct Certification*. The page is designed to be printed on 8½" by 11" paper.

Questions regarding this packet may be directed to the School Nutrition Programs Office at mde-schoolnutrition@michigan.gov.

Eligibility Notification Letter – Direct Certification

Date:

Dear Parent or Guardian:

The following student(s) in your household is (are) approved for free school meals based on participation in the Food Assistance Program (FAP)/Family Independence Program (FIP).

Name of Student	Grade	School

APPROVED:

- Free Lunch
- Free Breakfast
- Free Afterschool Snack

No further application is necessary, please do not complete a Free and Reduced Price School Meals Family Application for the student(s) listed above.

If there are other children in the household who are not listed above and you would like them to receive free meals, or if you have any questions please contact:

[Name]

[Phone]

[Email]

If a doctor has determined that your child has a disability, and the disability would prevent the child from eating the regular school meal, the school will make any substitution prescribed by a doctor at no extra charge. The doctor's statement, including prescribed diet and/or substitution, must be submitted to the food service department at your school. For further information, please call the number listed above.

Non-discrimination Statement: This explains what to do if you believe you have been treated unfairly. In accordance with Federal Law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability. To file a complaint of discrimination, write USDA, Director, Office of Adjudication, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410 or call toll free (866) 632-9992 (Voice). Individuals who are hearing impaired or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339; or (800) 845-6136 (Spanish). USDA is an equal opportunity provider and employer.

If you do not want your student(s) to receive free meals, please fill out and return the statement below to the school office.

----- *Cut Here* -----

I do *not* want my student(s) _____ to receive free meals.

Parent or Guardian Signature

Date



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF EDUCATION
LANSING

MICHAEL P. FLANAGAN
SUPERINTENDENT OF
PUBLIC INSTRUCTION

DATE: June 30, 2011
TO: Editors/Publishers of Local Newspapers
FROM: Michigan Department of Education
SUBJECT: Annual Public Notice for USDA Child Nutrition Programs

The Michigan Department of Education (MDE) is releasing the attached notice on behalf of public and private schools, public school academies, child care centers, family child care sponsoring organizations, and other organizations participating in the following U.S. Department of Agriculture programs:

- National School Lunch Program
- School Breakfast Program
- Special Milk Program
- Child and Adult Care Food Program

Federal regulations require that this information be provided annually to local media so that, when possible, it may be printed at any time prior to the start of the school year as a public service.

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608 WEST ALLEGAN STREET • P.O. BOX 30008 • LANSING, MICHIGAN 48909
www.michigan.gov/mde • (517) 373-3324



News Release

Contact: Martin Ackley, Director of Communications, (517) 241-4395

Income Guidelines for National Free and Reduced Priced Meals For Schools and the Child and Adult Care Food Program are Announced

June 30, 2011

The Michigan Department of Education has announced the household income guidelines established by the U. S. Department of Agriculture for free and reduced price meals and free milk through the National School Lunch, School Breakfast, Special Milk, and Child and Adult Care Food programs. The income guidelines are effective from July 1, 2011, through June 30, 2012.

Families should contact their school, school district, child care center, or family child care home to find out whether it participates in these programs.

Schools and child care centers will provide a form for applying for free or reduced price meals. Only one application is required per household. Most participating centers and all participating family child care homes provide meals to all enrolled participants without any separate charge.

Children or foster children who are recipients of Michigan's Family Independence Program, Food Assistance Program, or Food Distribution Program on Indian Reservations, or who are enrolled in Head Start, Even Start, an At-Risk afterschool center, or an emergency shelter automatically qualify for free meals. Households with incomes less than or equal to the following guidelines qualify for free or reduced price meals or free milk.

Scale for Free Meals or Free Milk		
Total Family Size	Annual Income	Monthly Income
1	\$14,157	\$1,180
2	\$19,123	\$1,594
3	\$24,089	\$2,008
4	\$29,055	\$2,422
5	\$34,021	\$2,836
6	\$38,987	\$3,249
7	\$43,953	\$3,663
8	\$48,919	\$4,077

Scale for Reduced Price Meals	
Annual Income	Monthly Income
\$20,147	\$1,679
\$27,214	\$2,268
\$34,281	\$2,857
\$41,348	\$3,446
\$48,415	\$4,035
\$55,482	\$4,624
\$62,549	\$5,213
\$69,616	\$5,802

For each additional family member, add:

	\$4,966	\$414
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	\$7,067	\$589
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An application to a school or child care center can be approved if it contains complete documentation of household income or documentation of current participation in Michigan's Family Independence Program, Food Assistance Program, or Food Distribution Program on Indian Reservations. Information supplied on an application for free or reduced price meals may be verified at any time. An appeal procedure is available for households where applications are denied.

Participating schools and centers accept applications for free or reduced price meals at any time during the year. A household may qualify for free or reduced price meals due to a temporary loss of income, such as a period of unemployment.

If a doctor has determined that a child has a disability, and the disability would prevent the child from eating the regular school or child care meal, the school or child care facility will make any substitution prescribed by a doctor at no charge. The doctor's statement, including prescribed diet and/or substitution, must be submitted to the food service department of the school or child care facility.

In accordance with Federal law and U.S. Department of Agriculture policy, institutions are prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability. To file a complaint of discrimination, write USDA, Director, Office of Adjudication, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410 or call toll free (866) 632-9992 (Voice). Individuals who are hearing impaired or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339 or (800) 845-6136 (Spanish). USDA is an equal opportunity provider and employer.

#

Overview of Program Requirements & Records For the School Meals Programs*

Thinking of participating in the National School Lunch Program (NSLP), but not quite sure of all the requirements? Here are two excellent web sites that you can refer to for school meals information and an overview of the National School Food Program requirements:

SCHOOL MEALS PROGRAM REFERENCE WEBSITES:

1. www.fns.usda.gov/cnd (United States Department of Agriculture (USDA) Web Site)
2. www.michigan.gov/schoolnutrition (State of Michigan Web Site)

NATIONAL SCHOOL LUNCH PROGRAM OVERVIEW

1. **Application Agreement:** This is a permanent contract between School Food Authorities (SFA) and the Michigan Department of Education (MDE). When approved, it allows SFAs to participate in specific Child Nutrition Programs; NSLP, School Breakfast Program (SBP), Afterschool Snack Program and Special Milk Program (SMP). This agreement is renewed annually each school year and must be retained in the district at all times.
2. **Child Nutrition Application Program (CNAP) Schedule A:** CNAP is a web-based system designed to expedite the annual Application/Agreement renewal process. Schedule A lists building information for all sites with the SFA. The application needs to be updated each year through CNAP and submitted to MDE. The Schedule A needs to include new or changed site information, Child Nutrition Programs in operation at the sites, meal prices and patterns used, and school contact information.
3. **Benefits of Participating:** The SFA receives federal reimbursement for meals/snacks/special milk served each month. The SFA needs to count meals and snack by category of free, reduced-priced, and paid and SMP milk as free or paid, and submit a claim each month. MDE processes the claim and sends the reimbursement checks to the SFA. By participating in the NSLP, the SFA also is entitled to donated USDA commodity foods.
4. **Financial Management:** The SFA needs to keep records of all revenue from meals, a la carte sales, catering, donations, and reimbursement. Food and labor costs along with other expenses need to be recorded and managed. Cash resources cannot exceed three months average operating expenditures. The program must be non-profit.
5. **On-site Reviews:** The SFA must conduct an on-site review of each building serving reimbursable breakfasts, lunches and afterschool snacks. The Breakfast/Lunch on-site review must be completed in each building by February 1 of each school year. The reviews must be kept on file at the school and must be available for the reviewer if needed during a Coordinated Review Effort (CRE) Review. The Afterschool Snack Program requires two reviews at each program site each year. The first Afterschool Snack on-site review must be completed within the first month of the snack program operation. The second review must be completed some time during the second half of the school year.

6. **Meals:** The NSLP, SBP, and Afterschool Snack Programs have specific meal pattern requirements that need to be followed in order for the SFA to claim the meals/snacks for reimbursement. Offer vs. Serve must be used in high school. The SFA can decide to implement Offer vs. Serve in middle or elementary schools.
7. **Production Records:** The SFA must keep daily production records to document the food items offered, portion sizes, amount of food used, and how many students were served. This document is required to prove that enough food was prepared and that the meal pattern was followed.
8. **Special Milk:** The SMP is designed to encourage fluid milk consumption by selling milk to students at a reduced price and making free milk available to eligible students. The SMP is only available to those students without access to the NSLP or SBP. Private schools and public charter academies can participate in only the SMP if they choose. Only split-session preschool/kindergartens, that do not have access to the NSLP or SBP, are allowed to participate in the SMP in schools that also participate in one or more Child Nutrition Programs. The SFA will be reimbursed for every half pint of milk served to students every day.

Milk that is sold to students when they have access to the NSLP or SBP cannot be claimed for reimbursement under the SMP, NSLP, or SBP.
9. **Nutrition Reviews:** Along with the meal pattern requirements, SFA must also submit records for a Nutrition Review once every five years. School lunches and breakfasts must meet nutrient standards based on age/grade groups. The Nutrition Review is conducted by MDE to assess whether the meals selected by the students are meeting these standards.
10. **Commodities:** The SFA can choose to use USDA Commodity Foods to help control food cost. The food is donated, but the SFA must pay for delivery, storage, and any processing of the food. A monthly inventory of commodities must be kept and the SFA should only order what they can use in a 30-day period. The SFA is responsible for keeping commodities stored and used properly.
11. **Free and Reduced Price Meal Eligibility:** Applications for free or reduced meals and/or SMP free milk need to be made available to all households in the school district. The SFA must approve applications based on USDA guidelines. The SFA must maintain a current monthly list of eligible students for free meals, reduced-price meals, and SMP free milk. By November 15 of each year, the SFA needs to verify a percentage of the meal applications. The SFA must not discriminate against a student based on their eligibility for free/reduced meals and the student's status must be kept confidential. USDA sets the maximum price charged for a reduced-priced meal; the SFA cannot charge more than this price.
12. **Point of Service:** This is the point in the food service operation where a determination can accurately be made that a reimbursable free, reduced price, or paid meal has been served to an eligible student.

13. **Student Input:** The SFA must acquire student input each year to help with meeting the students' needs and wants on the menu. Parent, school, and community input is also encouraged.
14. **Districts Contracting with Food Service Management Companies (FSMC):**
The following terms must be met when the SFA contracts with a FSMC:
 - a. The SFA needs to ensure that contracts are in place prior to the start of the school year to assure the continuous operation of the lunch program. Otherwise, SFAs are vulnerable to the threat of the interruption in food service operations.
 - b. The SFA must not use FSMC employees (or any other individual who might have a conflict of interest) on their bid evaluation committee.
 - c. The SFA must ensure that contracts with FSMC meet the terms of the requests for proposals and that any deviations have been approved by MDE.
 - d. The SFA must verify amounts billed before payments are made to the FSMC.
 - e. The SFA must maintain sufficient records to document the history of procurement transactions.
 - f. The SFA will monitor the food service operation through periodic on-site visits.
 - g. The FSMC may not perform the following activities:
 - I. All hearings.
 - II. Certification of meal reimbursement claims via the Michigan Education Information System (MEIS) and certification signatures on the Annual School Food Service Cost Report.
 - III. Annual on-site reviews.
15. **Record Retention:** All records (applications, production records, etc.) need to be kept for three years plus the current year. If a federal audit is being conducted, records must be kept until the audit is completed. Some school districts have policies that records are kept more than three years.
16. **Local Wellness Policy:** The Local Wellness Policy requirement was established by [Section 204 of the Public Law 108-265](#) of the Child Nutrition and WIC Reauthorization Act of 2004. It requires each local educational agency (LEA) or school district participating in the NSLP and/or SBP to develop a local wellness policy that promotes the health of students and addresses the growing problem of childhood obesity.
17. **Food Safety Program:** Section 111 of the Child Nutrition and WIC Reauthorization Act of 2004 (Public Law 108-265) amended Section 9(h) of the Richard B. Russell National School Lunch Act by requiring SFAs to implement a food safety program. The Reauthorization Act requires that, during the preparation and service of meals, the SFA comply with a HACCP system established by the Secretary of Agriculture

**This document gives an overview of the USDA Child Nutrition Programs and does not include all of the regulations. Refer to the USDA federal regulations for the NSLP, SBP, Afterschool Snack Program, and SMP for detailed requirements.*

Income Eligibility Guidelines for Use in Schools

(This form is for school personnel use only.)

- Family income criteria to be used for the 2011-2012 school year for School Lunch, School Breakfast or Special Milk Programs.

A. Scale for Free Meals or Free Milk

B. Scale for Reduced Price Meals

Total Family Size	A. Scale for Free Meals or Free Milk					B. Scale for Reduced Price Meals				
	Annual	Monthly	Twice per Month	Every Two Weeks	Weekly	Annual	Monthly	Twice per Month	Every Two Weeks	Weekly
1	\$14,157	\$1,180	\$590	\$545	\$273	\$20,147	\$1,679	\$840	\$775	\$388
2	\$19,123	\$1,594	\$797	\$736	\$368	\$27,214	\$2,268	\$1,134	\$1,047	\$524
3	\$24,089	\$2,008	\$1,004	\$927	\$464	\$34,281	\$2,857	\$1,429	\$1,319	\$660
4	\$29,055	\$2,422	\$1,211	\$1,118	\$559	\$41,348	\$3,446	\$1,723	\$1,591	\$796
5	\$34,021	\$2,836	\$1,418	\$1,309	\$655	\$48,415	\$4,035	\$2,018	\$1,863	\$932
6	\$38,987	\$3,249	\$1,625	\$1,500	\$750	\$55,482	\$4,624	\$2,312	\$2,134	\$1,067
7	\$43,953	\$3,663	\$1,832	\$1,691	\$846	\$62,549	\$5,213	\$2,607	\$2,406	\$1,203
8	\$48,919	\$4,077	\$2,039	\$1,882	\$941	\$69,616	\$5,802	\$2,901	\$2,678	\$1,339
	\$4,966*	\$414*	\$207*	\$191*	\$96*	\$7,067*	\$589*	\$295*	\$272*	\$136*

*For each additional household member add this amount.

All children from families at or below the income levels in Column A are eligible to receive meals, after school snack or milk at no cost**, if available (Special Milk Program). Column A is used for the National School Lunch Program and School Breakfast Program, or Special Milk Program.

In addition, Federal P.L. 94-105 makes mandatory the service of reduced price meals to those children from families within the range of incomes in Column B. These children must be provided with lunches at a price not exceeding 40 cents. If the Breakfast Program or an after school snack program is available, all children qualifying for free and reduced price lunches will also qualify for free and reduced price breakfasts and/or snack. The charge for a reduced price breakfast may not exceed 30 cents; the charge for reduced price snack may not exceed 15 cents.

Column B must therefore be used in providing reduced price meals.

**Service of free milk is optional.

INCOME TO REPORT

Earnings from Work

- Wages/Salaries/Tips
- Strike Benefits
- Unemployment Compensation
- Worker's Compensation
- Net Income from Self-owned Business, Day Care, or Farm

Welfare/Child Support/Alimony

- Public Assistance Payments
- Welfare Payments
- Alimony/Child Support Payments

Pensions/Retirement/Social Security

- Pensions
- Supplemental Security Income (SSI)
- Retirement Income
- Veteran's Income
- Social Security

Other Monthly Income/Self-Employment

- Disability Benefits
- Cash Withdrawn from Savings
- Interest/Dividends
- Income from Estate/Trusts/Investments
- Regular Contributions from Persons Not Living in the Household
- Net Royalties/Annuities/Net Rental Income
- Any Other Income

Authority: Child Nutrition Act of 1966.
Completion: Voluntary.

Grants Coordination and School Support
School Nutrition Training and Programs
P.O. Box 30008
Lansing, MI 48909
517-373-3347



2009-10 NATIONAL SCHOOL LUNCH/COMMODITY DISTRIBUTION SPECIAL MILK, AFTERSCHOOL SNACK, AND BREAKFAST PROGRAMS

Permanent Agreement

<u>Child Nutrition Program</u>	<u>Agency/Subagency</u>	<u>CFDA #</u>	<u>Program Title</u>
School Lunch	USDA/Food and Nutrition Service	10.555	National School Lunch Program
- Including Commodity Food Distribution	USDA/Food and Nutrition Service	10.555	Food Donation
Afterschool Snack	USDA/Food and Nutrition Service	10.555	National School Lunch Program
School Breakfast	USDA/Food and Nutrition Service	10.553	School Breakfast Program
Special Milk	USDA/Food and Nutrition Service	10.556	Special Milk Program for Children
Summer Food Service Program	USDA/Food and Nutrition Service	10.559	Summer Food Service Program for Children
Child and Adult Care Food Program	USDA/Food and Nutrition Service	10.558	Child and Adult Care Food Program

- Final approval for all programs covered under this Agreement is contingent upon approval of a Policy Statement covering the service of meals and/or milk to needy children, as specified by regulations.
- In order to effectuate the purpose of the National School Lunch Act (42 J.X.C. 1751-1760) and the regulations for the National School Lunch Program (NSLP) issued; the Child Nutrition Act of 1966 and regulations governing the School Breakfast Program (SBP) issued; the Healthy Meals Initiative and regulations governing applicable menu planning options; the regulations for the Special Milk Program (SMP) issued; and the regulations governing the Summer Food Service Program issued there under, the Superintendent of Public Instruction, State of Michigan, hereinafter referred to as the "State Agency," and the School District, hereinafter referred to as the "Sponsor," agree as follows:

PART 1. SCHOOL LUNCH PROGRAM/COMMODITY DISTRIBUTION

A. THE STATE AGENCY AND THE SPONSOR MUTUALLY AGREE THAT:

1. For the purpose of this Agreement, the following terms shall be construed to mean, respectively:
 - a. Cost of Providing a Meal or Afterschool Snack: Food, labor, benefits, supplies, depreciation and indirect cost associated with a reimbursable meal or afterschool snack served to a child. Cost related to supervision of children, outside of the food service area, such as, play-ground, etc., is not considered a program cost.
 - b. School Year: A period of 12 calendar months beginning July 1 of any calendar year and ending with June 30 of the following calendar year.
 - c. Nonprofit Food Service Program: A food service program maintained for the benefit of children and where all of the income is used solely for the operation or improvement of such food service.
 - d. Sponsor: The board of education of a school district, which serves youth in high school grade or under, or the governing body of an institution. (The term also includes a "nonprofit agency," to which such school has delegated authority for the operation of its nonprofit food service program.)
 - e. Milk: See Definition of Milk in Part 3.

2. Schedule A is a list of all schools within the district and will be part of this Agreement.
3. Schools may be added to or deleted from the Schedule A and all references to that form shall include those amendments.
4. The State Agency shall promptly notify the Sponsor of any change in general requirements, in menu planning options, and in assigned rates of reimbursement.
5. A Sponsor, which operates its program under contract with a food service management company or under similar arrangement, *must* provide a copy of the management company contract to the State Agency to be eligible for participation.
6. The terms of this Agreement shall not be modified or changed in any other way other than by consent in writing of both parties.

B. THE STATE AGENCY AGREES THAT:

To the extent of the funds available, the State Agency shall reimburse the Sponsor in connection with the cost of providing a meal, afterschool snack, or milk in the schools listed in the attached Schedule A in any school year during which this agreement is in effect. The amount of reimbursement on behalf of any sponsor shall not exceed the lesser of (a) an amount equal to the number of lunches and/or after-school snacks served to children of high school grade or under, multiplied by the rate assigned by the State Agency or (b) by such other rate as may be subsequently assigned by the State Agency.

C. THE SPONSOR AGREES THAT:

In general, the Sponsor supervises school food service operations in the schools listed in Schedule A and, in particular, will require each school to:

1. Operate a nonprofit food service and use program income only for program purposes. Such income shall not be used to purchase land or buildings, or to construct buildings. All direct costs for the school lunch program *must* be paid before indirect costs can be paid from reimbursement.
2. Accept federal funds and/or donated foods in accordance with the applicable regulations and to comply with any instructions, policies or procedures issued in connection with the regulations. The Sponsor further agrees to administer programs funded under this agreement in accordance with applicable provisions of the Uniform Federal Assistance Regulations, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments and Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals and other nonprofit organizations (7CFR Part 3015, 3016 and 3019) and all applicable Office of Management and Budget Circulars, State and local laws/regulations and Comptroller General opinions.
3. Limit its operating balance to a level consistent with program needs; and upon request by the State Agency, explain the need for balances of more than three months operating costs. (Depreciation reserve is not included in the operating balance.)
4. Maintain a financial system as prescribed by the State Agency.
5. Price the school lunch as a unit. Serve lunches meeting one or more of the five approved menu planning systems required for a reimbursable lunch, as described in 7CFR 210.10 during the period designated as the lunch period by the school.
6. Supply lunches without cost or at reduced price to children that qualify according to income criteria prescribed by USDA.

7. Supply afterschool snacks free of charge to all children when an Afterschool Care Program is located in a school building that is area eligible or in a non-school building that is in the attendance of a school that is area eligible. (Area eligible refers to a school where free and reduced price students comprise 50% or more of the enrollment.)
8. Supply afterschool snacks free of charge or at a reduced price, to children that qualify according to the income criteria prescribed by USDA, when Afterschool Care Programs are located in buildings that are not area eligible. To charge no more than 15 cents for a reduced price snack in a non-area eligible building.
9. All meals and snacks served *must* meet meal patterns/menu planning standards established by the USDA. However, if a child has been determined by a doctor to be disabled and the disability would prevent the child from eating the regular school meal, this school will make any substitutions prescribed by a doctor.
10. The Sponsor agrees to complete a Nutrition Review at least once every five years to ensure that school meals are in compliance with specific nutrient standards. The Nutrition Review is a requirement of the NSLP and the SBP (7 CFR 210.19 and 7 CFR 220.13).
11. Complete verification in accordance with the requirements of the regulations (7 CFR Part 245).
12. Maintain files of currently approved and denied free and reduced price applications, respectively. If applications are maintained at the School Food Authority (SFA) or Local Educational Agency (LEA) level, they *must* be readily retrievable by school building.
13. Comply with the requirements of USDA's regulations respecting nondiscrimination (7 CFR Parts 15, 15a & 15b).
14. Claim reimbursement at the assigned rates only for the type of lunches and snacks specified in Schedule A in this agreement served to eligible children. Make no discrimination against any child because of inability to pay the full price. To claim only one snack per child per day, snacks served on weekends, holidays, during vacation periods or before or during a child's school day will not be claimed for reimbursement.
15. Submit claims for reimbursement in accordance with procedures established by the State Agency.
16. Establish rules, as necessary, to control the sale of food in competition with the meals served under the program, provided that such rules shall not allow the sale of food in the categories of food of minimal nutritional value in the food service area during meal periods. Any profit from the sale of other competitive food *must* accrue to the benefit of the nonprofit school food service or the school or student organizations approved by the school.
17. Maintain in the storage, preparation, and service of food, proper sanitation and health standards, in conformance with all applicable state and local laws and regulations.
18. Purchase in quantities that can be efficiently utilized in the program. Purchases made with the program funds *must* also comply with the established procurement standards set forth in Program Regulations CFR 210.21 and 250.23 ("Buy American"), as well as the procurement standards set forth in the previously indicated Uniform Administrative Requirements.
19. Upon request, make all accounts and records pertaining to the program available to the State Agency, its agents, and USDA for audit or review at a reasonable time and place, as prescribed by regulation. The Sponsor agrees to comply with all audit requirements set forth in Program Regulations, Single Audit Act (31 U.S.C. sections 7501-7507), as amended by the Single Audit Act Amendments of 1996 (P.L. 104-156), Office of Management and Budget Circulars and Compliance Supplement Documents, and the Michigan School Auditing Manual.

20. The Sponsor agrees to the following requirements in the accepting and handling of USDA commodity food items:
- a. To furnish proper storage facilities to safeguard against theft, spoilage, and other losses as recommended by the State Agency. The State Agency and the USDA are authorized to inspect the storage facilities at any reasonable time.
 - b. To install thermometers, suitable ventilation, and provide specific temperatures for certain commodities. All commodities will be used on a First In, First Out (FIFO) basis.
 - c. If recommended storage for perishables is not available within the Sponsor's own buildings, it will be permissible to remove the commodities from the premises for the purpose of providing proper storage in local commercial locker plants or with merchants who have such storage, provided the Sponsor makes arrangements to maintain a current record of receipts, withdrawals and balances. Under *no* circumstances will commodities be stored in private homes.
 - d. Request and accept commodities on a 30-day supply basis *only*.
 - e. To use USDA commodities SOLELY for the benefit of the students. Under *no* circumstances will commodities be sold, traded, or used off the premises of the sponsor. The use of any USDA donated commodities by an ineligible recipient constitutes damage to the federal government under the law. When such irregularities are brought to the attention of the State Agency, it will be necessary for the Sponsor to make satisfactory settlement with the State Agency for the illegal use of such commodities.
 - f. To assume liability for all losses resulting from: gross neglect by failure to provide proper storage or care, failure of mechanical equipment, and improper use of any commodity. Recovery for the value of such losses will be made at the option of the State Agency.
 - g. Maintain a monthly inventory record which shall reflect, at a minimum, a record of receipts, withdrawals, and inventory balances of all commodities. The State Agency and USDA are authorized to inspect and audit these books and records, including financial records, at any reasonable time or place to insure compliance with the conditions in this Agreement.
 - h. Furnish the State Agency with an inventory of all USDA commodities on hand upon request of said State Agency.
 - i. That either the Sponsor or the State Agency may terminate this Agreement by giving a 30-day notice, in writing, to the other party. The State Agency may cancel this Agreement immediately upon receipt of evidence that the terms and conditions thereof have not been fully complied with. Subject to such notice of termination or cancellation of the agreement, the Sponsor agrees to comply with the instructions of the State Agency - either to distribute all remaining USDA commodities in accordance with provisions of this Agreement or to return such inventories to their distribution outlet upon written authorization from the State Agency - USDA commodities will *not* be transferred or destroyed without written permission from the State Agency - and to submit such reports as are required by the State Agency to record final distribution of such inventories.
 - j. Dispose of salvageable containers in accordance with instructions prescribed by the State Agency. Funds accruing from the sale of the containers, profits derived from the feeding program salvage of commodities, or recoveries from insurance involving lost donated commodities shall be used only for the payment of expenses related to the Commodity Distribution Program.
 - k. Report to the State Agency any complaint in connection with the condition or improper use of donated commodities.

21. Supply a copy of the annual audit of the food service program following the guidelines prescribed by the State Agency, if more than \$25,000 in reimbursement is received.
22. Provide a means to encourage student and teacher/parent input into the program.
23. Agree that the SFA official signing the claim shall be responsible for reviewing and analyzing meal counts to ensure accuracy governing claims for reimbursement (7CFR 210.8). Acknowledge that failure to submit accurate claims will result in the recovery of an over-claim and may result in the withholding of payments, suspension or termination of the program (7CFR 210.24). Acknowledge that, if failure to submit accurate claims reflects embezzlement, willful misapplication of funds, theft or fraudulent activity, penalties shall apply (7CFR 210.25).
24. Count the number of free, reduced price, and paid reimbursable meals served to eligible children at the point of service, or through another counting system if approved by the State Agency.
25. Only claim reimbursement for snacks served in eligible Afterschool Care Programs, i.e., Afterschool Care Programs that provide children with regularly scheduled activities in an organized, structured, and supervised environment.
26. Monitor, twice a year, each Afterschool Care Program that claims reimbursement for snacks. This monitoring review *must* assess each site's compliance with counting and claiming procedures and the snack meal pattern. The first review will take place during the first four weeks that school is in operation each school year and the second review takes place before the end of the school year.

PART 2. SCHOOL BREAKFAST PROGRAM

A. THE STATE AGENCY AND THE SPONSOR MUTUALLY AGREE THAT:

1. Schools may be added or deleted from Schedule A as need arises, and the references herein to Schedule A shall be deemed to include such schedule supplemented and amended including selection of menu planning options for each building.
2. A school which operates its breakfast program under a fee, concession or contract arrangement with a food service management company or under a similar arrangement *must* provide a copy of its management company contract to the State Agency, if one has not already been sent.
3. For the purpose of this Agreement, the following terms will mean, respectively:
 - a. Cost of providing a meal: Cost of food used, labor, benefits, supplies, depreciation, and indirect costs that can be associated with a breakfast served to a child.
 - b. School Year: A period of 12 calendar months beginning with July 1 of any calendar year and ending with June 30 of the following calendar year.
 - c. Nonprofit breakfast program: Food service maintained for the benefit of children, all of the income from which is used solely for the operation or improvement of such food service.
 - d. Sponsor: The board of education of a school district, which serves youth in high school grade or under, or the governing body of an institution. (The term also includes a "nonprofit agency," to which such school has delegated authority for the operation of its nonprofit food service program.)
4. The terms of this Agreement will not be modified or changed in any way other than by consent in writing of both parties hereto.

B. THE STATE AGENCY AGREES THAT:

To the extent of the funds available, the State Agency will reimburse the Sponsor in connection with the cost of providing a meal for the SBP in the schools listed in Schedule A in any school year during which this Agreement is in effect. The amount of reimbursement on behalf of any school will not exceed the lesser of (a) an amount equal to the number of breakfasts served to children of high school grade or under multiplied by the rate assigned by the State Agency or by such other rate as may be subsequently assigned by the State Agency, or (b) the cost of providing a meal (applies to severe need breakfasts).

The State Agency will promptly notify the Sponsor of any change in the minimum breakfast menu planning options or the assigned rate of reimbursement.

C. THE SPONSOR AGREES THAT:

It will supervise school breakfast operations in the schools listed in Schedule A and will require each school to:

1. Operate a nonprofit breakfast program and use program income only for program purposes. However, such income shall not be used to purchase land or buildings, or to construct buildings.
2. Serve breakfasts, which have been planned using one of the five menu planning options designated in 7CFR 220.8, and that meet the requirements for a school breakfast during a period designated as the breakfast period by the school.
3. Price the school breakfast as a unit.
4. Supply breakfasts without cost or at a reduced price to all children who are determined by the school food authorities to be unable to pay the full price thereof.
5. Claim reimbursement only for breakfasts served to children that meet the requirements specified in 7CFR 220.8, at the rate assigned or by such other rate as the State Agency may subsequently assign.
6. Submit claims for reimbursement in accordance with procedure established by the State Agency.
7. Maintain in the storage, preparation and service of food, proper sanitation and health standards, in conformance with all applicable state and local laws and regulations.
8. Maintain necessary facilities for storing, preparing and serving food.
9. Upon request, make all accounts and records pertaining to the breakfast program available to the State Agency or USDA for audit or review at a reasonable time and place.
10. Not discriminate against any child because of inability to pay the full price of breakfast.

PART 3. SPECIAL MILK PROGRAM

(Only split-session preschool/kindergartens that do not have access to the School Breakfast Program or National School Lunch Program are allowed to participate in the Special Milk Programs in schools that also participate in one or more other Child Nutrition Programs.)

DEFINITION OF MILK - Includes fluid types of whole, lowfat, skim milk or cultured buttermilk, or flavored milk, which meets state standards for such milk. Milk should be fortified with 400 I.U. of Vitamin D and 2000 I.U. of Vitamin A. Flavored milk *must* meet the standard for whole, skim or lowfat milk to which flavoring has been added.

A. THE STATE AGENCY AND THE SPONSOR MUTUALLY AGREE:

1. To comply with and meet all responsibilities and requirements set forth in 7 CFR, Part 215, Special Milk Program regulations.
2. That Schedule A is a listing of schools or facilities within the district, and shall be a part of this Agreement.
3. That schools or facilities may be added to or deleted from Schedule A as need arises, upon request, and such references to Schedule A herein shall be deemed to include such amendments.

B. THE STATE AGENCY AGREES:

To the extent of the funds available, the State Agency shall reimburse the Sponsor for each one-half pint of fluid milk served to children (exclusive of those served with breakfast and/or lunch). The exact rate is determined annually according to USDA regulations and the funds available.

C. THE SPONSOR AGREES TO:

1. Provide one-half pint of fluid milk per serving. See the above definition of milk.
2. Ensure that the purchase price of milk shall not include straws, equipment purchases, vending machine rentals, other rentals, maintenance, service, etc.
3. Convert various size cartons of milk into one-half pints for reporting purposes.
4. Submit claim forms as prescribed by the State Agency.
5. Operate the program on a nonprofit basis. Any funds accruing as a result of the service of milk shall be use only for such purposes as will further increase the availability to and consumption of milk by children.

PART 4. RECORDKEEPING REQUIREMENTS

The Sponsor *must* keep full and accurate records of the Breakfast, Lunch, Afterschool Snack and Special Milk Programs to serve as a basis for the claim for reimbursement and for audit and review purposes. The records are to be kept three years after the date of the final claim for reimbursement for the fiscal year to which they pertain or as long as there are unresolved audit findings or investigations related to those records.

A. MEAL SERVICE:

1. Daily number of breakfasts, lunches, afterschool snacks, and special milk served to children.
2. Daily number of breakfasts, lunches, and afterschool snacks, by type, and special milk served free or at reduced price.
3. Daily number of breakfasts, lunches, afterschool snacks, and milk served to adults.
4. Daily amounts of food prepared and served (Production Records).
5. Daily attendance sheets/rosters for afterschool care programs serving snacks.

B. PROGRAM INCOME RECEIPTS:

1. From children's payments.
2. From federal reimbursement, including federal reimbursement under the National School Lunch and Child Nutrition Acts (National School Lunch, School Breakfast, Afterschool Snack, and/or Special Milk Programs).
3. From State reimbursement.
4. General Fund (subsidy).
5. Loans.
6. From all other sources (adult meals, catering, a la carte).

C. PROGRAM EXPENDITURES: (Supported by invoices, receipts or other evidence of expenditure.)

1. For food (include all milk).
2. For labor.
3. Repayment of loans or advances.
4. All other cash expenditures.

D. VALUE OF DONATIONS TO PROGRAM:

1. Donated food, exclusive of food donated by the USDA.
2. Donated services.
3. All donations other than food and services.

E. APPROVED AND DENIED FREE AND REDUCED PRICE APPLICATIONS

F. NOTICE TO PARENTS OF DENIAL OF FREE AND REDUCED PRICE BENEFITS

G. RECORD OF HEARING PROCEEDINGS ON FREE AND REDUCED PRICE ELIGIBILITY AND THE RESULTS OF SUCH HEARINGS

H. DESCRIPTION OF VERIFICATION EFFORTS, INCLUDING:

1. Summary of verification efforts, including techniques used.
2. Number of approved free and reduced price meal applications on file as of October 1 of each school year.
3. Number or percentage of applications verified.
4. The reasons for changes in eligibility as a result of verification.

PART 5. CIVIL RIGHTS REQUIREMENTS

The Sponsor *must* keep full and accurate records (documented) of compliance with all civil rights regulations. These activities and procedures are an ongoing requirement of the NSLP.

A. RACIAL/ETHNIC DATA:

1. Record numbers of approved children for free and reduced price meals according to racial/ethnic category (for *each* school building/facility).
2. Record numbers of denied applicants for free and reduced price meals according to racial/ethnic category (for *each* school building/facility).
3. Maintain this information on file for three years.

B. PUBLIC NOTIFICATION:

1. Include the nondiscrimination statement in all printed materials.
2. Program material *must* include the following information: Complaints may be filed directly to the Secretary of Agriculture.
3. Display a nondiscrimination poster in a prominent place in each school building/facility.

C. COMPLIANCE REVIEWS:

Sponsor *must* visit/review all school buildings/facilities each year in order to ensure civil rights compliance.

D. COMPLAINT/GRIEVANCE PROCEDURES:

1. Sponsor *must* develop and implement a procedure to accept written and verbal complaints/grievances. All information *must* be properly documented.
2. Assign a complaint/grievance coordinator for Title IX (Equal Sex Opportunity) Section 504 (Equal Opportunity for Handicapped Persons). This requirement applies only if the Sponsor employs 15 or more employees.

PART 6. CERTIFICATION

To qualify for federal assistance, the program application *must* be accompanied by a written assurance that the program or facility will be operated in compliance with the civil rights laws and implementing nondiscrimination regulations.

- A. The Sponsor agrees to comply with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), Title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), the Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.): all provisions required by the implementing regulations of the Department of Agriculture; Department of Justice Enforcement Guidelines, 28 CFR 50.3 and 42; and FNS directives and guidelines, to the effect that no person shall, on the grounds of race, color, national origin, sex, age or handicap, be excluded from participation in, be denied benefits of, or otherwise be subject to discrimination under any program or activity for which the sponsor receives federal financial assistance from FNS; and hereby gives assurance that it will immediately take measures necessary to effectuate this agreement.
- B. By accepting this assurance, the Sponsor agrees to compile data, maintain records and submit reports, as required, to permit effective enforcement of the nondiscrimination laws and permit authorized USDA personnel during normal working hours to review such records, books and accounts as needed to ascertain compliance with the nondiscrimination laws. If there are any violations of this assurance, the Department of Agriculture, Food and Nutrition Service shall have the right to seek judicial enforcement of this assurance. This assurance is binding on the sponsors and its successors, transferees and assignees, as long as they receive assistance or retain

possession of any assistance from the department. The person or persons whose signatures appear below are authorized to sign this assurance on behalf of the sponsor.

- C. The SFA certifies that it is not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in this transaction by any federal department or agency. Additionally, the SFA certifies that its vendors/sub recipients are neither excluded nor disqualified under the suspension and debarment rules found at 7CFR section 3017.300 by checking the Excluded Parties List System (EPLS). This information can be found at www.epls.gov.
- D. Private Schools and Residential Child Care Institutions (RCCIs) certify to tax-exempt status from income tax under 501(c)(3) of the Internal Revenue Code of 1954, as amended.

In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability. To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410 or call (800) 795-3272 or (202)720-6382 (TTY). USDA is an equal opportunity provider and employer.