

Free and Reduced Price School Meals Family Application Forms School Year 2012-2013

The Free and Reduced Price School Meals Family Application prototype and related materials for School Year 2012-2013 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 Manual for School Meals* available at: <http://www.fns.usda.gov/cnd/guidance/EliMan.pdf>.

Packet Contents

Required materials that *must* be provided to households:

- Letter to Parents with Application Instructions (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 (4 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 unit at: mde-schoolnutrition@michigan.gov.

*All households must be notified of their eligibility status. Households with children who are denied benefits must be given written notification of denial. The notifications must advise the household of the reason for the denial of benefits, the right to appeal, instruction on how to appeal, and a statement that the family may re-apply for free and reduce price meal benefits at any time during the school year. Households with children who are approved for free or reduced price benefits may be notified in writing or orally.

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 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. They may also be included as household members on family applications if other family members wish to apply for free or reduced price meals.

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, included in this application packet.

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 received carefully and follow any instructions 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 child(ren) 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, phone number, and e-mail].

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 do 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(REN) DO NOT HAVE HEALTH INSURANCE?

Your child(ren) 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.

If you have other questions or need help, please call [phone number].

Sincerely,

APPLICATION INSTRUCTIONS:

Your child(ren) 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 | \$20,665 | \$1,723 | \$862 | \$795 | \$398 |
| 2 | \$27,991 | \$2,333 | \$1,167 | \$1,077 | \$539 |
| 3 | \$35,317 | \$2,944 | \$1,472 | \$1,359 | \$680 |
| 4 | \$42,643 | \$3,554 | \$1,777 | \$1,641 | \$821 |
| 5 | \$49,969 | \$4,165 | \$2,083 | \$1,922 | \$961 |
| 6 | \$57,295 | \$4,775 | \$2,388 | \$2,204 | \$1,102 |
| 7 | \$64,621 | \$5,386 | \$2,693 | \$2,486 | \$1,243 |
| 8 | \$71,947 | \$5,996 | \$2,998 | \$2,768 | \$1,384 |
| *Each additional household member add: | \$7,326 | \$611 | \$306 | \$282 | \$141 |

IF YOUR ENTIRE HOUSEHOLD GETS FAP, FIP, OR FDPIR, 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 FDPIR.

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 in part 1 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 Skip Part 2 and 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 | | | | weekly | | |
| 2 | Yes | | | \$0 | | weekly | | | | weekly | | |
| 3 | Yes | | | \$0 | | weekly | | | | weekly | | |
| 4 | Yes | | | \$0 | | weekly | | | | weekly | | |
| 5 | Yes | | | \$0 | | weekly | | | | weekly | | |
| 6 | Yes | | | \$0 | | weekly | | | | weekly | | |
| 7 | Yes | | | \$0 | | weekly | | | | weekly | | |
| 8 | Yes | | | \$0 | | weekly | | | | weekly | | |

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 | \$ _____ <input type="checkbox"/> Weekly <input type="checkbox"/> Every 2 weeks <input type="checkbox"/> Twice a month <input type="checkbox"/> Monthly <input type="checkbox"/> Annual | Income <input type="checkbox"/> Wage Stubs <input type="checkbox"/> Written Documents <input type="checkbox"/> Collateral Contact <input type="checkbox"/> Agency Records <input type="checkbox"/> 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 | <input type="checkbox"/> Number of Children Free <input type="checkbox"/> Number of Children Reduced <input type="checkbox"/> Number of Children Paid | Reason for Denial: <input type="checkbox"/> Income Too High <input type="checkbox"/> Incomplete Application <input type="checkbox"/> Other (specify) _____ |
|---|---|---|

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.
- Last four digits of the 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:

Based on the information you gave on your Free and Reduced Price School Meals Family Application, your child may qualify for other programs. 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 Program 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 Program 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 Program 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].

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."

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 United States Department of Agriculture (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 Manual for School Meals* (October 2011) when approving free and reduced price school meals. It is available at: <http://www.fns.usda.gov/cnd/guidance/EliMan.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. There are no longer temporary approvals.
- 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 USDA has determined that the number on a household's EBT Bridge Card cannot be accepted as a 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 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 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 *must* 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 Manual for School Meals* (October 2011), 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 school food authority certifies the foster child for free meals and makes 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 spreadsheet 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, Michigan Educational Assessment Program (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 Manual for School Meals 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, 2012. The deadline for completing Verification of Eligibility for School Meals is November 15, 2012. Verification activities and outcomes *must* be reported on the MDE Michigan Education Information System (MEIS) website by February 1, 2013.
- 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 2012-2013 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 | \$14,521 | \$1,211 | \$606 | \$559 | \$280 | \$20,665 | \$1,723 | \$862 | \$795 | \$398 |
| 2 | \$19,669 | \$1,640 | \$820 | \$757 | \$379 | \$27,991 | \$2,333 | \$1,167 | \$1,077 | \$539 |
| 3 | \$24,817 | \$2,069 | \$1,035 | \$955 | \$478 | \$35,317 | \$2,944 | \$1,472 | \$1,359 | \$680 |
| 4 | \$29,965 | \$2,498 | \$1,249 | \$1,153 | \$577 | \$42,643 | \$3,554 | \$1,777 | \$1,641 | \$821 |
| 5 | \$35,113 | \$2,927 | \$1,464 | \$1,351 | \$676 | \$49,969 | \$4,165 | \$2,083 | \$1,922 | \$961 |
| 6 | \$40,261 | \$3,356 | \$1,678 | \$1,549 | \$775 | \$57,295 | \$4,775 | \$2,388 | \$2,204 | \$1,102 |
| 7 | \$45,409 | \$3,785 | \$1,893 | \$1,747 | \$874 | \$64,621 | \$5,386 | \$2,693 | \$2,486 | \$1,243 |
| 8 | \$50,557 | \$4,214 | \$2,107 | \$1,945 | \$973 | \$71,947 | \$5,996 | \$2,998 | \$2,768 | \$1,384 |
| | \$5,148* | \$429* | \$215* | \$198* | \$99* | \$7,326* | \$611* | \$306* | \$282* | \$141* |

*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 2012-2013

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.
- Instructions that 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 unit at mde-schoolnutrition@michigan.gov or (517) 373-3347.

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), Food Distribution Program on Indian Reservation (FDPIR), or classification as a foster child(ren).

| Name of Student | Grade | School |
|-----------------|-------|--------|
| | | |
| | | |
| | | |
| | | |
| | | |

APPROVED:

- Free Lunch
- Free Breakfast
- Free Afterschool Snack
- Free Milk

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

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Page 2

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/ofs

1. Scroll to Programs
2. Click Title I, Part C – Migrant

Programs

- [Title Program Overview](#) **DOC**
- [Section 31a At-Risk](#)
- [Title I, Part A](#)
- [Title I, Part C - Migrant](#) 
- [Title I, Part D - Neglected & Delinquent](#)
- [Title II, Part A - Teacher & Principal Training & Recruiting](#)
- [Title III - English Learner & Immigrant Education Programs](#)
- [Title X - McKinney Vento Homeless](#)

3. Scroll to Resources
4. Click Regular Year and Summer Migrant Program Directors

Resources

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

Homeless Liaisons

Go to: www.michigan.gov/ofs

1. Scroll to Programs
2. Click Title X – McKinney Vento Homeless

Programs

- [Title Program Overview](#) DOC
- [Section 31a At-Risk](#)
- [Title I, Part A](#)
- [Title I, Part C - Migrant](#)
- [Title I, Part D - Neglected & Delinquent](#)
- [Title II, Part A - Teacher & Principal Training & Recruiting](#)
- [Title III - English Learner & Immigrant Education Programs](#)
- [Title X - McKinney Vento Homeless](#) 

3. Scroll to What's New
4. Click on 2011-2012 District Homeless Education Liaisons

What's New

- [2011-12 District Homeless Education Liaisons](#) PDF 
- [Webinar & PDF, 9-23-11, McKinney-Vento/Head Start Collaboration: "Fostering Resiliency in Children Experiencing Homelessness." National Center on Family Homelessness](#)
- [2011 Special Populations Conference Information](#) PDF
- [7.15.11 McKinney-Vento Homeless Education Program Liaison Information in the EEM](#) PDF
- [District McKinney-Vento Self-Assessment](#) DOC
- [District McKinney-Vento Self Assessment FAQ](#) PDF
- [Regional McKinney-Vento Monitors Map, 8-10-11](#) PDF
- [McKinney-Vento FAQ - 2010](#) PDF
- [Michigan Law on Foster Care & Educational Placement - 2009](#) PDF
- [2011 Homeless Education Conference Session Materials](#)
- [ARRA Title I Guidance - Homeless](#) PDF
- [FAFSA Legislative Update for Unaccompanied Youth](#)
- [NCHE's Homeless Liaison Toolkit](#)



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 McElmurray 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
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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

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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

Free School Milk Family Application Forms School Year 2012-2013

The Free School Milk Family Application prototype and related materials for School Year 2012-2013 are attached. For detailed instructions on the eligibility determination process, please read the attached document Critical Information for the Free School Milk Family Application and refer to the *Eligibility Manual for School Meals* available at: <http://www.fns.usda.gov/cnd/guidance/EliMan.pdf>.

Packet Contents

Required materials that must be provided to households:

- Letter to Parents (3 pages printed front and back)
- Free School Milk 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 School Milk Family Application (4 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 unit at: mde-schoolnutrition@michigan.gov.

*All households must be notified of their eligibility status. Households with children who are denied benefits must be given written notification of denial. The notifications must advise the household of the reason for the denial of benefits, the right to appeal, instruction on how to appeal, and a statement that the family may re-apply for free and reduced price meal benefits at any time during the school year. Households with children who are approved for free or reduced price benefits may be notified in writing or orally.

Dear Parent/Guardian:

Children need milk to learn. [School Name] offers milk every school day. Students may buy milk for \$_____. Your children may qualify for free milk.

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

No. Complete one Free School Milk 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 MILK?

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

3. CAN FOSTER CHILDREN GET FREE MILK?

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

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

Please call [name and phone number], Homeless Liaison or Migrant Coordinator, to see if your child(ren) qualify if you have not been informed that they will get free milk.

5. SHOULD I FILL OUT AN APPLICATION IF I GOT A LETTER THIS SCHOOL YEAR SAYING MY CHILD(REN) ARE APPROVED FOR FREE MILK?

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

6. 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.

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

Children in households participating in WIC may be eligible for free milk. An application must be filled out by WIC households.

8. WILL THE INFORMATION I GIVE BE VERIFIED?

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

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

Yes. You may apply at any time during the school year if your household size goes up, income goes down, or if you start getting FAP, FIP, FDPIR, or other benefits. If you lose your job, your child(ren) may be able to get free milk.

10. 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, phone number, and e-mail].

11. 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 milk.

12. 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 relative, or friends) who share income and expenses. You must include yourself and all children who live with you. If you live with other people who are economically independent (for example, people who you do 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.

13. WHAT IF MY INCOME IS NOT ALWAYS THE SAME?

List the amount that you normally receive. For example, if you normally receive \$1,000 each month, but you missed some work last month and only received \$900, put down that you receive \$1,000 per month. If you normally get overtime, include it, but not if you get it only sometimes.

14. 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.

15. 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.

16. WHAT IF MY CHILD(REN) DO NOT HAVE HEALTH INSURANCE?

Your child(ren) 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 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.

If you have other questions or need help, call [phone number].

Sincerely,

APPLICATION INSTRUCTIONS:
Your child(ren) may qualify for free milk if your household income falls within the limits on this chart.

| Total Family Size | Annual | Monthly | Twice per Month | Every Two Weeks | Weekly |
|--|----------|---------|-----------------|-----------------|--------|
| 1 | \$14,521 | \$1,211 | \$606 | \$559 | \$280 |
| 2 | \$19,669 | \$1,640 | \$820 | \$757 | \$379 |
| 3 | \$24,817 | \$2,069 | \$1,035 | \$955 | \$478 |
| 4 | \$29,965 | \$2,498 | \$1,249 | \$1,153 | \$577 |
| 5 | \$35,113 | \$2,927 | \$1,464 | \$1,351 | \$676 |
| 6 | \$40,261 | \$3,356 | \$1,678 | \$1,549 | \$775 |
| 7 | \$45,409 | \$3,785 | \$1,893 | \$1,747 | \$874 |
| 8 | \$50,557 | \$4,214 | \$2,107 | \$1,945 | \$973 |
| *Each additional household member add: | \$5,148* | \$429* | \$215* | \$198* | \$99* |

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 in part 1 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 received 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 MILK 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 Skip Part 2 and 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 | twice a month | | |
| 1 | Yes | | | \$0 | | weekly | | | | weekly | | |
| 2 | Yes | | | \$0 | | twice a month | | | | twice a month | | |
| 3 | Yes | | | \$0 | | weekly | | | | weekly | | |
| 4 | Yes | | | \$0 | | twice a month | | | | twice a month | | |
| 5 | Yes | | | \$0 | | weekly | | | | weekly | | |
| 6 | Yes | | | \$0 | | twice a month | | | | twice a month | | |
| 7 | Yes | | | \$0 | | weekly | | | | weekly | | |
| 8 | Yes | | | \$0 | | twice a month | | | | twice a month | | |

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 milk. 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 milk 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."

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: \$ _____

- Weekly
 Every 2 Weeks
 Twice a Month
 Monthly
 Annual

Number of Children Free
 Number of Children Paid

Reason for Denial:

- Income Too High
 Incomplete Application
 Other (specify) _____

Determining Official's Signature: _____ **Date:** _____ **Date Dropped/Withdrawn:** _____

Date: _____

Dear Parent or Guardian:

Your Free and Reduced Price School Meals Family Application or Free School 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.
- Last four digits of the 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:

Based on the information you gave on your Free School Milk Family Application, your child may qualify for other programs. 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 School Milk Family Application with [Name of Program Specific to Your School].
- Yes! **I DO** want school officials to share information from my Free School Milk Family Application with [Name of Program Specific to Your School].
- Yes! **I DO** want school officials to share information from my Free School Milk Family Application with [Name of Program 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].

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."

Critical Information for the Free School Milk Family Application

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.
- Local Educational Agencies (LEAs) are **required** to use the Free Milk Family Application.
- The Free Milk 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 Milk 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 Milk 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 Milk 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 United States Department of Agriculture (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 Manual for School Meals* (October 2011) when approving a Free Milk Family Application. It is available at:
<http://www.fns.usda.gov/cnd/guidance/EliMan.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 milk benefits and will result in fiscal action.
- Eligibility determinations are valid for the entire school year. There are no longer temporary approvals.
- 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 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 milk 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 milk.
- If a household has only one 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 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 must 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 if NO Income" under Part 4.
- Homeless, migrant, and runaway youth are categorically eligible for free milk.
- Please refer to Categorical Eligibility for Free Lunches and Breakfasts of Runaway, Homeless, and Migrant Youth: Reauthorization 2004 Implementation Memo SP4. It is available at:
http://www.fns.usda.gov/cnd/Governance/Reauthorization_Policy_04/Reauthorization_04/2004-07-19.pdf.
- As stated in the *Eligibility Manual for School Meals* (October 2011), 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 milk was submitted for a foster child who was considered a household of one. Now, the foster child is categorically eligible for free milk 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 milk based on household size and income.

In processing the application, the school food authority certifies the foster child for free milk and makes 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 milk 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 spreadsheet 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 milk. 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, Michigan Educational Assessment Program (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 Manual for School Meals Part 7 - Confidentiality/Disclosure of Eligibility Information*.

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.

Income Eligibility Guidelines for Use in Schools

(This form is for school personnel use only.)

Family income criteria to be used for the 2012-2013 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 | \$14,521 | \$1,211 | \$606 | \$559 | \$280 | \$20,665 | \$1,723 | \$862 | \$795 | \$398 |
| 2 | \$19,669 | \$1,640 | \$820 | \$757 | \$379 | \$27,991 | \$2,333 | \$1,167 | \$1,077 | \$539 |
| 3 | \$24,817 | \$2,069 | \$1,035 | \$955 | \$478 | \$35,317 | \$2,944 | \$1,472 | \$1,359 | \$680 |
| 4 | \$29,965 | \$2,498 | \$1,249 | \$1,153 | \$577 | \$42,643 | \$3,554 | \$1,777 | \$1,641 | \$821 |
| 5 | \$35,113 | \$2,927 | \$1,464 | \$1,351 | \$676 | \$49,969 | \$4,165 | \$2,083 | \$1,922 | \$961 |
| 6 | \$40,261 | \$3,356 | \$1,678 | \$1,549 | \$775 | \$57,295 | \$4,775 | \$2,388 | \$2,204 | \$1,102 |
| 7 | \$45,409 | \$3,785 | \$1,893 | \$1,747 | \$874 | \$64,621 | \$5,386 | \$2,693 | \$2,486 | \$1,243 |
| 8 | \$50,557 | \$4,214 | \$2,107 | \$1,945 | \$973 | \$71,947 | \$5,996 | \$2,998 | \$2,768 | \$1,384 |
| | \$5,148* | \$429* | \$215* | \$198* | \$99* | \$7,326* | \$611* | \$306* | \$282* | \$141* |

*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 2012-2013

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.
- Instructions that 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 unit at mde-schoolnutrition@michigan.gov or (517) 373-3347.

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
- Free Milk

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*

Overview of Program Requirements & Records For the School Nutrition 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 NUTRITION PROGRAMS 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. **Michigan Electronic Grant System Plus (MEGS+):** *MEGS+* is a web-based system designed to expedite the annual Application/Agreement renewal process. Site Listing collects information for all sites within the SFA. The application needs to be updated each year through *MEGS+* and submitted to MDE. The Site Listing 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 an Administrative 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. **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.
10. **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.
11. **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.
12. **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.
13. **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.
14. **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.
15. **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.
16. **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.*

Eligibility Manual for School Meals

**Determining
and
Verifying
Eligibility**

**Child Nutrition Programs
Food and Nutrition Service
U.S. Department of Agriculture**

This manual contains information on Federal requirements regarding the determination and verification of eligibility for free and reduced price meals in the National School Lunch Program and the School Breakfast Program. These provisions also apply to the determination of eligibility for free milk under the Special Milk Program and are generally applicable to the Child and Adult Care Food Program and the Summer Food Service Program when individual children's eligibility must be established. Local educational agencies, institutions and sponsors should confer with their State agency to determine which procedures and options are followed in their State.

This manual replaces the Eligibility Guidance for School Meals Manual issued in **October 2011**. This updated version reflects changes made since that time, as a result of final and interim regulations, and policy clarifications.

In accordance with Federal law and U.S. Department of Agriculture policy, participating institutions are prohibited from discrimination 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.



August 2012

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INTRODUCTION

This manual contains information on determining eligibility for free and reduced price meals for the National School Lunch Program (including commodity schools and the After School Snack Program); and the School Breakfast Program. It is also applicable to the Special Milk Program for Children when schools and institutions serve free milk to eligible children. While this eligibility guidance directly addresses the school programs, it is also generally applicable to the Child and Adult Care Food Program and the Summer Food Service Program when individual children's eligibility must be established. These programs are collectively considered the Child Nutrition Programs.

STATUTORY AND REGULATORY AUTHORITY

Statutory authority for the Child Nutrition Programs includes the Richard B. Russell National School Lunch Act (NSLA) and the Child Nutrition Act of 1966 (CNA). The statutory citations are, respectively, 42 United States Code 1751 et. seq. and 42 United States Code 1771 et. seq.

Regulatory authority is found, as follows, in the Code of Federal Regulations, (CFR):

- 7 CFR Part 210, National School Lunch Program (NSLP)
- 7 CFR Part 215, Special Milk Program for Children (SMP)
- 7 CFR Part 220, School Breakfast Program (SBP)
- 7 CFR Part 225, Summer Food Service Program (SFSP)
- 7 CFR Part 226, Child and Adult Care Food Program (CACFP)
- 7 CFR Part 245, Determining eligibility for free and reduced price meals and free milk in schools

ADMINISTRATION OF THE PROGRAMS

The school meals programs are administered at the Federal level by the Food and Nutrition Service (FNS) of the U.S. Department of Agriculture (USDA). At the State level, the programs are administered by the State agency designated in each State. If State law prevents the State from administering the program, it may be administered by the appropriate FNS Regional Office (FNSRO).

RESOURCES

To keep up to date, regularly check the Child Nutrition Division's Web site at <http://www.fns.usda.gov/cnd> for recently posted regulations, policy clarifications, prototype application materials and other information. State agencies may also access the PartnerWeb at <https://www.partnerweb.usda.gov>.

PART 1: ADMINISTRATION

A. GENERAL REQUIREMENTS

State agencies that administer the school meals programs must issue free and reduced price policy guidance and any other instructions necessary to local educational agencies to ensure the awareness of Federal and State requirements pertaining to free and reduced price meals and free milk. Participating local educational agencies must provide free and reduced price benefits to eligible children in accordance with the statutory and regulatory requirements as detailed in this manual.

All schools participating in the NSLP or SBP must make free and reduced price meals available to eligible children, and all schools and institutions participating in the free milk option of the SMP must make free milk available to eligible children.

The term “school food authority” (SFA) is used for local agencies administering the school meal programs (i.e., the governing body which is responsible for the administration of one or more schools and has the legal authority to operate the school meals programs in those schools), while the term “local educational agency” (LEA) is used for those responsible for the application, certification, and verification activities of the NSLP and SBP.

Local educational agency (LEA) means:

- The public board of education or other public or private nonprofit authority legally constituted within a State for the administrative control of public or private nonprofit schools in a political subdivision of a State;
- An administrative agency or combination of school districts or counties recognized by the State;
- Any other public or private nonprofit institution or agency having administrative control and direction of a public or private nonprofit schools, residential child care institutions; or
- The State educational agency that, in any state or territory, serves as the sole educational agency for all public or private nonprofit schools.

B. TERMS USED IN THIS MANUAL

ASSISTANCE PROGRAMS Receipt of benefits by any household member from certain programs conveys categorical (automatic) eligibility for free school meals to all children in the household. The determination is made through an application with appropriate case numbers or through “direct certification for assistance programs.” The Assistance Programs are:

- Supplemental Nutrition Assistance Program (SNAP)
- Food Distribution Program on Indian Reservations (FDPIR)
- Temporary Assistance for Needy Families (TANF is a Federal designation; each State has its own name and acronym for the Program; also see definition below)

CATEGORICALLY ELIGIBLE CHILDREN are those children automatically eligible for free meal benefits because they, or any household member, receive benefits under Assistance Programs or those children who are designated as members of Other Source Categorically Eligible Programs. An individual child's eligibility under any of the Other Source Categorically Eligible Programs does not convey to other children in the household.

There are two ways children may be classified as categorically eligible:

- Through participation in Assistance Programs- SNAP/FDPIR or TANF (a child or any member of the household, receives benefits from SNAP/FDPIR or TANF as determined through direct certification or an application with appropriate case numbers); or
- Through Other Source Categorically Eligible designation- children documented under the applicable definition in this section as:
 - Homeless, runaway, or migrant
 - A foster child,
 - Enrolled in a Federally-funded Head Start Program or a comparable State-funded Head Start Program or pre-kindergarten programs; or in an Even Start Program.

DIRECT CERTIFICATION means determining children eligible for free meals benefits based on documentation obtained directly from the appropriate State or local agency or other authorized individual. In most situations, direct certification of a child's eligibility status should not involve the household. The communication exchange should be between an appropriate agency and the LEA/school.

DIRECT CERTIFICATION FOR ASSISTANCE PROGRAMS can be conducted through a computer/electronic match between the Assistance Programs and/or the State or LEA.

Direct certification for SNAP households **must** be conducted using electronic data match process.

Direct certification may be also conducted using letters provided to eligible participants from TANF or FDPIR agencies that the family submits to the LEA/school. However, the use of eligibility letters does not fulfill the direct certification requirement for those household receiving SNAP benefits. No application is necessary if eligibility is determined through the direct certification process.

A letter provided by SNAP to households to be submitted to an LEA no longer meets the requirement for SNAP direct certification. However, if a household provides a SNAP eligibility letter to the LEA/school, it must be accepted but is not considered direct certification.

DIRECT CERTIFICATION FOR OTHER SOURCE CATEGORICALLY ELIGIBLE PROGRAMS can be conducted through a computer/electronic match between appropriate State or local agencies, officials from other source programs and/or LEA officials such as the LEA's homeless liaison.

Direct certification may also be conducted using lists of eligible participants provided to the State or LEA from appropriate officials from Other Source Categorically Eligible Programs. Letters provided by such programs to eligible participants may also be used for direct certification. No application is necessary if eligibility is determined through the direct certification process.

DIRECT VERIFICATION means using public records as means to verify children's eligibility for free/reduced price meals. Direct verification may be conducted with SNAP, FDPIR, or TANF agencies or appropriate officials in programs represented in Other Source Categorically Eligible Programs to confirm eligibility for free meals. Direct verification with Medicaid/SCHIP may confirm either eligibility for free or reduced price meals depending on the Medicaid/SCHIP eligibility criteria in the state.

EVEN START refers to a Federally-funded Even Start Family Literacy Program for preschool/ pre-kindergarten children.

EXTENSION OF CATEGORICAL ELIGIBILITY means that all children in a household with at least one child or household member who receives benefits from an Assistance Program are categorically eligible for free meals. Any one child's or household member's receipt of benefits from an Assistance Program extends free school meal eligibility to all children who are members of the household.

FOSTER CHILD means a child whose care and placement is the responsibility of the State or formally placed by a court with a caretaker household. A foster child is categorically eligible for free meals without further application. For purposes of determining eligibility for school meals for other children in the household, the foster child is considered a member of the household in which they reside. The foster child's income is only considered when the foster family applies for meal benefits for the non-foster children in the household.

FREE MEAL is a meal served in the NSLP or SBP to a child eligible for such benefits under 7 CFR Part 245. Neither the child nor any member of the household pays or is required to work in the school or in the school's food service to receive a free meal.

FREE MILK is milk served in the SMP to a child eligible for free milk under 7 CFR Part 245. Neither the child nor any member of the household pays or is required to work in the school or in the school's food service to receive free milk.

HEAD START refers to the Federal Head Start Program and any State funded pre-kindergarten classes using identical or more stringent eligibility criteria than the Federal Head Start Program.

HOMELESS (Other Source Categorical Eligibility Program) means a child is considered homeless if s/he is identified as lacking a fixed, regular and adequate nighttime residence by the LEA homeless liaison, or by the director of a homeless shelter.

HOUSEHOLD means a group of related or nonrelated individuals who are living as one economic unit. The term “family” has the same definition. These definitions are found in 7 CFR 245.2.

INCOME ELIGIBILITY GUIDELINES (IEGS) are the household size and income levels prescribed annually by the Secretary of Agriculture for determining eligibility for free and reduced price meals and for free milk. The free guidelines are at or below 130 percent of the Federal poverty guidelines and the reduced price guidelines are between 130 and at or below 185 percent of the Federal poverty guidelines.

LEP means limited English proficient.

MIGRANT means a child who is enrolled in the Migrant Education Program (MEP) as determined by the State or local MEP coordinator.

MIXED HOUSEHOLDS are households that include children designated as Other Source Categorically Eligible as well as children who are not.

OPERATING DAYS are days during which meal service is provided.

OTHER SOURCE CATEGORICALLY ELIGIBLE PROGRAMS are those categories which make children automatically eligible for free benefits, either through direct certification or application, because the children are:

- Enrolled in a Federal Head Start Program;
- Enrolled in State-funded pre-kindergarten classes using identical or more stringent eligibility criteria than the Federal Head Start Program;
- Enrolled in Even Start - a participant in a Federally-funded Even Start Family Literacy Program for pre-school and pre-kindergarten children;
- Determined a homeless child by the school district’s homeless liaison or by the director of a homeless shelter;
- Determined a migrant child by the State or local Migrant Education Program (MEP) coordinator or homeless liaison;
- Determined a runaway child who is receiving assistance from a program under the Runaway and Homeless Youth Act and is identified by the local educational liaison;
- Determined to be a foster child whose care and placement is the responsibility of the State or formally placed by a court with a caretaker household.

A child’s eligibility for free meals under Other Source Categorical Eligibility does not extend to any other child in the household.

OVERT IDENTIFICATION is any action that may result in a child being recognized as potentially eligible to receive or certified for free or reduced price school meals or free milk. SFAs must assure that a child’s eligibility status is not disclosed at any point in the process of providing free or reduced price meals, including notification of the availability of free or

reduced price benefits; certification and notification of eligibility; provision of meals in the cafeteria; the point of service; and through the method of payment.

REDUCED PRICE MEAL is a lunch priced at 40 cents or less, an afterschool snack priced at 15 cents or less or a breakfast priced at 30 cents or less served, to a child certified as eligible for such benefits under 7 CFR Part 245.

RESIDENTIAL CHILD CARE INSTITUTION (RCCI) is generally any distinct part of a public or nonprofit private institution that (1) maintains children in residence; (2) operates principally for the care of children; and (3) if private, is licensed by the State or local government to provide residential child-care services under the appropriate licensing code. The regulatory definition of "School" for NSLP, SBP and SMP includes RCCIs. See Parts 2 and 4 of this manual for additional guidance on how to certify residents of RCCIs.

RUNAWAY means a runaway child who is receiving assistance from a program under the Runaway and Homeless Youth Act and is identified by the LEA's homeless liaison or an official of such program.

SCHOOL YEAR is the period between July 1 and June 30.

TANF means the Temporary Assistance for Needy Families Program; categorical eligibility for free meals is limited to those States with standards under the State program that are comparable to or more restrictive than those in effect on June 1, 1995.

WORKING DAYS are those days when school is open, teachers and/or school administration are on-site but food service is not in operation.

C. POLICY STATEMENT

Each LEA participating in the NSLP, SBP or the SMP (with free milk option) must have an approved free and reduced price policy statement on file at the State agency or the Food and Nutrition Service Regional Office (FNSRO) if the program is administered by the FNSRO. If an LEA is just starting its participation in the NSLP, SBP or SMP, it must submit its policy statement to the State agency for approval. Once approved, the policy statement becomes a permanent document, but must be amended when the LEA makes a substantive change in its free and reduced price policy. (See Appendix A for the requirements for the policy statement and amendments.)

POLICY STATEMENT FOR THE SMP

A policy statement must be submitted to and approved by the State agency for LEAs participating in the SMP with the free milk option. An LEA may submit a single policy

statement for the NSLP/SBP and SMP when some of its schools participate in the SMP and others participate in the NSLP/SBP. Specific instructions on the development of the policy statement and policy approval process are provided to LEAs by the State agency.

ADDRESSING OVERT IDENTIFICATION IN THE POLICY STATEMENT

SFAs must avoid any policy or practice that has the effect of overtly identifying eligible children. LEAs must assure that their policy statement complies with this guidance. State agencies must assure during an administrative review as part of the general areas that an LEA's policy statement addresses ways to prevent overt identification.

D. PUBLIC (MEDIA) RELEASE

Near the beginning of each school year, the public must be notified that the NSLP, SBP and/or SMP are available in the school or school district. This notice must include the eligibility criteria for free and reduced price meals and/or free milk. It must be provided to the local news media, the unemployment office, and any major employers who are contemplating large layoffs in the attendance area of the school.

The public release must also explain that:

- When known to the LEA, households will be notified of their children's eligibility for free meals if they are members of households receiving assistance from--
- The Supplemental Nutrition Assistance Program (SNAP) or as applicable, the Food Distribution Program on Indian Reservations (FDPIR); or
- The Temporary Assistance for Needy Families (TANF) as by law,
- No application is required for free meal benefits.
- All children in these households are eligible for free meal benefits and if any child(ren) was not listed on the eligibility notice, the household should contact the LEA or school to have benefits extended to that child(ren).

When known to the LEA, households will be notified of any child's eligibility for free meals if the individual child is Other Source Categorically Eligible because the child is categorized as—

- Homeless, migrant or runaway as defined by law; or
- Enrolled in an eligible Head Start, Even Start (pre-school and pre-kindergarten children) as defined in by law.

For any child not listed on the eligibility notice, the households should contact the LEA or school about any child also eligible under one of these programs or should submit an income application for other children.

If households/children receive benefits under Assistance Programs or other source programs are not notified by the school of their free meal benefits, the parent/guardian should contact their school.

Households notified of their children's eligibility must contact the LEA or school if it chooses to decline the free meal benefits.

The public release must contain the same information supplied in the letter to households (see Part 2, Section C. Informing Households), except that the public release must contain both the free and reduced price Income Eligibility Guidelines (IEGs). However, a public release that only refers to the SMP should not contain the reduced price IEGs.

The State agency may make the public release on behalf of its LEAs. In this case, the free and reduced price policy statement must specify the responsibilities the State agency will assume (e.g., sending the public release to the local media, employment office) and the names of the schools affected by the policy.

Copies of the public release must be made available upon request to any interested person.

PART 2: APPLICATION

A. DESIGN

The application and all supporting materials must be clear and simple in design and in an understandable and uniform format. The application materials must also conform to the requirements described in this part.

B. FOREIGN LANGUAGE TRANSLATIONS

The application materials and other communications with households concerning eligibility determinations must be, in a language that parents and guardians can understand **in order to diminish any language barriers to participation for Limited English Proficient (LEP) families**. Where households need information in a language other than English, LEAs must make reasonable efforts, considering the number of such households, to provide household letters and application forms to them in the appropriate languages.

The FNS web site, at (<http://www.fns.usda.gov/cnd/frp/frp.process.htm>) has the prototype application and materials translated in a number of languages. **LEAs and State agencies are responsible for ensuring that all application and other household materials used in the application process are available in a language the LEP household can understand.** Additionally, households can be assisted with completing the application process through the use of personnel proficient in foreign languages.

LEAs are currently assisting LEP families as required under Title 6 of the Civil Rights Act of 1964. Under Title 6, LEAs have a responsibility to be aware of the language needs of LEP households and ensure these households have access to the same information other parents have in a manner they can easily understand. LEAs are reminded that free and reduce price application materials can easily be included along with educational materials that are **provided to LEP families under the requirements of Title 6.**

LEAs must have a system in place to identify language needs of families. LEAs can use the information gained through the Home Language Survey conducted during the school enrollment process to identify the language used in households.

LEAs and State agencies must:

- **Be familiar with the translated application materials available through FNS. *Use the Home Language Survey, USDA's "I Speak" survey or other surveys to help identify LEP families.*Be familiar with languages used in the community and the potential need for materials in those languages.**
- **After assessing potential language needs, determine where information or translation services in those languages may be obtained.**
- **After identifying LEP households, ensure that the households applying for benefits receive language services.**

- For parents or guardians who are unable to read or have limited literacy, State agencies and LEAs must provide the necessary services so that parents or guardians are assisted with completing the application process. This may entail providing oral interpretation services. Parents should not be expected to rely on family members (especially children) or friends as interpreters as they may not be able to provide quality and accurate interpretations.
- State agencies and LEAs must have a system in place to assist LEP households through the verification process. Follow-up with LEP households that do not respond to the initial verification request.
- When possible State agencies and LEAS should also partner with other local resources, such as migrant or refugee assistance agencies.

C. INFORMING HOUSEHOLDS

Each year, at the beginning of school, information letters must be distributed to the households of children attending the school. This letter tells families which Child Nutrition Programs are available and that meals may be available free or at a reduced price, or that milk may be available free. All LEAs must be able to provide households with paper applications and materials.

The information letter should be sent to households of all schoolchildren either before the beginning of the school year or very early in the school year so eligibility determinations can be made and free and reduced price benefits provided as soon as possible. Information letters cannot be sent home at the end of the school year for the next year nor can the LEA accept and process applications before the beginning of the federally defined School Year (July 1 through June 30). Year-round schools usually follow the July 1-June 30 school year therefore, they would distribute information letters in June.

The information letter may be distributed by the postal service, emailed to the parent/guardian or through the information packet provided to students.

LATE ENROLLMENTS

Households enrolling new students in an LEA after the start of the school year must be provided a letter and an application form and materials when they enroll.

If the LEA has the capability, the status of any newly enrolled child must be checked for Assistance Programs eligibility at the time of enrollment.

PAPER-BASED APPLICATIONS

If the LEA only uses paper applications, an application form and instructions must be included with the letter to households.

COMPUTER OR WEB-BASED APPLICATIONS

If the LEA uses a computer or web-based system to process applications, the letter must inform the household how to access the system in order to apply for benefits. In addition,

the letter must explain to the household how to obtain and submit a paper application. This may be done by including a telephone number or a form to return requesting that an application be sent.

INFORMATION LETTER

The information letter must contain the following information:

- Income Eligibility Guidelines
 - For schools participating in the NSLP or SBP only the reduced price guidelines may be included, with an explanation that households with incomes at or below the reduced price limits are eligible for either free or reduced price meals;
 - For schools participating in the SMP with the free milk option, the free guidelines must be included;
 - For schools participating in the NSLP or SBP and also participating in the SMP with the free milk option for their split-session kindergarten students, both sets of guidelines must be included.
- Instructions on how to apply for free or reduced price meals or free milk including the fact that only one application is required for all children in the household;
- Explanation that an application for free or reduced price benefits cannot be approved unless it contains complete eligibility information as indicated on the application and instructions;
- Explanation that no application is necessary if the household is notified by the LEA that all children have been directly certified. If the household is not sure if children have been directly certified, contact the school;
- Statement that only the last four digits of the social security number of the adult household member signing the application is needed;
- Statement that a *foster child* is categorically eligible for free meals and may be included as a member of the foster family if the foster family chooses to also apply for benefits for other children and an explanation that including children in foster care as household members may help other children in the household qualify for meal benefits. If the foster family is not eligible for free or reduced price meal benefits, it does not prevent a foster child from receiving free meal benefits;
- Explanation that categorical eligibility for free meals is extended to all children in a household when the application lists an Assistance Program's case number for any household member;
- Explanation that households with any member who is currently certified to receive Assistance Program benefits may submit an application for these children with the abbreviated information as indicated on the application and instructions;
- Explanation that households with children who are categorically eligible under Other Source Categorically Eligible Programs should contact the school for assistance in receiving benefits and indicate they must mark the relevant box on the application to indicate their Other Source Categorical Eligibility;
- Explanation that the information submitted on the application may be subject to verification;

- Statement that a household may apply for benefits at any time during the school year;
- Statement that children of parents or guardians who become unemployed may be eligible for free or reduced price meals or for free milk;
- Statement to the effect that Special Supplemental Nutrition Program for Women, Infants and Children (WIC) participants may be eligible for free or reduced price meals;
- Explanation that a household may appeal the decision of the LEA with respect to the application using the hearing procedure described in the LEA's free and reduced price policy statement;
- Local contact information if the household has questions about the application process;
- An explanation that for up to 30 operating days in the new school year, eligibility from the previous year will continue. However, unless the household is notified that their children are directly certified or the household submits an application that is approved, the children must pay full price for school meals and that the school will not send a reminder or a notice of expired eligibility when the carry-over period ends.
- The following two statements, as follows:
 - In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discrimination 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.

D. HOUSEHOLD APPLICATIONS

LEAs must provide household applications to families applying for free or reduced price meals or free milk benefits. A household application is submitted by a household for all children in that household that attend schools in the same LEA. LEAs cannot require an application for each child in a household except as discussed in the Exemptions to Household Applications.

LEAs cannot require separate applications for households with some children who are eligible based on categorical eligibility and some who are applying based on household income. An LEA can copy an application to allow them to process different eligibility determinations in mixed household situations or to share with the different schools/or LEAs that children in the household attend.

The application provided to a household may only be pre-filled with the child's name. All other data required on the application must be completed by the household.

EXEMPTION TO HOUSEHOLD APPLICATIONS

Each child residing in an RCCI is considered a household of one. An application is completed for each child unless the RCCI uses an eligibility documentation sheet for all children residing in the RCCI. The documentation sheet must provide information indicating the child's name and the personal income received by the child, the child's date of birth, date of admission and date of release. The documentation sheet must be signed by an appropriate official and provide the official's title and contact information.

Children attending but not residing in an RCCI are considered members of their household and their eligibility is determined using a household application or through direct certification.

PREVENTING OVERT IDENTIFICATION OF DIRECTLY CERTIFIED CHILDREN

LEAs are not required to provide applications to parents when children are eligible for free meals through direct certification, but must assure that these children are not overtly identified through the method used to distribute applications. If an LEA distributes applications to individual households by mail (including e-mail to a parent/guardian); in individual student packets or provides online availability, applications do not have to be provided to households in which all children are determined eligible through direct certification. If the distribution method is not individualized the SFA must provide applications to all households.

E. ELECTRONIC/SCANNED APPLICATIONS

The LEA may make the application and supporting materials available electronically via the Internet. In addition, the LEA may accept applications electronically and may provide for electronic signatures for such submissions. All disclosure restrictions must be met and acceptance of the application and electronic signatures must be in accordance with [guidance \(http://www.fns.usda.gov/cnd/governance/Policy-Memos/2007/SP_10-2007.pdf\)](http://www.fns.usda.gov/cnd/governance/Policy-Memos/2007/SP_10-2007.pdf) issued by FNS.

The LEA may also scan the paper applications submitted. The scanning process must meet all regulatory requirements as well as perform functions as outlined in this guidance. For example, the software/scanner system must be able to recognize and accept less than whole dollar amounts.

Note: USDA and FNS do not evaluate, recommend, approve or endorse any software used for certification or verification purposes. There are no Federal specifications for software vendors. LEAs are responsible for assuring that the certification and verification processes meet all regulatory requirements and policies including the calculation of income frequencies discussed in Part 3, Section E. Therefore, if software is used to perform all or part of the certification or verification process, the LEA must assure the software used is performing correctly and meets all requirements.

F. CONTENTS OF APPLICATION

Except for the information in the attesting statement, the required information on the application form may be separate from the signature block. For example, the Use of

Information Statement may be referred to in the signature block but may be on the reverse side of the application or included with the instructions on how to complete the form.

Because of the statutory change requiring only **the last** 4 digits of a social security number, the Privacy Act statement is no longer required. In lieu, the Use of Information Statement must be provided on the application.

The application form *must* contain:

- Use of Information Statement (exactly as follows):
 - The Richard B. Russell National 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 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 or you list a Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance for Needy Families (TANF) Program or Food Distribution Program on Indian Reservations (FDPIR) case number or other FDPIR identifier for your child or when you 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.
- Statement explaining the following:
 - **While** disclosure of the last 4 digits of a social security number is voluntary **the National School Lunch Act requires** the last 4 digits of a social security number or an indication of “none” for approval of the application.
- Attesting Statement, *directly above* the signature block for the signing adult, to certify:
 - The person signing is furnishing true information and to advise that person that the application is being made in connection with the receipt of Federal funds;
 - School officials may verify the information on the application; and
 - Deliberate misrepresentation of the information may subject the applicant to prosecution under State and Federal statutes.

CATEGORICAL ELIGIBILITY BASED ON ASSISTANCE PROGRAMS

The application must provide space for identifying any household member who receives benefits from Assistance Programs and their case numbers.

When a case number for one of the three Assistance Programs for any household member is listed on the application, all children in the household are eligible for free meals.

OTHER SOURCE CATEGORICAL ELIGIBILITY AND INCOME ELIGIBILITY

In the case of children designated as Other Source Categorically Eligible the application must provide space for indicating status in the other source categories. This is necessary because of the possibility of “mixed households” in which some children may be designated as Other Source Categorically Eligible and some may not. The LEA **must contact the household to determine which child(ren) is other source categorically eligible and then confirm the status of the Other Source Categorically Eligible child with the appropriate officials (as discussed in Part 5) and certify them if they qualify.** The LEA then must determine eligibility for other children listed on the application through household size and income.

G. QUESTIONS AND ANSWERS

- 1. How do I handle the distribution of applications for year-round schools?*

Applications should be distributed on or about the beginning of the school year, or soon thereafter, so that households are provided with current eligibility criteria and so that eligibility determinations are based on the current Income Eligibility Guidelines.
- 2. In a computerized operation, may I submit a pre-printed copy of last year's application for the household to confirm the accuracy of the application and sign it? If not, what items may I preprint?*

It is the household's responsibility to complete the application. The LEA may send households an application with the child's name. No other information required for an eligibility determination may be preprinted.
- 3. A school wants to use the application for free and reduced price meal benefits to collect information from all households on their citizenship status. Is this permissible?*

Schools may not collect information regarding a household's citizenship on the application for school meal benefits, because citizenship is not a requirement for participation in the school meal programs. Doing so would create a barrier to participation by deterring eligible households from applying for meals for their children.
- 4. School applications sometimes request a birth date or other information not required through statute or regulation as a required field. Can these applications be marked as incomplete and not processed?*

The LEA must not delay approval of applications, both on-line applications as well as hard copies of applications if the household fails to provide any information that is not required. For example, if the household fails to include its street address, or birth dates, processing of the application cannot be delayed.

PART 3: PROCESSING APPLICATIONS

A. BENEFITS PRIOR TO PROCESSING APPLICATIONS

Before applications are processed for the new school year and up to the first 30 operating days, beginning with the first day of the school year, the LEA must carry-over eligibility and claim free and reduced price meals served to:

- Children from households with approved applications on file from the previous year;
- Newly enrolled children from households with children who were approved for benefits in the LEA the previous year; and
- Previously approved children who transfer from one school to another under the jurisdiction of the same LEA. For children transferring in the same LEA from a school using Provisions 1, 2 or 3, carryover is applicable only if the prior year was a base year and the child's individual eligibility information is available. If the applications are not centrally maintained, both the sending and the receiving school must maintain a copy of the child's approved application from the previous school year.

CARRYOVER OF PREVIOUS YEAR'S ELIGIBILITY

Carryover of previous year's eligibility applies to direct certification, categorical eligibility determinations and income applications. (See *Part 6: Direct Certification for Assistance Programs*.) Carryover is for up to 30 operating days (beginning with the first day of school) into the current school year or until a new eligibility determination is made, either approved or denied. **The new eligibility determination supersedes the carryover eligibility.**

Carryover of the eligibility status from the previous year also applies to children in Head Start Programs *if* the SFA administers both the Head Start Program and the school in which the child attends kindergarten.

Local school officials are encouraged to expedite eligibility determinations for new enrollees.

Note: Once an application is processed and approved or denied, the LEA must implement that determination in accordance with the time frames discussed in "Application Processing Timeframe." **If a household does not submit an application or children are not directly certified by the end of the carryover period, the LEA is not required to send the household a denial letter or a notice of adverse action.**

B. APPLICATION PROCESSING TIMEFRAME

Unless the children in a household are determined eligible through direct certification, the **household should** submit an application to receive free or reduced price meals or free milk. The information that the household must provide depends on whether the children are categorically eligible based on receipt of benefits from an Assistance Program, are Other Source Categorically Eligible, or are determined eligible based on the household's size and income.

Households that choose not to apply for the NSLP cannot be required to submit an application for free or reduced price benefits. Additionally, the LEA must not delay approval of the application if the household fails to provide any information that is not required. For example, if the household fails to include its street address or a birth date, processing of the application cannot be delayed.

Applications must be reviewed in a timely manner. An eligibility determination must be made, the family notified of its status, and the status implemented within 10 operating days of the receipt of the application. Whenever possible, applications should be processed immediately, particularly for children who do not have approved applications on file from the previous year.

Households should be notified immediately if benefits are denied or reduced from the level of the previous year in order to provide adequate time for the family to make appropriate arrangements for payment to prevent the household from accumulating meal charges.

A new lower eligibility determination should be implemented only after the family has been notified. For example, in the case of a household that received free benefits the previous year and will now receive reduced price benefits for the new school year; adequate notice should be provided.

The carryover period is in place to allow schools an appropriate amount of time to process applications, especially large school districts. However, it is not the intent that schools delay the processing of applications. Instead, schools must process applications as they are received and promptly notify the household of their eligibility status

C. DETERMINING COMPLETION OF SUBMITTED APPLICATIONS

To be considered, an application must include the required information which depends on the basis for applying--receipt of certain benefits (categorical eligibility) or household size and income. Any application that is missing required information, that contains inconsistent information, or is unclear is considered an incomplete application and cannot be processed. The LEA should make reasonable efforts to contact the household in order to obtain or clarify required information.

CATEGORICAL ELIGIBILITY

Assistance Programs

These sources of categorical eligibility may be determined based on an application submitted by a household because these programs provide distinct case numbers. In all instances where a case number for an Assistance Program is used on an application, there must be the corresponding household member's name.

There are no "mixed households" under the Assistance Programs because if any member of the household receives benefits from any of the Assistance Programs, all children listed on the application are eligible for free meals. If income information is also provided, it should be ignored.

For these situations, a complete application must provide:

- Names of the children for whom the application is made;
- SNAP, FDPIR or TANF case number, or other FDPIR identifier, for the child(ren) or for any household member listed on the application; and
- Signature of an adult household member.

EXTENSION OF CATEGORICAL ELIGIBILITY

LEAs must ensure that children in a household that lists an Assistance Program case number on an application for any household member are provided free meal benefits. This extension of categorical eligibility also applies to the direct certification process.

OTHER SOURCE CATEGORICAL ELIGIBILITY (EXCEPT FOSTER CHILDREN)

Children may be categorically eligible due to Other Source Categorical Eligibility status through an application (or direct certification). Under this designation, an appropriate box on the application must be checked indicating the child's status. The child is determined eligible for free meals and the LEA must then document the status with appropriate officials for each program (as described below).

A complete application must provide:

- Names of children for whom application is made;
- Indication of child's categorical eligibility status (a box for each category is shown on the prototype application and households must check the appropriate one); and
- Signature of adult household member.

OTHER SOURCE CATEGORICAL ELIGIBILITY FOR FOSTER CHILDREN

A foster child whose care and placement is the responsibility of the State or who is placed by a court with a caretaker household is categorically eligible for free meals. The child's status for free meals is taken at face value, as with income applications. No further action/follow-up is required. If an application is submitted for a foster child or the foster child

is included on the foster family's application, then the application is part of the verification pool and the foster child's eligibility must then be verified, if it was not directly certified.

A complete application must provide:

- Name of the foster child;
- Checked box indicating a child's foster care status; and
- Signature of an adult household member.

INCOME ELIGIBILITY

Those households applying for meal benefits for their children who are not:

- Eligible through categorical eligibility under Assistance Programs;
- Eligible through Other Source Categorical Eligibility; or
- Foster children

must submit an application and be determined eligible for meal benefits based on household size and income.

A complete application must provide:

- Names of all household members;
- Amount and source of current income for each member and the frequency of the income;
- Signature of an adult household member; and
- Last four digits of the social security number of the adult household member who signs the application or an indication that the household member does not have one.

However, if the family's current income does not reflect the income that will be available during the school year the family should contact the LEA for assistance in completing the application. (See *Part 4C: Determining Household Income*.)

INDICATION OF DIFFERENT TYPES OF ELIGIBILITY

On applications indicating mixed households, where some children are Other Source Categorically Eligible and some children are not, the LEA must have a method to process different eligibility statuses that may result from these applications. While the household cannot be required to submit multiple applications, the LEA may reproduce the application to accommodate more than one eligibility status or may process the application separately in a computer-based system.

After the Other Source Categorically Eligible children are determined eligible for free meal benefits (which requires documentation of their status, except for children in foster care), the LEA must then use the household's income and size (including children in the other source category) to determine if the non-categorically eligible children listed on the application are eligible for meal benefits .

In such mixed households, Other Source Categorically Eligible children will receive free meal benefits even if other children listed on the application are determined either eligible for reduced price meals or ineligible for free or reduced price meal benefits.

A complete mixed application must provide:

- Names of all household members;
- Amount and source of current income for each member and the frequency of income;
- A checked box indicating the Other Source Categorical Eligibility status of a child; for a foster child, list any personal income made available to the foster child, and earned by the foster child as appropriate; (It is optional for the household to list foster children residing in their care);
- Signature of an adult household member; and
- Last four digits of the social security number of the adult household member who signs the application or, an indication that the household member does not have a social security number.

REVIEWING SUBMITTED APPLICATIONS

The determining official must review each incoming application to ensure that the household has submitted a complete application. If the application is complete, the official must then determine whether the household is categorically eligible or income eligible for benefits based on the information provided on the application.

The LEA must not delay approval of the application if the household fails to provide any information that is not required. For example, if the household fails to include its street address, processing of the application cannot be delayed.

D. CITIZENSHIP/LEGAL STATUS

United States citizenship or immigration status is not a condition of eligibility for free and reduced price benefits. LEAs must apply the same eligibility criteria for citizens and non-citizens.

The Department has determined that the Child Nutrition Programs are not subject to Title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA), which restricts certain welfare and public benefits for aliens.

LEAs may not request citizenship status on the application as this may deter otherwise eligible households from applying.

E. CURRENT INCOME/CONVERSIONS

For the purposes of certification of eligibility for free or reduced price meals or free milk, the household must provide their current income which is based on the most recent information available. This may be for the current month, the amount projected for the month for which the application is filled out or for the month prior to application. If the household's current income is not a reflection of income that will be available over the school year, the household should contact the LEA for assistance. The LEA would determine the amount

and frequency of income available during the school year for households.

If a household provided only annual income the LEA must ensure that this is an accurate reflection of their current income

INCOME RECEIVED AT DIFFERENT INTERVALS

Households may have income from different sources which are paid on different schedules. For example, the household may receive paychecks on a weekly basis and child support on a monthly basis. This section explains when conversion of income is required and how conversion is done.

NO CONVERSION REQUIRED

If there is only one source of income or, if all sources are received in the same frequency, no conversion is required. The LEA would total all sources and compare them to the appropriate Income Eligibility Guidelines (IEGs). For example, if a household of three reported receiving a monthly Social Security check and monthly child support, those amounts would be added together and the result compared to the monthly IEG category for a household of three.

CONVERSION REQUIRED

If there are multiple income sources with more than one frequency, the LEA must annualize all income by multiplying:

- Weekly income by 52;
- Bi-weekly income (received every two weeks) by 26;
- Semi-monthly income (received twice a month) by 24;
- Monthly income by 12.

Do not round the values resulting from each conversion. Add all of the un-rounded converted values and compare the un-rounded total to the appropriate IEG for annual income for the household size

LEAs *cannot* use conversion factors such as 4.33 to convert weekly income or 2.15 to convert bi-weekly income to monthly amounts. If an LEA uses software for application or certification purposes, the software cannot use conversion factors and cannot automatically convert income unless there are different frequencies.

INDICATING INCOME AND INCOME SOURCES

Each household *must* provide the total amount of their current income. Income *must* be identified with the individual who received it, and the source of the income (wages, Social Security, etc.). Each household member who does not have income must also be identified and must have an indication of zero income on the application. Zero income may be

indicated by checking a “no income” box, by writing in “zero” or “no income” or by inserting \$0.

F. DETERMINING ELIGIBILITY

How the LEA official determines eligibility depends on the basis for potential eligibility—categorical eligibility with case numbers, other source categorical eligibility without case numbers or income eligibility.

DETERMINATION USING CASE NUMBERS

The determining official must assure that the Assistance Programs case number or other identifier consistent with the identifiers used in that program in that State are valid. LEA officials need to be familiar with the format of valid case numbers/other identifiers. If there is any doubt concerning the validity of a case number/ other identifier submitted on an application, an LEA official should contact local assistance program officials. Applications with invalid case numbers or FDPIR identifiers must not be approved. However, for any child or household member with a valid case number/other identifier, the LEA must approve that child as eligible for free benefits.

Only the case number may be used to determine eligibility; for example, the electronic benefit (EBT) card number used by the Supplemental Nutrition Assistance Program cannot be used to establish categorical eligibility.

DETERMINATION FOR OTHER SOURCE CATEGORICALLY ELIGIBLE CHILDREN

LEA officials must document eligibility under these circumstances through the appropriate officials as discussed in Part 5 of this manual. Further, if an LEA official has knowledge that a child may be Other Source Categorically Eligible (other than foster children; see section on foster children) and an application was not submitted, that official may apply on that child’s behalf and then must confirm their status through appropriate officials. Applying on a child’s behalf is important when there may be a delay in documenting whether a child meets the definition of homeless, migrant or runaway. If a child’s status is not confirmed, the benefits must be terminated.

When an LEA receives an application with any of the Other Source Categorical Eligibility categories checked, the determining official must document free meal eligibility for each child in any of those categories as described in Part 5. An appropriate official from the agencies must confirm a child’s status either through direct contact to the agency or by a list of names provided by the agency. Unlike categorical eligibility under Program Assistance which extends eligibility to all children in the household, Other Source Categorical Eligibility must be determined individually for each child listed as such.

DETERMINATION BASED ON INCOME

It is the responsibility of the determining official to compute the household’s total current income and compare the total amount to the appropriate IEG.

- LEA officials must determine countable income (see *Part 4C: Determining Household Income*).
- Households that submit a complete application indicating total household income at or below the income limits for free or reduced price benefits must be approved for free or reduced price benefits, as appropriate.
- Households that submit an incomplete application cannot be approved if required information is missing; information must be obtained before an eligibility determination can be made.
 - To get the required information, the school may return the application to the household or contact the household either by phone or in writing. The determining official should document the details of the contact, and date and initial the entry.
 - Applications missing the signature of an adult household member must be returned for signature.
 - Every reasonable effort should be made to obtain the missing information prior to denying the application.

VERIFICATION FOR CAUSE

The LEA has an obligation to verify all approved applications that may be questionable; that is, verification “for cause” (see *Part 8D: Verification for Cause*). Such verification efforts cannot delay the approval of applications. If an application is complete and indicates that the child is eligible for free or reduced price benefits, the application must be approved. Only after the determination of eligibility has been made can the LEA begin the verification process.

G. DURATION OF ELIGIBILITY

A child’s eligibility is in effect from the date of eligibility for the current school year and up to 30 operating days in the subsequent school year. However, this does not apply when the initial eligibility determination was incorrect or when verification of household eligibility, including verification for cause, does not support the level of benefits for which the household was approved. In those instances, officials must make appropriate changes in eligibility.

PROHIBITION ON THE USE OF TEMPORARY APPROVAL

Temporary approval of an application is no longer permitted because of the year long duration of eligibility provision. If LEAs/schools are concerned with the authenticity of the information provided on an application, they may, on a case by case basis, verify the application for cause.

H. UNAPPROVED APPLICATIONS

Any child who is not categorically eligible or who is in a household that does not meet the income eligibility standards cannot be approved for benefits. If there are any inconsistencies or questions concerning the required eligibility information provided, the household's application must be denied unless the inconsistencies or questions are resolved. For instance, if it is unclear whether the household provided weekly or monthly income, this issue must be resolved before an eligibility determination can be made. School officials may contact the household prior to denial, document the details of the contact, and date and initial the entry.

I. HOUSEHOLDS THAT FAIL TO APPLY

Local school officials may complete an application for a child known to be eligible if the household fails to apply. When exercising this option, the school official must complete an application on behalf of the child based on the best household size and income information. The source of the information must be noted on the application. Names of household members, the last four digits of the social security number and signature of an adult household member need not be secured. These applications are excluded from verification. However, the household must be notified that the child has been certified to receive free or reduced price benefits.

This option is intended for limited use in individual situations and must not be used to make eligibility determinations for categories or groups of children.

J. NOTIFICATION OF ELIGIBILITY DETERMINATION

Households must be notified of their eligibility status. Households with children who are approved for free or reduced price benefits may be notified in writing or verbally.

Households with children who are denied benefits must be given written notification of the denial. The notification must advise the household of:

- Reason for denial of benefits;
- Right to appeal;
- Instructions on how to appeal; and
- Statement that family may re-apply for free and reduced price benefits at any time during the school year.

Failure to reapply during the carryover period is not a denial of benefits for the current school year. LEAs are not required to notify families or send reminders. A notice of adverse action is not required as eligibility was not established for the current school year.

K. CHANGE IN HOUSEHOLD CIRCUMSTANCES

Because of year-long duration of eligibility, households are not required to report changes in income or household size or changes with regard to participation in a program that makes the children categorically eligible. However, families may voluntarily report changes. If a

change is reported that will increase benefits, the LEA must put that change into effect. However, if the change will decrease benefits (free to reduced price) or terminate free or reduced price benefits (free or reduced price status to paid status), the LEA must explain to the household that the change does not have to go into effect but that the household may request that the lower benefits go into effect. If so, the household would then be provided a notice of the **adverse action as provided in Part 8, Section K.**

L. APPEALS

A household may appeal either the denial of benefits or the level of benefits for which they have been approved. When a household requests an appeal, the hearing procedures outlined in the LEA's free and reduced price policy statement must be followed.

M. RECORDKEEPING

APPROVED APPLICATIONS

LEA officials must:

- Indicate approval date;
- Indicate the level of benefit for which each child is approved; and
- Sign or initial the application.

DENIED APPLICATIONS

LEA officials must:

- Indicate the denial date;
- Indicate reason for denial;
- Indicate date the denial notice was sent; and
- Sign or initial the application.

CHANGES DURING THE SCHOOL YEAR

If any change is made after the initial approval for the current school year such as a transfer to another school within the LEA or if the household voluntarily requests that a change be made, the LEA officials must:

- Note the change;
- Write the date of the change on the application; and
- Implement the change by updating rosters or other methods used at point of sale, if necessary.

When a child transfers to another school within the LEA, the date of the transfer must be noted on the application.

RECORD RETENTION

All free and reduced price applications, including applications from households denied benefits and inactive applications, must be kept on file for a minimum of three (3) years after the final claim is submitted for the fiscal year to which they pertain. Files must be kept longer if they are required by an audit as long as required for resolution of the issues raised by the audit. If audit findings have not been resolved, the applications must be retained as long as required for resolution of the issues raised by the audit.

Applications may be maintained either at the school or at a central location with a list of eligible children maintained at the school. If an LEA maintains applications at a central location, applications must be readily retrievable by school, and the LEA must ensure that any changes in eligibility status and transfers in and out of the school are accurately and promptly recorded on each school's list.

N. TRANSFERRING ELIGIBILITY

If a child transfers to another school in the same LEA in the same school year, his/her eligibility must be transferred (see below for handling transfers from a Provision 1, 2, or 3 school).

When a student transfers to another school district, the new LEA may accept the eligibility determination from the student's former LEA without incurring liability for the accuracy of the initial determination. When a copy of an application is provided, the accepting LEA should review the application for arithmetic errors and compare the income and household size to the applicable IEGs to assure that the correct level of benefits was assigned. If the accepting LEA determines that an arithmetic error occurred, the accepting LEA must notify the household that it must file an application in the new LEA in order to receive benefits. Also the accepting LEA must make changes that occur as a result of any verification activities or review findings conducted by that LEA.

When a child transfers within the same LEA from a school using Provision 1, 2, or 3, a new application or direct certification is required unless the transfer is in a base year for the Provision schools when the child's individual eligibility information was taken and is available. If the transfer is done in a non-base year, a new application is required unless

current individual free or reduced price eligibility information is available through direct certification or an approved application for another child in the household. These procedures are also applicable when a child transfers to a new school district.

O. RESTRICTIONS

The information provided by families on the free and reduced price application will be used only for determining eligibility for meal or milk benefits and verification of eligibility. LEAs that plan to disclose children's eligibility status for purposes other than determining and verifying free or reduced price eligibility must inform households of this potential disclosure. In some cases, the LEA must obtain parental consent prior to the disclosure. LEAs that anticipate disclosure specifically to Medicaid or the State Children's Health Insurance Program (SCHIP) must notify households of this and give them the opportunity to decline the disclosure. (See *Part 7: Confidentiality/Disclosure*.)

Distribution and processing applications *solely for information about household income* to determine the funding or benefits for programs other than the school meals programs or to determine eligibility for other programs is not permitted. Therefore, funds in the nonprofit school food service account cannot be used to pay the costs associated with collecting and processing such information.

A school or LEA must obtain the household income information for non-program purposes through means other than the household's application for free or reduced price school meal benefits. If schools or LEAs collect such information for *non-program purposes*, the applications *may not be labeled as applications for meal benefits* under the school meals/milk programs or give any indication that such benefits are contingent upon a household returning the application.

If LEAs provide households with multi-use applications, which include both meal program benefits as well as non-food benefits, they must ensure that the process allows submission of an application solely for free or reduced meal or free milk benefits.

The LEA must seek consent from the parent(s) or guardian(s) to use the information provided on the application for non-program purposes or for purposes not permitted in this guidance.

P. QUESTIONS AND ANSWERS

PROCESSING APPLICATIONS

1. How much judgment or discretion may the LEA exercise in determining whether a household does or does not meet the eligibility criteria for benefits?

Questions frequently arise concerning what is to be included as income and what constitutes a household. This manual is intended to provide guidelines for those individuals making eligibility determinations. The guidance cannot, however, address each individual situation. Determining officials will occasionally have to apply the broad concepts set forth in this guidance to some individual situations. If unusual situations unlike any examples in the guidance arise, the LEA determining official should contact the State agency.

2. If any item of required information is missing from the free and reduced price application submitted by the household, may the determining official complete the application for the household using information derived from other records available to the school?

No. All required information must be provided by the household and cannot be derived from another source.

3. A school sent home a statement requiring all households to complete and submit the application for free and reduced price meal benefits. Is this permissible?

No. Schools cannot require a household to submit an application if they choose not to do so.

4. Can the determining official make an eligibility determination based upon other income sources, which were not declared on the application but about which the official knows?

No. The determining official must make the initial determination based upon the face value of the application. However, immediately after the application is approved, the LEA may verify that application for cause.

5. A household voluntarily provided pay stubs that conflict with the income information on the application. According to the income information on the application, the household is eligible for benefits. However, from the pay stubs, it appears that the household is not eligible. What should the determining official do?

The submission of documentation that does not support the information provided on the application must not affect the initial eligibility determination. The determining official must approve or deny the application on face value and notify the household of the initial eligibility determination. *Under these circumstances, an LEA official must take appropriate action by either:*

- Sending the household a notice of approval and a notice of adverse action at the same time. This provides the household opportunity to resolve the discrepancy during the (10 operating days) advance notice of adverse action; or
- Sending the household a notice of approval and a verification letter (based on verification for cause) at the same time.

LEA officials are in the best position to determine the appropriate action to take. However, the inconsistency must be resolved expeditiously.

6. A household voluntarily provided pay stubs with the application but did not write the amount of each person's income on the application. All other items were completed. According to the pay stubs, the household is eligible for benefits. What should the determining official do?

Rather than denying the application or returning the application to the household, the determining official should contact the household to ensure that the household submitted information about all sources of income. The official should document the contact, enter the income information on the application and initial and date the action. The application would then be processed accordingly.

7. May the approval of applications be delegated to a food service management company along with other management responsibilities?

An employee of the food service management company may act as an agent for the LEA in various aspects of the application, certification and verification processes. The company's employee must comply with all requirements for these processes, including limited disclosure of individual eligibility information. However, the LEA is ultimately responsible for ensuring that all requirements are being met and the information on the application remains the property of the LEA and cannot be used or possessed by the food service management company for any use other than to determine eligibility for free or reduced price meals.

8. In a computerized operation, where the computer generates the determination, does the determining official have to sign or initial each application?

No. The determining official may sign or initial and date a sheet of paper that would then be attached to a batch of applications or make a note to the electronic file. However, the computer system should be able to capture the original date of approval, the basis for the determination (i.e., what household size and income was used), and to update the status of applications to account for transfers, withdrawals, terminations, and other changes.

9. A number of children from a federally declared disaster are temporarily moved to my school district. How do I certify these children?

If these children are determined homeless by the school district's homeless liaison **or is receiving D-SNAP (special disaster benefits)**, they must be certified for free meals or free milks. Contact your State agency for assistance.

DETERMINING IF AN APPLICATION IS COMPLETE

1. Does an emancipated child sign his/her own applications? Are the last 4 digits of a social security number required?

An emancipated child who lives alone as a household of one or as a member of a household with no adult household members must sign his or her own application. No social security number is required for the emancipated child.

2. What if the racial/ethnic data collection question is not completed?

Parents' provision of this information is voluntary, and failure to provide the information must not affect the child's eligibility for benefits.

3. If a school is providing benefits for a child during the first 30 operating days of the school year based upon income information from the previous year's eligibility, and upon receiving the current year application for the household, the school determines that there is a decrease in the child's benefits, is it necessary to provide a notice of adverse action at the end of the 30 days?

No, it is not necessary to provide a notice of adverse action. The LEA must, however, notify the household of the decision made on the current school year's application.

4. What kind of notice is recommended for children determined to be eligible for free or reduced price meals?

Households must be notified of their eligibility for benefits; however, notification does not have to be in writing. LEAs may notify households of their children's eligibility for free or reduced priced benefits by letter, to the parent's/guardian's email address, or phone. LEAs may also use an automated system which assures accuracy of information and confidentiality. When an application is denied, the household must always be notified in writing through the postal system or an email to the parent's/guardian's email address.

5. When foster parents apply for benefits for their own children, do they include their foster children as household members?

Foster parents who **choose to** apply for meal benefits for their children may include their foster child(ren) (including a preschool foster child) on the application as a household member. A foster child's income (personal income provided to the child or earned by the child) is only considered when the foster parent(s) submit an application for the non-foster children in the household. **Regardless of the eligibility of the foster family's own children, the foster child is categorically eligible for free meals.**

6. *A child and his mother are living with her sister's family because they were evicted. The child was determined homeless by our liaison and is therefore categorically eligible for free meals. Can the sister count the child and his mother in her household?*

Yes, unless the mother and her child are not part of the same economic unit as her sister. This homeless child is always eligible for free meals even if the sister's children are ineligible or only qualify for reduced priced meals. Further, based on year long duration, the homeless child retains his/her free meal status when his/her family is no longer homeless and the sister's children also retain their eligibility status for the current school year **even if the other family moves out.**

CUSTODY SITUATIONS

1. *Parents share the custody of their daughter and the child lives alternately with her mother and her father. Based on the mother's income, she is entitled to free meals. I understand that the child is entitled to free meals even when she is with her father. My question is—can the father include her as a household member in his household?*

Yes. Since the daughter is part of each parent's economic unit while she is in residence at the respective households, both parents may include her as a household member.

2. *In a split custody situation, a child is eligible for free meals based on the application submitted by his mother. However, his father told us he doesn't want his son to get free meals while he is with him. May I still claim the boy's meals at the free rate?*

No. When the child is residing with his father and the father pays for the meals, you cannot claim that child's meal at the free rate.

ACCEPTING BENEFITS

1. *What if a child is eligible for free meals, but the household wants to pay the reduced price?*

The school should respect the family's wishes and allow the child to pay the reduced price charge. The application should correctly reflect that the child is eligible for free meals. However, the school should note on the application that the family has elected to pay the reduced price charge. The meals served to such a child must be claimed for reduced price reimbursement since the school received the reduced price payment from the household.

PART 4: INCOME ELIGIBILITY

A. GENERAL

To determine if a household meets income eligibility requirements for benefits, LEA officials must compare the household size and the total household income to IEGs. Officials may be asked by households for guidance on whom to include as a household member or what to include as income on the application for benefits. Although LEA officials may have to use their own discretion in some instances, this section explains the requirements for determining household composition and income and also provides guidance on how to handle special situations.

B. DETERMINING HOUSEHOLD COMPOSITION

Household composition for the purpose of making an eligibility determination for free and reduced priced benefits is based on economic units. An economic unit is a group of related or unrelated individuals who are not residents of an institution or boarding house but who are living as one economic unit, and who share housing and/or significant income and expenses of its members. Generally, individuals residing in the same house are an economic unit. However, more than one economic unit may reside together in the same house. Separate economic units in the same house are characterized by prorating expenses and economic independence from one another.

SPECIAL SITUATIONS

Adopted Child

An adopted child for whom a household has accepted legal responsibility is considered to be a member of that household. If the adoption is a “subsidized” adoption, which may include children with special needs, the subsidy is included in the total household income. (See *Part 4D: Questions and Answers*.)

Because some adopted children were first placed in families as foster children, parents may not be aware that, once the child is adopted, s/he is no longer categorically eligible for free meals as a foster child. Due to year-long eligibility, the free eligibility status of a foster child does not change within the year (including the first 30 operating days of the subsequent school year) if the child is adopted. However, for the subsequent school years, an adopted child must now be determined eligible based on the economic unit and all income available to that household, including any adoption assistance, is counted when making an eligibility determination.

Child Attending an Institution

A child who attends but does not reside in an institution is considered a member of the household in which s/he resides.

Child Residing in an Institution or RCCI

A child residing in a non-participating institution but who attends a participating school during the week or a child residing in a participating RCCI is considered a household of one.

Child Away at School

A child who is temporarily away at school (e.g., attending boarding school or college) is included as a member of the household. If a child is attending a participating boarding school and wishes to apply for meal benefits, s/he is not considered a household of one. Instead, the child's eligibility is determined based on his family's size and income. This also applies to foreign students attending boarding schools.

Child Living with One Parent, Relative, or Friends

In cases where no specific welfare agency or court is legally responsible for the child or where the child is living with one parent, other relatives, or friends of the family, the child is considered to be a member of the household with whom s/he resides. Children of divorced or separated parents are generally part of the household that has custody.

Joint Custody

When joint custody has been awarded and the child physically changes residence, the child is considered part of the household where s/he resides. In these situations, if both parents apply for benefits in the same LEA for the child, and different eligibility statuses result, the greatest benefit level is used. For example, if the mother's situation results in eligibility for free meals but the father's application is denied, the child would receive free meals regardless of which parent had custody at the time.

Emancipated Child

A child living alone or as a separate economic unit is considered to be a household of one.

Foreign Exchange Student

A foreign exchange student is considered to be a member of the household in which s/he resides (i.e., the household hosting the student).

Foster Child

A foster child is a child whose care and placement is the responsibility of the State or who is placed by a court with a caretaker household. Such a child is considered a member of the foster parent(s) household. A foster child placed with relatives through a formal arrangement

by the courts or State is also considered a foster child. A child is not considered a foster child if placed informally with relatives and not through court or State intervention.

Family Members Living Apart

Family members living apart on a temporary basis are considered household members. Family members not living with the household for an extended period of time are not considered members of the household for purposes of determining eligibility, but any money made available by them or on their behalf for the household is included as income to the household.

Deployed service personnel

Family members not living with the household for an extended period of time are not usually considered household members. However, any member of the armed services who is activated or deployed in support of any military combat operation is counted as a household member. Any money made available by them or on their behalf for the household is included as income to the household with the exception of combat **pay as discussed below under Income Exceptions- Military Benefits- Combat Pay**

C. DETERMINING HOUSEHOLD INCOME REPORTABLE INCOME

Income is any money received on a recurring basis, including gross earned income, unless specifically excluded by statute. Gross earned income means all money earned before such deductions as income taxes, employee's social security taxes, insurance premiums, and bonds. Income includes but is not limited to:

- Earnings from work
 - Wages, salaries, tips, commissions
 - Net income from self-owned business and farms
 - Strike benefits, unemployment compensation, and worker's compensation
- Welfare/child support/alimony
 - Public assistance payments/welfare benefits (e.g., TANF, General Assistance, General Relief)
 - Alimony or child support payments

Note: Benefits under SNAP and FDPIR are not counted as income.

- Retirement/disability benefits
 - Pensions, retirement income, veterans' benefits
 - Social security
 - Supplemental security income
 - Disability benefits
- Any other income
 - Net rental income, annuities, and net royalties;
 - Interest and dividend income;
 - Cash withdrawn from savings, income from estates, trusts and/or investments;
 - Regular contributions from persons not living in the household;

- Any other money that may be available to pay for the child(ren)'s meals

CURRENT INCOME

Households must report current income on a free and reduced price application. Current income means income received by the household for the current month, the amount projected for the first month for which the application is filled out or for the month prior to application. If this income is higher or lower than usual and does not fairly or accurately represent the household's actual circumstances, the household may, in conjunction with LEA officials, project its annual rate of income based on the guidelines on special situations.

SPECIAL SITUATIONS

Projected Income for Seasonal Workers

Seasonal workers and others whose income fluctuates usually earn more money in some months than in other months. Consequently, the previous month's income may distort the household's actual circumstances. In these situations, the household may project its annual rate of income and report this amount as its current income. If the prior year's income provides an accurate reflection of the household's current annual rate of income, the prior year may be used as a basis for the projected annual rate of income.

The LEA must determine the period of time any earnings are received for seasonal workers as well as the amounts and sources. **Seasonal workers include those with annual employment contracts but who may choose to have their salaries paid over a shorter period of time. This includes school employees. The LEA must determine the full amount of income available to such workers contractually on an annual basis and convert all income sources to annual amounts. This treats these employees in the same manner as employees who choose to have their salaries paid over the full year.**

Income for the Self-Employed

Self-employed persons may use last year's income as a basis to project their current year's net income, unless their current net income provides a more accurate measure. Self-employed persons are credited with net income rather than gross income. Net income for self-employment is determined by subtracting business expenses from gross receipts.

- Gross receipts include the total income from goods sold or services rendered by the business.
- Deductible business expenses include the cost of goods purchased, rent, utilities, depreciation charges, wages and salaries paid, and business taxes (not personal, Federal, State, or local income taxes).
- Non-deductible business expenses include the value of salable merchandise used by the proprietors of retail businesses.
- Net income for self-employed farmers is figured by subtracting the farmer's operating expenses from the gross receipts.
- Gross receipts include the value of all products sold; money received from the rental of farm land, buildings, or equipment to others, and incidental receipts from the sale of items such as wood, sand, or gravel.

- Operating expenses include cost of feed, fertilizer, seed, and other farming supplies, cash wages paid to farmhands, depreciation charges, cash rent, interest on farm mortgages, farm building repairs, and farm taxes (but not local, State, and Federal income taxes).

Income from Wages and Self-Employment

For a household with income from wages and self-employment, each amount must be listed separately. When there is a business loss, income from wages may not be reduced by the amount of the business loss. If income from self-employment is negative, it should be listed as zero.

Military Benefits

Benefits **paid directly to the service person** such as housing allowances and food or clothing allowances, are considered income.

Deployed Service Members

Only that portion of a deployed service member's income made available by them or on their behalf to the household will be counted as income to the household. Combat Pay is **excluded as discussed below under *Income Exclusions - Military Benefits - Combat Pay***.

Foster Child's Income

If the household where the foster child resides applies for benefits for their non-foster children, then the foster child's personal income is considered when making an eligibility determination. **The foster child's income can be from a part-time job or any funds provided to the child for his/her personal use. ((It is optional for the household to list foster children residing in their care).**

Income for a Child Residing in an RCCI or Institutions

Only the income earned by a child from full-time or regular part-time employment and/or personally receives while in residence at the RCCI or institution is considered income.

Child's Income

The earnings of a child who is a full-time or regular part-time employee must be listed on the application as income.

Alimony and Child Support

Any money *received* by a household in the form of alimony or child support is considered income to the receiving household. Any money *paid* by a household in the form of alimony or child support is not excluded from income for that household.

Garnished Wages and Bankruptcy

Income is the gross income received by a household before deductions. In the case of garnished wages and income ordered to be used in a specified manner, the total gross income must be considered regardless of whatever portions are garnished or used to pay creditors.

INCOME EXCLUSIONS

General

Income *not to be reported* or counted as income in the determination of a household's eligibility for free and reduced price benefits includes:

- Any cash income or value of benefits excluded by statute (see Question and Answer 2 in this part for statutory exclusions); common exclusions are the value of benefits under the SNAP or FDPIR and some Federal educational benefits;
- Payments received from the Foster Care agency **or court** for the care of foster children;
- Student financial assistance provided for the costs of attendance at an educational institution, such as grants and scholarships, awarded to meet educational expenses and not available to pay for meals;
- Loans, such as bank loans, since these funds are only temporarily available and must be repaid;
- Value of in-kind compensation, such as housing for clergy and similar non-cash benefits; and
- Occasional earnings received on an irregular basis (not recurring, such as payment for occasional baby-sitting or mowing lawns).

Military Benefits

An in-kind benefit is excluded, such as non-privatized on-base housing, where no cash is provided to the household. Other sources of excluded income related to the military:

- Family Subsistence Supplemental Allowance (FSSA) - By law, the FSSA is not counted as income in determining eligibility for free and reduced price meals;
- Privatized housing allowances received under the Military Housing Privatization Initiative are not counted as income. Under this privatization initiative, a housing allowance appears on the leave and earnings statement of service members living in privatized housing. The exclusion only applies to service members living in housing covered under the Military Housing Privatization Initiative. Housing allowances for households living off-base in the general commercial/private real estate market are counted as income. Additional information about DOD's Military Housing Privatization Initiative, including a list of affected installations, may be found at <http://www.acq.osd.mil/housing>;
- Combat Pay is excluded if it is
 - Received in addition to the service member's basic pay;
 - Received as a result of the service member's deployment to or service in an area that has been designated as a combat zone; and
 - Not received by the service member prior to his/her deployment to or service in the designated combat zone.
- Combat pay as described is extended to Deployment Extension Incentive Pay (DEIP). DEIP is given to active-duty service members who agree to extend their military service by completing deployment with their units without re-enlisting

- This exemption applies only until the service members return to their home station. DEIP payments provided to service members that are not considered deployed are not exempt.

Institutionalized Child's Income

Payments from any source directly received by the RCCI or institution on a child's behalf are not considered as income to the child.

Child's Income

Infrequent earnings, such as income from occasional baby-sitting or mowing lawns, are not counted as income and should not be listed on the application.

Lump Sum Payments

Lump sum payments or large cash settlements are not counted as income since they are not received on a regular basis. These funds may be provided as compensation for a loss that must be replaced, such as payment from an insurance company for fire damage to a house. However, when lump sum payments are put into a savings account and the household regularly draws from that account for living expenses, the amount withdrawn is counted as income.

D. QUESTIONS AND ANSWERS

1. Why is the housing allowance provided to service personnel counted as income when the value of provided housing is not?

Income is defined as all cash received on a recurring basis. In-kind benefits, by definition, are not cash payments, and, therefore, are not considered as income for the purpose of determining free and reduced price eligibility. School officials are not in a position to determine the value of in-kind benefits, such as housing for clergy, cars for salespersons, employee medical or dental benefits, etc. The income exclusion for in-kind benefits is uniform throughout the school meal programs. To treat in-kind benefits provided to military households differently from in-kind benefits provided to the general population would create an inequity. The fact that the value of military on base housing is more readily identifiable than other sources of in-kind benefits would not lessen the inequity.

2. What payments from Federal programs are excluded from consideration as income by legislative prohibition?

The following payments are excluded as income:

- Value of assistance to children and their families under the Richard B. Russell National School Lunch Act, the Child Nutrition Act of 1966, and the Food and Nutrition Act of 2008;
- Reimbursements from the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970;
- Any payment to volunteers under Title I (VISTA and others) and Title II (RSVP, foster grandparents, and others) of the Domestic Volunteer Service Act of 1973 to the extent excluded by that Act;

- Payments to volunteers under section 8(b)(1)(B) of the Small Business Act (SCORE and ACE);
- National Flood Insurance Program (NFIP) payments—payments received by property owners under the NFIP;
- Income derived from certain sub-marginal land of the U.S. that is held in trust for certain Indian tribes;
- Student financial assistance received under Title IV of the Higher Education Act of 1965, including the Pell Grant, Supplemental Education Opportunity Grant, State Student Incentive Grants, National Direct Student Loan, PLUS, College Work Study, and Byrd Honor Scholarship Programs, to the extent excluded by that Act;
- Payments under the Agent Orange Compensation Exclusion Act (Public Law 101-201);
- Payments under the Child Care and Development Block Grant (Public Law 102-508); (15) payments and allowances to individuals participating in AmeriCorps to the extent excluded by the National and Community Service Act of 1990;
- Payments under the Low-income Home Energy Assistance Act (Public Law 99-125); payments under the Disaster Relief Act of 1974, as amended by the Disaster Relief and Emergency Assistance Amendments of 1989 (Public Law 100-707);
- Payments received under the Carl D. Perkins Vocational Education Act, as amended by the Carl D. Perkins Vocational and Applied Technology Act Amendments of 1990 (Public Law 101-392);
- Value of any child care payments made under section 402(g)(1)(E) of the Social Security Act;
- Value of any “at-risk” block grant child care payments made under section 5081 of Public Law 101-508, which amended section 402(i) of the Social Security Act;
- Value of any child care provided or paid for under the Child Care and Development Block Grant Act, as amended (Public Law 102-586, Sec. 8(b));
- Payments received under the Old Age Assistance Claims Settlement Act, except for per capita shares in excess of \$2,000;
- Payments received under the Cranston-Gonzales National Affordable Housing Act (Public Law 101-625);
- Payments received under the Housing and Community Development Act of 1987;

This list is *not* all inclusive. Legislation is periodically enacted that excludes income for the purposes of the school meals/milk programs. Here is a link to the list of income excluded by Federal law that is maintained by the Supplemental Security Income Program:

http://www.socialsecurity.gov/OP_Home/cfr20/416/416-app-k.htm

This Web site may assist you in determining if benefits from other programs are excluded as income from Federal means-tested programs. Determining officials should always contact the State agency when there is question of whether specific payments are to be included as income. The household always has the right to provide documentation or to request a determination about a source of income that may be excluded for the purposes of the school meals/milk programs.

3. If one household owns a housing unit and rents living space to another household, must the household receiving the rental fee report this amount as income?

Yes. Income includes money derived from rent of room(s), apartment(s), etc. If a household receives rental income from another household, it must be included as income. The treatment of rental income would be similar to the treatment of self-employment income.

4. Are children for whom households receive adoption assistance payments under Title IV-E of the Social Security Act automatically eligible for free school meals?

No. Although Sections 673 and 674 of the Social Security Act specify that, for purposes of Titles XIX (medical assistance) and XX (child care), children whose parents receive adoption payments shall be deemed to be zero benefit recipients of the Aid to Families with Dependent Children program (now TANF), the statute did not extend this TANF equivalency to the NSLP, SBP, or SMP. Additionally, since there is no legislative prohibition from considering the adoption assistance payments as income, the amount of assistance must be included as household income in the free and reduced price meal eligibility determination.

5. If a child lives with his/her parents and is required to pay for room and board, is the child a separate household?

The child is considered a separate household only in those cases when the child is living alone or as a separate economic unit. Separate economic units are usually characterized by the prorating of most household expenses. Most children paying room and board are usually paying a token amount and are not economically independent of their parents and are, therefore, not considered to be emancipated.

6. If two separate households rent living space (e.g., an apartment or house), and one household gives its portion of the rent to the other household which, in turn, transmits the full rent to the landlord, does the rental income given to the transmitting household count as rental income?

No. The transmitting household has not received income; rather it is performing a simple financial transaction that does not provide it with additional income.

PART 5: CATEGORICAL ELIGIBILITY

A. MEMBERS OF ASSISTANCE PROGRAM HOUSEHOLDS

A child who is a member of a household that receives benefits from Assistance Programs (SNAP, TANF, FDPIR) is categorically eligible for free benefits. LEAs must give households applying for free and reduced price meals the opportunity to indicate on the application that the children are categorically eligible for free benefits and to provide case numbers either for a child or for any household member.

Categorical eligibility for free meals is extended to all children in a household if any member of the household receives benefits from Assistance Programs.

If a household submits an application for children who were directly certified, the LEA must disregard the paper application. Direct certification takes precedence over an application submitted by the household unless the application identifies other children in the household that were not directly certified.

Documentation for Assistance Programs using an application for meal benefits requires that the household list a case number on the application. LEAs/schools need to be familiar with their State's case numbers in order to ensure the case numbers are viable for each program.

B. OTHER SOURCE CATEGORICALLY ELIGIBLE

In order to ensure quick delivery of meal benefits to other source populations, LEAs/schools should have procedures in place with Other Source Categorically Eligible agency officials to ensure the LEA is promptly notified of children meeting this eligibility criterion. On or around the beginning of each school year, LEAs/schools should conduct outreach to Other Source Categorically Eligible agency officials in preparation for the new school year.

Other Source Categorical Eligibility of a child does not convey to other children in the household. If the household of an Other Source Categorically Eligible child submits an application, the appropriate box under other source on the application must be checked. The school/LEA must then contact the household to determine which child is eligible for free meals under Other Source Categorical Eligibility. Documentation of Other Source Categorical Eligibility is required (excludes foster children, except if through verification). For reference refer to the National School Lunch Act, section 9(d)(1).

If the household submits an application with the household's income and has also checked the box for "Other Source Categorical Eligibility", and the LEA or school has not had the opportunity to document the status of the child(ren) through other source liaisons, process the application using the income information provided. At such time as the other source

eligibility is documented, the application is disregarded (if all children in household are other source). The application must be retained.

LEAs are encouraged to conduct direct certification with appropriate officials and agencies for Other Source Categorically Eligible Programs. The LEA/school must decide the most expeditious manner in which to confirm/document a child's status under Other Source Categorical Eligibility so that free meal benefits can be provided as soon as possible. For example, direct certification may be accomplished through an electronic method, such as, a fax or email of lists of eligible students exchanged between appropriate agency officials and LEA/school. Or, an agency may provide a letter to the household which in turn the household provides to the school. The procedures for mandatory and voluntary direct certification are the same. When conducting direct certification for Other Source Categorically Eligible Programs, the required documentation depends on the agency providing the information.

In cases of form letters to households or direct computer matches which may not include the official's original signature, sufficient documentation must include correspondence or a written agreement between the Other Source Categorically Eligible Program designated officials and the LEA setting out or confirming the manner in which LEA officials would be provided the children's status.

A method of data exchange between an agency and an LEA that does not involve the household is encouraged. The documentation must be retrievable by school to ensure proper delivery of benefits and to allow substantiation of the number of children eligible for free meals or milk.

An LEA or school official who has direct knowledge that a child is in an other source category may expedite program benefits to the child by completing an application for that child or compiling a list of other source eligible students. As soon as possible, the eligibility determination must be documented by the appropriate agencies.

TRANSFERRING INFORMATION

To ensure that an eligible Other Source Categorical Eligible child (migrant, runaway, homeless, etc), continues to receive benefits, LEAs are encouraged to share the child's free meal eligibility status with the new LEA when a migrant, homeless or runaway child moves from their jurisdiction if the family knows their new location. See N. Transferring Eligibility between LEAs, in Part 3 of this manual for additional information

HEAD START AND EVEN START

Children enrolled in Federally-funded Head Start centers are considered categorically eligible for free meals in the NSLP. Children enrolled in State funded pre-kindergarten programs with eligibility requirements identical to or more stringent than those used by the Federally-funded Head Start centers are also considered categorically eligible.

For a child to be categorically eligible for free meals based on their participation in Even Start, the child must be enrolled as a participant in a Federally-funded Even Start Family Literacy Program for pre-school and pre-kindergarten children.

DOCUMENTATION OF PARTICIPATION

Documentation of a child's participation in a Federally-funded Head Start or Even Start Program is required to establish categorical eligibility for free meals in the NSLP or SBP, or for free milk in the SMP. Confirmation that the child has not yet entered kindergarten must be included in the documentation from the Even Start official.

Acceptable documentation includes:

- Statement of enrollment in Head Start or Even Start or;
- List of children participating in Head Start or Even Start; and
- For Even Start, confirmation that the child has not yet entered kindergarten.

MIGRANT EDUCATION PROGRAM

A child is considered categorically eligible if s/he is identified as meeting the definition of migrant in section 1309 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6399) by the State, regional or local Migrant Education Program (MEP) director or coordinator or the local educational liaison.

The basic definition of a migrant child for MEP is a child that 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. (Note: minors who move with a spouse, or by themselves to perform this work may also qualify.) State educational agencies and local MEP staff are responsible for identifying and maintaining supporting documentation as to who is defined as a migrant child.

MEP CONTACTS

Most State educational agencies sub-grant MEP funds to local operating agencies (LOAs) to provide program services. These operating agencies are typically school districts; however, in some States, the LOAs may be regional units that administer the MEP in multiple school districts. When a LOA or school district receives MEP funds, a MEP coordinator is usually designated. This may be a Federal program director who administers multiple Federal programs including the MEP. The operating agency or school district identifies and recruits migrant children in their geographic area and maintains a list of eligible migrant children.

DOCUMENTATION OF MEP ENROLLMENT

LEAs should work directly with their State, regional, or local Migrant Education Program director or coordinator, local migrant or homeless liaison, to identify migrant children and to document their eligibility for free school meals. LEAs must accept documentation that the children are migrant children from the LOA or school district's MEP coordinator.

Acceptable documentation for MEP enrollment is:

- Dated list with each child's name ; and the signature of the State, regional or local MEP director, coordinator or local educational liaison,

- A letter from a migrant education director, coordinator, or liaison provided by a household that confirms that a child currently meets the definition of migrant under the Elementary and Secondary Education Act.

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 LEA must notify the household as soon as possible about the child's free meal eligibility. Because documentation of MEP eligibility is acceptable in lieu of a free and reduced price meal application, any application submitted on behalf of the child would be disregarded unless other children are listed on the application in which case, the LEA has to process the application to determine eligibility for the other children listed on the application.

If the application indicates a child's status as a migrant, and the household has not contacted the school, the school/LEA should check with the migrant coordinator.

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

RUNAWAY AND HOMELESS YOUTH ACT

A runaway child is identified as a runaway receiving assistance through a program under the Runaway and Homeless Youth Act (RYHA) by the local educational liaison. If the LEA or State agency becomes aware of other officials who may be administering the RHYA in their State, they should contact the State agency or regional office, as appropriate, for guidance.

The programs for runaways are established by the Family and Youth Services Bureau (FYSB) of the U.S. Department of Health and Human Services. Because the FYSB coordinates with school district homeless liaisons, LEA officials should be able to obtain documentation of a child's participation in a RHYA-funded program.

The following is a Web site that may assist LEAs in obtaining more information about the operations of the RHYA programs in their State:

<http://www.acf.dhhs.gov/programs/oro/>

For further information on FYSB, see their web site at

<http://www.acf.hhs.gov/programs/fysb/index.html>

DOCUMENTATION OF RUNAWAYS' RHYA PARTICIPATION

Acceptable documentation to substantiate participation in a program for runaway children sponsored by RHYA must include:

- Child's name or a list of names of participating children;
- Effective date(s); and
- Signature of the school district's homeless liaison.

Because direct certification documentation of enrollment in an RHYA-funded program is acceptable in lieu of a free and reduced price meal application, any application submitted on behalf of the child would be disregarded.

It is particularly important that runaway children who may be enrolled in an RHYA-funded program be documented and certified for free meals as promptly as possible. Therefore, LEAs need to establish procedures with the homeless coordinator. If an application is submitted for a runaway child participating in a RHYA program with the box checked for runaway, the child must receive free meal benefits.

MCKINNEY-VENTO HOMELESS ASSISTANCE ACT

A child is considered homeless if s/he is identified as lacking a fixed, regular and adequate nighttime residence under the McKinney-Vento Homeless Assistance Act by the local educational agency liaison, or by the director of a homeless shelter. If the LEA or State agency becomes aware of other officials who may be administering the homeless assistance act under the McKinney-Vento Act in their State, they should contact the State agency or regional office, as appropriate, for guidance.

The term “homeless” means individuals who lack a fixed, regular, and adequate nighttime residence. The definition includes:

- Children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations;
- Children and youths who are living in emergency or transitional shelters, are abandoned in hospitals, or are awaiting foster care placement;
- Children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
- Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
- Migratory children who qualify as homeless because the children are living in the circumstances described above.

This list is provided to assist LEA officials who may know a child’s circumstances that may qualify them as homeless. However, as discussed below, the determination of whether a child meets the definition is made by the school district’s homeless liaison.

DOCUMENTING FREE MEAL ELIGIBILITY FOR HOMELESS CHILDREN

Acceptable documentation that the children are homeless is obtained from the LEA homeless liaison or directors of homeless shelters where the children reside. Documentation to substantiate free meal eligibility must consist of the

- Child’s name or a list of names;
- Effective date(s), and
- Signature of the local educational liaison or the director of the homeless shelter.

HOMELESS CHILDREN RESIDING WITH ANOTHER HOUSEHOLD

A child or family may temporarily reside with another household and still be considered homeless under the definition of homeless in McKinney-Vento. In these cases the household size and income of the host family is not taken into consideration in determining the free meal eligibility for the child(ren) designated as homeless by the LEA liaison.

When a host family applies for free and reduced price meals for their own children, the host family may include the homeless family as household members if the host family provides financial support to the homeless family, such as shelter, utilities, clothing or food. In such cases, the host family must also include any income received by the homeless family. LEA officials must determine eligibility for the host family in the traditional manner. However, free meal eligibility for the homeless child is based on the documentation provided by the LEA liaison, even when the child is included on the host family's free and reduced price meal application.

FOSTER CHILD

A foster child is a child whose care and placement is the responsibility of a State or local welfare agency or who is placed by a court with a caretaker household. This applies only to foster children who are formally placed by the State or court, not informal arrangements outside of the State or court systems. A child may still be considered a foster child if placed with relatives provided the placement is made by the State or local foster care system or courts.

A foster family may include their 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.

DOCUMENTING FREE MEAL ELIGIBILITY FOR FOSTER CHILDREN

The LEAs are encouraged to establish formal mechanisms with State and local foster care agencies and courts to receive information directly from these agencies to facilitate certification for free meals for foster children. LEAs and foster care agencies or courts should have a written agreement between the agency or court and the LEA setting out or confirming the manner in which LEA officials would be provided the children's status.

Documentation can be submitted by an appropriate State agency or court (Direct Certification):

- Electronic/computer match directly to the LEA or other child nutrition program institution indicating the status of the child as a foster child without further application;
- LEAs can accept a State agency's or court's letter confirming the child's status as a foster child submitted by the household; or
- Foster parents may complete an application and check the appropriate box indicating the child's status as a foster child. No further documentation is required (the application is subject to verification).

C. DURATION OF CATEGORICAL ELIGIBILITY

Since households are not required to report changes in income or household size during the school year, households are also not required to report a change in their categorical eligibility status because they no longer receive benefits or participate in the programs discussed above. For households that voluntarily report changes, see Part 3K: *Changes in Household Circumstances*.

D. QUESTIONS AND ANSWERS

1. A child who has been certified homeless by the liaison earlier this year returns home. The child remains categorically eligible based on having been determined categorically eligible earlier in the year—but he was with a host family which had the option of including him on their application for meal benefits. Now that the child is back home, can his “home” family apply for free or reduced price benefits and include him as a household member?

There are several points that need to be addressed in responding to this question.

- The homeless child’s eligibility status cannot “convey” to the other children in either the host or “home” family. However, the homeless child is counted as a household member in the other households.
- The homeless child remains eligible for free meals for the current school year (and up to 30 operating days in the next) regardless of where he is living.
- The host family can include the child if they apply for benefits while the child is living with them and, if he moves out of the home, there is no change in eligibility status for the remaining children because of year-long eligibility.
- When the child returns to his “home” family, he is counted as a household member if his family applies for benefits for the other children in the household. By the same token, if the homeless child leaves the family which has an approved application on file, the status of the remaining children doesn’t change unless something happens that would improve their status.

2. May a private school serve free meals to homeless students using documentation provided by a public school homeless liaison or the State Coordinator for Education of Homeless Children and Youth?

Although the McKinney-Vento Homeless Assistance Act only applies to public schools, public school liaisons or the State Coordinator for Education of Homeless Children and Youth may share documentation with a private school and the private school may use this information to support serving free meals to this population. Private schools may also use documentation obtained from shelter directors for this purpose. While there is no policy requiring private schools to establish a homeless/runaway liaison, they are encouraged to do so for school meal program purposes.

3. Does the categorical eligibility status of a homeless student remain in effect for the entire school year even if the homeless student secures permanent housing and continues to reside in the same SFA?

Yes. A homeless child remains eligible for free meals for the current school year, plus up to 30 operating days in the subsequent school year, even if that child secures a permanent residence (e.g., returns home) at some point during the current school year.

4. Does the categorical eligibility status of a homeless student remain in effect for the entire school year even if the homeless student secures permanent housing but now attends a school in a different LEA?

The new LEA may accept the eligibility determination for students provided by the former LEA as described in *Part 30: Processing Applications - Restrictions*. However, if the LEA does not elect to accept the eligibility determination from the prior LEA, then the household is required to reapply for benefits with the new LEA. The homeless coordinator may still make a determination that the student is “homeless” and thus eligible for free meal benefits even if the student is considered to have a permanent residence, (not with his/her family). If the student’s status is not designated as homeless, the household where the student resides must apply for meal benefits based on household size and gross income.

5. Is a child considered a foster child if placed in a relative’s home?

Provided a child is placed in a relative’s home by a State or court system, they are considered a foster child and eligible for free meal. Informal arrangements among relatives do not qualify a child as a foster child and thus the child is not categorically eligible for free meals.

6. Does a foster child’s categorical eligibility extend to other children in the household the same as with Assistance Programs (SNAP, TANF or FDPIR)?

No. A foster child’s eligibility status for free meals does not extend to other children in the household.

7. Is the direct certification process required for a foster child and what documentation is required to verify a child’s status as a foster child?

Direct certification is not required for foster children; however LEAs and other child nutrition institutions are strongly encouraged to establish formal mechanisms with State and local foster care agencies or the courts to receive information directly from these agencies to facilitate certification for free meals for foster children. Documentation may consist of welfare agency or court documents stating that the courts have taken legal custody of a child and s/he has been placed in the foster care system or if appropriate a list of children in foster care from the welfare or court system is sufficient.

8. What if one of the children listed on an income application is checked as a foster child?

Since foster children are categorically eligible for free meals, the LEA notes the foster child’s free meal status and then must determine the eligibility status of other children listed on the application based on household size and income. The foster child may be included on the application (at the household’s discretion) as a household member along with any personal income s/he may have.

9. Is direct certification required for children in Head Start, migrant, runaway or homeless programs?

No. Direct certification is not a requirement for these programs but is strongly encouraged.

10. An application is submitted indicating a child is one of these categories: Head Start, Migrant, Runaway or Homeless (Other Source Categorically Eligible) but is additional documentation needed?

Yes. Additional documentation **from appropriate agency officials** is required to certify that a child participates in one of these programs (this does not include foster children).

(National School Lunch Act, section 9(d)(2).)

PART 6: DIRECT CERTIFICATION FOR ASSISTANCE PROGRAMS

A. GENERAL

Direct certification is the process under which LEAs certify children who are members of households receiving assistance under the Assistance Programs (SNAP, TANF or FDPIR) as eligible for free school meals, without further application, based on information provided by the State/local agency administering those programs.

Eligibility for free meals is extended to all children in a household if one member has been directly certified as eligible under the Assistance Programs. These children are also considered directly certified. LEAs may be able to use school district enrollment records to determine additional children who are part of the family but were not identified through direct certification.

During the carryover period, categorical eligibility status is extended to any newly enrolled children who are members of a household with one or more members who were directly certified under Assistance Programs.

This section only discusses direct certification for Assistance Programs. Other Source Categorically Eligible children, such as homeless children identified by the school district's homeless liaison, are processed using procedures similar to direct certification. Those procedures are found in Part 5 of this manual.

Because children who are directly certified are determined eligible based on documentation received from an Assistance Program, they are not subject to verification.

B. MANDATORY DIRECT CERTIFICATION WITH SNAP

All LEAs must directly certify children who are members of households receiving SNAP benefits.

METHOD OF DIRECT CERTIFICATION

Beginning in School Year 2012-2013, direct certification with SNAP must use a data matching technique between the SNAP office and the LEA/school. The SNAP household can no longer be required to provide the LEA with a SNAP letter notifying the household of eligibility for free meal benefits.

State agencies and LEAs may continue to use the "letter method" as the sole method of direct certification during School Year 2011-2012 only. This restriction only applies to direct certification activities with SNAP. (See below for use of the letter method for TANF/FDPIR.)

SNAP agencies may continue to provide letters to families as a secondary method along with use of an automated system, especially during the initial use of an automated system.

The additional notification to families would help to ensure that they were aware of their children's categorically eligibility if the children were not matched during a data exchange.

FREQUENCY OF DIRECT CERTIFICATION

Beginning in School Year 2011-2012, LEAs must conduct direct certification with SNAP at least three times during the school year. More frequent direct certification efforts are permissible and encouraged. The efforts must be made:

- At or around the beginning of the school year (i.e., July 1);
- Three months after the beginning of the school year; and
- Six months after the beginning of the school year.

Subsequent direct certification efforts are required for children who were not initially directly certified and who are currently reduced price or paid. If the LEA has the capability, the status of any newly enrolled child must be checked for SNAP eligibility at the time of enrollment. If this is not possible, the household must be provided with an application so that at the child's benefits are not delayed until the next scheduled direct certification update.

ZERO SNAP BENEFIT HOUSEHOLDS

Some households may be eligible for "zero benefits" and the law restricts categorical eligibility for free school meals based on SNAP participation to children who are members of a household receiving assistance under SNAP. Therefore, a child who is a member of a household that is receiving "zero benefits" from SNAP is not categorically eligible for free meals, unless the child is categorically eligible for another reason

For the purposes of direct certification, State agencies must ensure that SNAP matches do not identify children as categorically eligible for free meals when the children are members of a household eligible for zero SNAP benefits. SNAP defines benefits as allotments issued on electronic benefit transfer (EBT) cards, or other means approved by the Secretary, that can be used to purchase food at authorized retail food stores.

SAs must work with their counterparts that administer SNAP to assure that direct certification matching only identifies children as categorically eligible when they are in households that actually receive SNAP benefits. Any State agency that has included children who are members of a household eligible for zero SNAP benefits in their direct certification matching must ensure that their matching process is revised to no longer identify these children as categorically eligible.

C. DIRECT CERTIFICATION WITH TANF AND FDPIR

Although not required, LEAs are encouraged to conduct direct certification with the TANF program and FDPIR. Direct certification with these programs may use either a data matching technique or the letter method. If LEAs conduct direct certification with TANF and/or FDPIR agencies, there is no requirement on how frequently the contacts are made. **At a minimum for these programs,** direct certification contact should be at or near the beginning of the school year, July 1, as defined in 7 CFR 210.2.

D. REQUIRED DOCUMENTATION

Documentation to establish children's eligibility for free meals under direct certification for Assistance Programs, and to substantiate claims for reimbursement, must include:

- Names of children or any household member currently certified to receive benefits from Assistance Programs;
- A statement certifying that each child is a member of a household where someone receives Assistance Program benefits;
- At least one piece of identifying information matching each child with a child attending a particular school. Examples of identifiers include:
 - Children's birth dates
 - Addresses
 - Parents' names
 - Child's social security number, if available
 - Last 4 digits of the social security number of the person signing the application, if available
 - Gender
 - Other identifiers
- Date; and
- Signature of an official of the Assistance Programs.

For computer matches which may not include the official's original signature, sufficient documentation must include correspondence or a written agreement between the Assistance Programs office and the LEA that sets out or confirms the manner in which LEA officials would be provided the children's SNAP, TANF or FDPIR status.

The documentation must be retrievable by school to ensure proper delivery of benefits and to allow substantiation of the number of children eligible for free meals or milk.

E. NOTIFICATION

The LEA must notify the household about eligibility established through direct certification.

The notification must include the following information:

- The child is eligible for free benefits;
- No further application is necessary;
- **If applicable, an** explanation of extended eligibility and how to notify the LEA of any additional children in the household; and
- How to notify the LEA if it does not want free benefits for directly certified children.

This notification must also be provided to households directly certified by providing a letter to the LEA indicating receipt of TANF or FDPIR benefits or through contacts with officials such as the LEA's homeless liaison or a foster care agency.

LEAs must ensure that all households receive either a direct certification notification or an application for free and reduced price school meals. LEAs that distribute the application materials through the mail, individual student packets, or other method that prevents the

overt identification of children who were already determined eligible through direct certification are not required to distribute application materials to households in which all children were determined eligible through the direct certification process.

Notification of free meal eligibility through direct certification may be done through e-mail if the LEA has an e-mail address for a parent or guardian.

AGE OF DOCUMENTATION

LEA officials must obtain from Assistance Program officials the most current certification information available.

F. DELIVERY OF BENEFITS

The LEA must provide benefits promptly. Eligible children may receive benefits immediately and the LEA may assume consent if refusal has not been received within a certain number of days, as determined by the LEA.

If the household refuses benefits, the LEA must discontinue benefits immediately and must document the refusal.

G. EXPIRATION OF CATEGORICAL ELIGIBILITY

Because of year-long duration of eligibility, households are no longer required to report changes in their categorical eligibility status. Further, if a subsequent direct certification contact indicates a child is no longer receiving SNAP or other benefits, no change is required.

Households may voluntarily report a change. If a household reports a change that may reduce or terminate benefits, the LEA must explain to the household that the change does not have to go into effect but, that at the household's request the change will go into effect. If the household wants the change to go into effect, the LEA must provide a notice of adverse action.

H. RECORDKEEPING

LEAs must keep documentation for direct certification on file for a minimum of three (3) years after submission of the final claim for reimbursement for the fiscal year to which they apply. Documentation must be kept longer if it is required by an audit. If audit findings have not been resolved, the applications must be retained as long as required for resolution of the issues raised by the audit. If audit findings have not been resolved, the documentation must be maintained as long as required for resolution of the issues raised by the audit.

Documentation may be maintained either at the school or at a central location with a list of eligible children maintained at the school. If an LEA maintains documentation at a central

location, children's categorical eligibility status must be readily retrievable by school, and the LEA must ensure that any changes and transfers in and out of the school are accurately and promptly reflected on each school's list.

PART 7: CONFIDENTIALITY/DISCLOSURE

A. GENERAL

The issues of privacy and confidentiality of personal data are complicated as well as sensitive. Before developing State and local disclosure policies, State agencies and LEAs should discuss the issue with their legal counsel.

LEAs may disclose children's free and reduced price meal eligibility information to programs, activities and individuals that are specifically authorized access under the NSLA which is the law that sets forth the disclosure limits for the Child Nutrition Programs. *Disclosure is always an option, not a requirement.* The school foodservice director in conjunction with any LEA officials responsible for making the free and reduced price meal or free milk eligibility determination makes the decision on whether or not children's information will be disclosed. The LEA may opt to disclose children's eligibility information to Medicaid or State Children's Health Insurance Program (SCHIP) officials if the State agency has not prohibited such disclosure to these health insurance programs and the family does not decline to have their children's eligibility information released.

PREVENTING OVERT IDENTIFICATION

Unauthorized disclosure or "overt identification" of children receiving free or reduced price meal benefits may be an unintentional consequence of having a food service line where competitive foods are sold and a different food service line for NSLP program meals.

In the same way, schools that have a dual payment system that accepts both cash and electronic payments may overtly identify children through the method of payment.

Schools must ensure to the maximum extent practicable, that the sale of competitive foods and the method of payment does not inadvertently result in children being identified by their peers as receiving free or reduced price meal benefits.

LEAs must ensure compliance with disclosure limitations in this part (reference NSLA 9(b)(10) and regulations found at 7 CFR 245.8 and the policy guidance memorandum addressing overt identification, SP 45, Preventing Overt Identification of Children Certified for Free or Reduced Price Meals.

B. AGGREGATE DATA

The LEA may disclose aggregate data to any program or individual when children cannot be identified through release of the aggregate data or by means of deduction. An example of aggregate data is the number of children eligible for free or reduced price meals in school district. As aggregate data does not identify individual children, parental notification and parental consent are not needed. However, LEAs are cautioned about release of aggregate

data when individual children's eligibility may be deduced (e.g., release of data about a specific classroom when the numbers of eligible children is very small).

C. DISCLOSURE CHART

The NSLA specifies that persons directly connected with the administration or enforcement of certain programs or activities are permitted to have access to children’s eligibility information. The following chart shows the circumstances for disclosing eligibility information. If you have concerns or questions about disclosing children’s eligibility information, contact your State agency for further guidance.

| Recipient of Information | What May be Disclosed | Requirements |
|--|--|--|
| Programs under the National School Lunch Act or Child Nutrition Act | All eligibility information | Prior notice and consent not required |
| Federal/State or local means tested nutrition programs with eligibility standards comparable to the NSLP | Eligibility status only | Prior notice and consent not required |
| Federal education programs | Eligibility status only | Prior notice and consent not required |
| State education programs administered by a State agency or local education agency | Eligibility status only | Prior notice and consent not required |
| Local education programs | NO eligibility information, unless parental consent is obtained | Parental consent |
| Medicaid or the State Children’s Health Insurance Programs (SCHIP), administered by a State or local agency authorized under titles XIX or XXI of the Social Security Act to identify and enroll eligible children | All eligibility information unless parents elect not to have information disclosed | Must give prior notice to parents and opportunity for parents to decline to have their information disclosed |
| State health programs other than Medicaid/SCHIP, administered by a State agency or local education agency | Eligibility status only | Prior consent not required |
| Federal health programs other than Medicaid/SCHIP | NO eligibility information, unless parental consent is obtained | Parental consent |
| Local health program | NO eligibility information, unless parental consent is obtained | Parental consent |
| Comptroller General of the United States for purposes of audit and examination | All eligibility information | Prior notice and consent not required |

| | | |
|---|-----------------------------|---------------------------------------|
| Federal, State, or local law enforcement officials investigating alleged violations of any of the programs under the NSLA and CNA or investigating violations of any of the programs that are authorized to have access to names and eligibility status | All eligibility information | Prior notice and consent not required |
|---|-----------------------------|---------------------------------------|

D. "NEED TO KNOW"

Although a program or person may be authorized under the NSLA to receive free and reduced price eligibility information, there must be a legitimate need to know to provide a service or carry out an authorized activity.

State Medicaid and SCHIP agencies and health insurance program operators receiving children's free and reduced price meal or free milk eligibility information must use that information only to enroll eligible children in State Medicaid or SCHIP.

E. NATIONAL ASSESSMENT OF EDUCATIONAL PROGRESS

LEAs may disclose, without parent/guardian consent, children's names and eligibility status to persons who are directly connected to the administration or enforcement of NAEP because NAEP is a Federal education program. Additionally, LEAs may disclose children's names and eligibility status to persons directly connected with the administration or enforcement of State educational assessment programs to the extent that the State assessment is part of the NAEP or the assessment program is established at the State, not local level. Other State education programs also are eligible to have access to participants' names and eligibility status, without parent/guardian consent, but the program must be established at the State, not local level.

The term "persons directly connected" for the purpose of disclosure to NAEP includes Federal, State and local program operators responsible for NAEP program administration or program compliance and their contractors. This does not imply that these persons have routine access to participants' eligibility status. There must be a "need to know" for legitimate NAEP purposes.

LEAs are encouraged to inform households when they plan to disclose or use eligibility information outside the originating program and to have a written agreement with NAEP officials (See Part 7, Section I: Agreements/Memoranda of Understanding).

F. NO CHILD LEFT BEHIND

No Child Left Behind (NCLB) is a Federal education program. Therefore, LEA officials may disclose a child's eligibility status to persons directly connected with, and who have a need to know, a child's free and reduced price meal eligibility status in order to administer and enforce the NCLB requirements. However, other information obtained from the free and reduced price school meal application or through direct certification cannot be disclosed.

LEA officials must keep in mind that the intent of the confidentiality provisions is to limit the disclosure of a child's eligibility status to those who have a "need to know" for proper administration and enforcement of a Federal education program. LEAs must establish procedures that limit access to a child's eligibility status to as few individuals as possible.

LEA officials, prior to disclosing information on the eligibility of individual children, should enter into a memorandum of understanding or other agreement to which all involved parties (including both officials who administer the school meals/milk programs and officials who administer the overall education functions) would adhere. This agreement would specify the names of the individuals who would have access to the information, how the information would be used in implementing NCLB and how the information will be protected from unauthorized uses and third-party disclosures, and should include a statement of the penalties for misuse of the information.

G. FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT

Federal Department of Education has established that education records are under the purview of the Family Educational Rights and Privacy Act (FERPA). However, for the school meals programs and milk program, the restrictions imposed by the laws governing these programs apply, not FERPA.

H. PARENTAL NOTIFICATION FOR DISCLOSURE

Unless otherwise indicated, LEAs must inform households if they plan to disclose or use eligibility information outside the originating program, i.e., lunch, breakfast or milk program. This may be done as either a general notification of potential disclosure or a specific notification to disclose information to a particular program.

NOTICE REQUIREMENTS

The notice of potential disclosure or specific disclosure may be in the letter to households that accompanies the free and reduced price meal or free milk application, on the application, or, for children directly certified, in the document informing households of the participants' eligibility through direct certification. The notification should state that the children's names, eligibility status and other information provided on the application or obtained through direct certification may be disclosed to certain other Federal, State or local agencies as authorized by the NSLA. A list of the specific programs is not necessary.

Parents/guardians must be notified of the potential disclosure or specific disclosure and given the opportunity to elect not to have their children's information disclosed.

The notification of potential disclosure or specific disclosure must inform the parents/guardians:

- That they are not required to consent to the disclosure;

- That the information will be used to facilitate the enrollment of eligible children in a health insurance program or other programs; and
- That their decision will not affect their children's eligibility for free and reduced price meals or free milk.

The notice of either potential or specific disclosure must be given prior to disclosure and parents/guardians given a reasonable time limit to respond. For children who are determined eligible through direct certification, the notice of potential or specific disclosure may be in the document informing parents/guardians of their children's eligibility for free meals through direct certification. (See *Appendix B: Prototype Application* for a link to prototype notification of disclosure.)

I. AGREEMENTS/MEMORANDA OF UNDERSTANDING

An agreement is not needed for Federal, State or local agencies evaluating or reviewing Child Nutrition Program operations. Similarly, an agreement is not necessary for disclosures to the Comptroller General. These activities are part of routine operations of the Child Nutrition Programs and enforcement.

NON-MEDICAID/SCHIP AGENCIES

The LEA should enter into a written agreement with other entities, including NAEP, requesting the information prior to disclosing children's eligibility information. The agreement should:

- Be signed by both the LEA and receiving entity;
- Identify the entity receiving the information;
- Describe the information to be disclosed and how it will be used;
- Describe how the information will be protected from unauthorized use and disclosure; and
- Describe the penalties for unauthorized disclosure.

MEDICAID/SCHIP AGENCIES

For any disclosures to Medicaid or SCHIP, the LEA and receiving agency must have an agreement or Memorandum of Understanding which includes:

- Health insurance program or health agency receiving child's eligibility information;
- Information that will be disclosed, specifying that the information must only be used to seek to enroll children in State Medicaid or SCHIP;
- How the information will be used and how it will be protected from unauthorized uses and disclosures;
- Penalties for unauthorized disclosure; and
- Signature of the determining agency and the State Medicaid/SCHIP program or agency receiving the children's eligibility information.

In all cases, the receiving entity must be informed in writing that:

- Eligibility information may only be used for the purpose for which the disclosure was made;
- Further use or disclosure to other parties is prohibited; and
- A violation of this provision may result in a fine of not more than \$1000 or imprisonment of not more than 1 year, or both.

A prototype agreement is in Appendix C.

J. OTHER DISCLOSURES THAT REQUIRE PARENTAL CONSENT

Children's parents or guardians may always provide consent for the disclosure of any or all of the information related to their children's eligibility status (i.e., whether children are eligible for free or reduced price meals), or the information that the household provided through the free and reduced price meal eligibility process.

A disclosure of all eligibility information to any other Federal, State or local program or individual not included in the NSLA requires parental consent. Other programs that require parental consent are local health and local education programs and other local level activities. For example, the disclosure of children's eligibility for free and reduced price meals to determine children's eligibility for free text books or reduced fees for summer school requires consent when these are local initiatives rather than State or federal programs.

The disclosure of information other than names and eligibility status to the programs authorized only to receive participants' names and eligibility status also requires written consent. For example, determining agencies may disclose names and eligibility status to a Federal education program, but if the program requests family size, determining agencies must obtain consent prior to disclosure.

K. CONSENT STATEMENT REQUIREMENTS

The consent statement must be in writing. It may be obtained at the time of application, or at a later time. The consent statement must:

- Identify the information that will be shared and how the information will be used;
- Be signed and dated. In the case of a child participant, the consent statement must be signed by the parent or guardian of the applicant household, even though the application for free and reduced price meals or free milk may be signed by any adult household member. For adult participants in the Child and Adult Care Food Program, the adult participant must sign the consent statement unless a guardian has been appointed;
- State that failing to sign the consent statement will not affect eligibility for or participation in the program and that the information will not be shared by the receiving program with any other entity or program; and
- Enable the parent/guardian/adult to limit consent to only those programs with which he or she wishes to share information. For example, the consent statement could use a check-off system under which the applicant would check or initial a box to indicate that he or she wants to have information disclosed to determine eligibility for benefits from a certain program.

L. PENALTIES FOR IMPROPER DISCLOSURE

The NSLA establishes a fine of not more than \$1000 or imprisonment of not more than one (1) year, or both, for publishing, divulging, disclosing, or making known in any manner or extent not authorized by Federal law, any eligibility information. This includes the disclosure of eligibility information by one entity authorized under the NSLA to receive the information to any other entity, even if that entity would otherwise be authorized to receive the information directly from the determining agency.

M. QUESTIONS AND ANSWERS

1. What does disclosure mean as it relates to children's personal free and reduced price meal or free milk eligibility information?

Disclosure means revealing or using individual children's program eligibility information that is obtained through the free and reduced price eligibility process for a purpose other than the purpose for which the information was obtained. Disclosure includes but is not limited to access, release, or transfer of personal data about children by means of print, tape, microfilm, microfiche, electronic communication or any other means. It includes eligibility information obtained through the free and reduced price application or through direct certification and whether the children are eligible for free meals or reduced price meals.

2. May the principal of a school compare the test scores of individual students in his/her school, by socioeconomic status, to the test scores of students in another school in the same district?

Students' names and free or reduced price eligibility status may be disclosed, without consent, for a Federal or State education program. However, parental consent is required for disclosure to a local education program. Aggregate data may be disclosed provided that it doesn't allow for individual student identification.

3. May the LEA disclose eligibility information to other Child Nutrition Programs?

The LEA may disclose all eligibility information from children's free and reduced price applications or information obtained through direct certification to persons directly connected with the administration or enforcement of the programs authorized under the NSLA or Child Nutrition Act of 1966. This includes the NSLP, SBP, SMP, Child and Adult Care Food Program (CACFP), Summer Food Service Program (SFSP), and the Special Supplemental Nutrition Program for Women, Infants and Children (WIC). This means that program eligibility information collected for any one of the Child Nutrition Programs may be shared with another Child Nutrition Program, even if the programs are sponsored by different entities. For example, a public school may disclose information from children's free and reduced price school meal applications, without parental consent, to a SFSP administered by a parks and recreation agency.

4. Who are persons "directly connected" to the administration or enforcement of a program?

The LEA may disclose children's eligibility status only to persons determined to be "directly connected" with the administration or enforcement of a Federal education program, State education program, State health program or a means-tested nutrition program; also, to persons directly connected with the Comptroller General Office or law enforcement for an authorized activity.

Persons directly connected to program administration or program enforcement include Federal, State and local program operators responsible for the ongoing operation or activities of their respective program, and compliance officials responsible for the monitoring, reviewing, auditing or investigating a program authorized to have access to free and reduced price eligibility information.

5. Who are persons "directly connected" with the administration of State Medicaid and SCHIP?

Persons directly connected with the administration of State Medicaid and SCHIP for purposes of disclosure of free and reduced price meal and free milk eligibility information are State employees and persons authorized under Federal and State Medicaid and SCHIP requirements to carry out initial processing of applications or to make eligibility determinations. Check with your State Medicaid/SCHIP coordinator to determine the persons or entities in your State authorized to enroll children in Medicaid and SCHIP.

6. What eligibility information may an LEA disclose to means-tested nutrition programs?

Without parental consent, the LEA may only disclose name and eligibility status. Disclosure of other information, such as parents' names and address, requires parental notification and consent.

7. Who is responsible for making the decision on whether to disclose children's eligibility status and/or to disclose other personal information?

Whether or not to disclose children's eligibility information is a local **decision that should be made by the school foodservice director in conjunction with LEA officials**. The LEA should develop a policy on disclosing free and reduced price meal eligibility information. However, for disclosures to Medicaid and SCHIP, the decision on disclosure is a joint State agency/LEA decision. Both the State agency and LEA must agree to disclose children's information to Medicaid and SCHIP.

8. When I notify parents that their information will be disclosed to Medicaid or SCHIP, unless they decline to have their information shared, how long do I have to wait for a response from the parent before I release their information?

LEAs should provide adequate time for any parental response. A minimum of 10 calendar days should be provided. It is a good idea to include a date in the parental notification statement that informs households that they must respond by a specified date if they do not want their information disclosed to Medicaid or SCHIP.

9. Can the State agency enter into a Memorandum of Understanding for all LEAs for disclosing information to Medicaid/SCHIP?

No. Each LEA must be given the opportunity to decline providing information to Medicaid/SCHIP.

10. *How do I know who to contact for more information regarding Medicaid and SCHIP?*

For State and Federal Medicaid, visit: <http://www.cms.hhs.gov/home/medicaid.aspx>.

For SCHIP, visit: <http://www.cms.hhs.gov/home/schip.asp>.

PART 8: VERIFICATION

A. GENERAL DEFINITIONS

VERIFICATION is confirmation of eligibility for free and reduced price meals under the NSLP and SBP. Verification is only required when eligibility is determined through the application process, not through direct certification conducted with an Assistance Program or officials or agencies that documented Other Source Categorical Eligibility. Verification must include either confirmation of income eligibility or confirmation that the child or any member of the household is receiving assistance under SNAP, FDPIR or TANF or that a child is Other Source Categorically Eligible. Verification may include confirmation of any other information required on the application, such as household size.

DIRECT VERIFICATION is using records from public agencies to verify income and/or program participation. See Part 9 of this manual.

ERROR PRONE means applications within \$100 per month of the applicable Income Eligibility Guideline. Error prone replaces the term “Focused Sample.”

RANDOM SAMPLING means each application has an equal chance of being selected. A statistically valid random sample is not required. The LEA must determine a selection interval by dividing the number of applications by the required sample size.

SAMPLE POOL means the total number of applications approved as of October 1.

SAMPLE SIZE means the number of applications subject to verification; the minimum and maximum sample size is three percent total.

B. EXCEPTIONS TO VERIFICATION REQUIREMENTS

Verification efforts are not required:

- For children who have been certified under direct certification procedures including children documented as eligible migrant, runaway, homeless children, foster children and children participating in Head Start/Even Start;
- For children in RCCIs except for applications for any non-residential students attending the institution;
 - Applications from children listed above are not included in the sample pool

- In schools where FNS has approved special cash assistance claims based on economic statistics regarding per capita income (e.g., Puerto Rico and the Virgin Islands);
- In schools participating only in the SMP;
- In schools where all children are served with no separate charge for food service and no special cash assistance is claimed (i.e., non-pricing programs claiming only the paid rate of reimbursement); and
- In LEAs where all schools participate in Provisions 1, 2, or 3 except in those years in which applications are taken for all students in attendance (i.e., the base year).

C. INITIAL VERIFICATION

Each LEA must annually verify eligibility of children from a sample of household applications approved for free and reduced price meal benefits for that school year unless the State agency assumes responsibility for verification on behalf of its LEAs.

The LEA may begin verification activity once the application approval process for the current school year is underway and there are approved applications on file. To do so, the LEA may project the number of approved applications (sample pool) that it anticipates will be on file on October 1. The projected number is based on prior years' experience. However, the final sample pool is the actual number of approved applications on file as of October 1. **The sample size must be based on the October 1 sample pool.** Any estimates must be compared with the actual number of applications on file on October 1 and the sample pool and sample size adjusted accordingly. If October 1 falls on a weekend, use the next operating day to establish the sample pool.

ESTABLISHING THE SAMPLE POOL

The sample pool uses the total number of approved applications on file as of October 1 of the current school year. LEAs may choose not to count applications for students in split-session kindergarten programs participating in the SMP when determining the verification sample pool.

The sample pool depends on the number of applications (paper or electronic) and is not based on the number of children eligible for free and reduced priced meals.

ESTABLISHING THE SAMPLE SIZE

Once the sample pool is determined, the LEA calculates the sample size—the number of applications that must be verified. When calculating the sample size, all fractions or decimals are rounded upward to the nearest whole number. At least one application must always be verified.

With the exception of verification for cause, LEAs must not verify more than or less than the standard sample size or the alternate sample size (when used) and must not verify all (100% of) applications. Verification conducted “for cause” is done in addition to the required verification sample size.

VERIFICATION COMPLETION DEADLINES

The LEA must complete the verification activities specified in this section not later than November 15 of each school year. However, the LEA may request an extension of the November 15 deadline, in writing, from their State agency. The State agency may approve, in writing, an extension up to December 15 of the current school year due to natural disaster, civil disorder, strike or other circumstances that prevent the LEA from the timely completion of verification activities. A request for an extension beyond December 15 must be submitted by the State agency to FNSRO for approval.

D. VERIFICATION FOR CAUSE

GENERAL

The LEA has an obligation to verify all questionable applications (verification “for cause”). Such verification efforts cannot delay the approval of applications. If an application is complete and indicates that the child is eligible for free or reduced price benefits, the application must be approved. Only after the determination of eligibility has been made can the LEA begin the verification process.

To verify an approved application for cause, the LEA must send the household a letter explaining that it must submit verification of eligibility information with the application for continued eligibility. (See *Part 8H: Household Notification of Selection*.) The verification letter may be sent at the same time as a notice of eligibility.

The LEA verifies applications for cause following the procedures in Sections H through N, in this part of the manual. Any household that fails to submit requested verification information by the date specified by the LEA or that submits verification information that does not support the initial determination of eligibility must be sent a notice of adverse action. (See *Part 8K: Notice of Adverse Action*.)

Once households have been requested to provide documentation for cause, the LEA must complete the verification process for these households.

VERIFICATION FOR CAUSE FOR SCHOOL DISTRICT EMPLOYEES

Verification for cause must not be used to automatically verify the households of all school district employees whose children are certified for free or reduced price meals. However, from among the list of children approved for free or reduced price meals, an LEA could identify children of school district employees and use available LEA salary information available to them to identify questionable applications and then conduct verifications for cause on those questionable applications.

LEAs can use verification for cause to review approved applications for free or reduced price meals when known or available information indicates school district employees may have misrepresented their incomes on their applications to receive

free or reduced price meals for their children. We would recommend that an LEA consult with legal counsel in establishing the parameters of verification for cause for school district employees.

FNS supports use of verification for cause where appropriate as a method for LEAs to address integrity concerns. We strongly encourage LEAs and their legal counsel to consult with their State agency prior to undertaking verification for cause where concerns with employee misrepresentation of information on an income eligibility application have been raised. State agencies should assist in ensuring that LEAs balance administrative requirements and integrity with access to free and reduced price meals for eligible children.

E. APPLICATION SELECTION PROCEDURES

AVAILABLE SAMPLE SIZES

There are three sample sizes established for verification activities. The standard sample size must be used by LEAs unless it qualifies to use one of the alternate sample sizes.

STANDARD SAMPLE SIZE

The standard sample size is the lesser of

- Three percent (3%) of all applications approved by the LEA for the school year, as of October 1 of the school year, selected from error prone applications;
- 3,000 error prone applications approved by the LEA for the school year, as of October 1 of the school year.

ALTERNATE SAMPLE SIZES

LEAs that qualify may select one of the following sample sizes.

Alternate one:

The sample size equals the lesser of

- 3,000 of all applications selected at random from applications approved by the LEA as of October 1 of the school year;
- Three percent (3%) of all applications selected at random from applications approved by the LEA as of October 1 of the school year.

Alternate two:

The sample size equals the lesser of the sum of

- 1,000 of all applications approved by the LEA as of October 1 of the school year, selected from error prone applications; OR one (1) percent of all applications approved by the LEA as of October 1 of the school year, selected from error prone applications;

PLUS the lesser of:

- 500 applications approved by the LEA as of October 1 of the school year that provide a case number in lieu of income information;
- One-half ($\frac{1}{2}$) of one percent (1%) of applications approved by the LEA as of October 1 of the school year that provide a case number in lieu of income information.

COMPLETING THE SAMPLE SIZE

For sample sizes based on error prone applications, there may not be enough applications that meet this criterion. When this happens, the LEA must select, at random, additional approved applications to complete the required sample size.

In other situations, the number of error prone applications may exceed the required sample size. When this happens, the LEA must randomly select the required number of applications from all error prone applications.

F. QUALIFYING TO USE AN ALTERNATE SAMPLE SIZE

There are two ways an LEA may annually qualify to use an alternate sample size based on lowered non-response rates.

LOWERED NON-RESPONSE RATE

Any LEA may use an alternate sample size for any school year when its non-response rate for the preceding school year is less than twenty percent. For example, for School Year 2011-2012, the LEA may elect to use one of the alternate sample sizes because in School Year 2010-2011, the LEA's non-response rate was 18%.

IMPROVED NON-RESPONSE RATE

An LEA with more than 20,000 children approved by application as eligible for free or reduced price meals as of October 1 of the school year may use an alternate sample size for any school year when its non-response rate for the preceding school year is at least ten percent below the non-response rate for the second preceding school year.

The following is an example of how an LEA may qualify based on an improved non-response rate.

Year 1: School Year 2011-2012

- The LEA had 21,000 children approved for free or reduced price meal benefits based on a total of 6,000 approved applications
 - Therefore, 180 household applications (3% of 6,000) must be verified
- Of those 180 households, 45 households failed to respond to verification requests, which results in a non-response rate of 25% ($45 \div 180$ as a percentage)
- The LEA must improve the 25% non-response rate by at least 10%
 - The improvement rate is calculated by multiplying the non-response rate by 10% which is $25\% \times 10\% = 2.5\%$

Year 2: School Year 2012-2013

- The LEA had 6,000 approved applications, so the sample size is 180 (3% of 6,000)
- The number of non-respondents was reduced to 40 which is a non-response rate of 22.2% ($40 \div 180$ as a percentage)
- The next step is to calculate the level of improvement needed between Year 1 and Year 2
 - Subtract Year 1's non-response rate from Year 2's non-response rate (25% minus $2.5\% = 22.5\%$)
- Since 22.2% is less than the minimum non-response rate of 22.5%, there is more than a 10% improvement
- The LEA is qualified to use an alternate sample size for School Year 2012-2013

Year 3: School Year 2013-2014

The LEA may choose to use one of the alternate sample sizes for its verification activities

CONTINUING ELIGIBILITY FOR USE OF AN ALTERNATE SAMPLE SIZE

The LEA must annually determine if it is eligible to use one of the alternate sample sizes. If the LEA determines it is eligible, it must contact its State agency in accordance with any procedures established by the State agency for approval prior to use of alternate sample sizes.

STATE AGENCY RESPONSIBILITIES

Each State agency must establish a procedure for LEAs to designate use of an alternate sample size. The State agency may also establish criteria for reviewing and approving the use of an alternate sample size, including deadlines for submissions.

G. POST SELECTION PROCEDURES

There are two procedures that the LEA completes prior to contacting the household to obtain documentation of eligibility. These are the required confirmation reviews and the optional replacement of certain applications.

CONFIRMATION REVIEWS

Prior to any other verification activity, an LEA official, other than the official who made the initial eligibility determination, must review each approved application selected for verification to ensure that the initial determination was accurate.

This requirement is waived if the LEA uses a technology-based system that demonstrates a high level of accuracy in processing an initial eligibility determination. LEAs must contact the State agency to determine if their system qualifies them for this waiver.

Further, any LEA that conducts a confirmation review of all applications at the time of certification is not required to conduct confirmation reviews prior to verification.

OUTCOME OF CONFIRMATION REVIEWS

Depending on the outcome of each confirmation review, the LEA takes one of the following actions.

No Change in Status

If the initial eligibility status was correct, the LEA verifies the application.

Status Change From Reduced Price to Free

The LEA:

- Makes the increased benefits available immediately;
- Notifies the household of the change in benefits; and
- Verifies the application.

If verification reduces the level of benefits (from free to reduced price or paid), the household is sent a notice of adverse action.

Status Change From Free to Reduced Price

The LEA:

- Does not change the child's status; and
- Verifies the application.

If the child's free status is verified, the LEA does not notify the household. However, if the child's status changes from free to either reduced price or paid, the household is sent a notice of adverse action.

Status Change From Free or Reduced Price to Paid

The LEA:

- Immediately sends the household a notice of adverse action;
- Does not verify the application;
- Selects an similar application (for example, another error-prone application) for verification; and
- Follows the confirmation review procedures for the newly selected application.

REPLACING APPLICATIONS

After completing the confirmation reviews, the LEA may, on a case-by-case basis, replace up to five percent of applications selected. Applications may be replaced when the LEA believes that the household would be unable to satisfactorily respond to the verification request.

Any application removed must be replaced with another approved application selected on the same basis (i.e., an error-prone application must be substituted for a withdrawn error-prone application). The newly selected application must then have confirmation review.

In those LEAs where five percent of total applications result is less than one, one application may still be replaced. All results of the five percent calculation are rounded up to the next whole number.

H. HOUSEHOLD NOTIFICATION OF SELECTION

Once the LEA has completed the post selection procedures, it proceeds with household notification.

CONTACTING THE HOUSEHOLD

When a household is selected for verification and is required by the LEA to submit documents or other forms of evidence to document eligibility, the household must be sent a letter informing them of their selection and of the types of information acceptable to the LEA. Prototype notification materials may be found using the link in Appendix B of this manual.

The letter must include the following:

- That the household was selected for verification;
- Use of Information Statement (Please note that the Social Security Number (SSN) for all household members is no longer required for verification.);
- The types of acceptable information that may be provided to confirm current income, including pay stubs, award letters from assistance agencies for benefits such as social security or supplemental security income, and support payment decrees from courts;
- That the household may provide proof that a child or any household member is receiving benefits under the Assistance Programs instead of providing income information or that a child is Other Source Categorically Eligible; that documentation of income or receipt of assistance may be provided for any point in time between the month prior to application and the time the household is required to provide income documentation;
- That information must be provided by a date as specified by the LEA and that failure to do so will result in termination of benefits;
- Name of an LEA official who can answer questions and provide assistance; and
- A no-cost to the household telephone number.

For verification inquiries, the LEA must provide a telephone number that is available at no cost to the household. The LEA may establish a toll-free number or allow the household to reverse the charges if any households in that LEA are outside the local calling area. The LEA may also provide different telephone numbers for each local calling area within the LEA.

When the LEA uses agency records or direct verification (see I. Sources of Verification, Agency Records in this part and Part 9 Direct Verification in this manual) to confirm eligibility, a letter informing the household of its selection for verification is not required, since the household will not have to provide documents.

I. SOURCES FOR VERIFICATION OF WRITTEN EVIDENCE

Written evidence is the primary source of eligibility confirmation for all households including TANF, FDPIR, Other Source Categorical Eligibility Programs, and foster child households. Written evidence is most often pay stubs from employers or award letters from welfare departments or other government agencies submitted to the verifying officials as confirmation of eligibility.

Acceptable written evidence for income eligible households contains the name of the household member, amount of income received, frequency received, and the date the income was received (e.g., a pay stub with no dates would be insufficient).

Acceptable written evidence for children who are receiving benefits from an Assistance Program is a official letter or notice indicating that the child or any household member is receiving benefits from that program; for example, a notice of eligibility. For Other Source Categorical Eligibility Programs, an official letter, notice or list from the appropriate State agency; from a social services agency or court system for foster children; or for Head Start/Even Start enrollees, from the office or coordinator for those programs. The verifying official should examine the document provided to ensure that the child for whom the application was made is part of a household currently participating in any of these programs noted above or is a foster child. Electronic Benefit Transfer (EBT) cards cannot be used to confirm eligibility in SNAP and therefore cannot be used for categorical eligibility purposes. A document from an assistance program that does not specify the certification period is not adequate for documentation. For example, the SNAP identification card is not acceptable because it usually does not have an expiration date.

A household that does not have satisfactory documentation from the assistance office, State or local agency for other source categorical eligibility may request a signed, dated letter from these offices verifying that the child is part of a household currently receiving their benefits.

COLLATERAL CONTACTS

A collateral contact is a person outside of the household who is knowledgeable about the household's circumstances and can give confirmation of a household's income participation in Assistance Programs or Other Source Categorical Eligibility Program sources. Collateral contacts include employers, social service agencies, migrant workers' agencies, and religious or civic organizations. The verifying official should request a collateral contact only in cases when the household has not been able to provide adequate written evidence.

The verifying official must give the household the opportunity to designate the collateral contact. However, the verifying official may select a collateral contact if the household fails to designate one or designates one who is unacceptable to the verifying official. In either case, no contact may be made without first notifying the household and obtaining its permission.

All collateral contacts may be written or oral and must be documented, dated, and initialed. The LEA will examine any written information provided by the collateral contact or evaluate any oral information. If the collateral contact is unwilling or unable to provide the requested information, the LEA must contact the household to complete the verification process.

Verification of eligibility for households that provided an Assistance Program case number on the application may be accomplished by submitting a list of names and Assistance Programs case numbers to the local SNAP or welfare office for confirmation of certification of receipt of benefits from agency records. (See *Part 9: Direct Verification.*)

AGENCY RECORDS

A household's eligibility may be confirmed through the use of information maintained by other government agencies to which the State agency, LEA, or school has legal access. Although USDA regulations do not require that households be notified of selection when verification is made through agency records, such agencies may have their own notification requirements.

One source of agency records is the wage and benefit information maintained by the State employment agency if that information is available to the verifying official. Such records are State records, and the release of information maintained by State employment offices is governed by State law. (See *Part 9: Direct Verification.*)

Acceptable documentation of income or receipt of assistance from any of the above sources may be provided for any point in time between the month prior to application and the time the household is required to provide income documentation.

WHEN A HOUSEHOLD INDICATES NO INCOME

If a household is selected for regular verification or verification for cause and the application indicates zero income, the LEA must request an explanation of how living expenses are met and may request additional written documentation or collateral contacts.

J. CONTINUING THE VERIFICATION PROCESS

To continue the verification process subsequent to household notification, the LEA must either determine:

- If the household has submitted adequate information to complete its individual verification activity; or
- If follow-up with the household is needed.

WHEN VERIFICATION IS CONSIDERED COMPLETE

The following demonstrates how an LEA determines whether or not the household adequately responded and whether follow-up is required.

- The household submits either adequate written evidence or collateral contact corroboration of income or categorical eligibility:
 - Verification is considered complete for this household;
- The household submits either adequate written evidence or collateral contact corroboration of income which indicates that the child(ren) should receive either a greater or lesser level of benefits:
 - Verification is considered complete for this household when the notice of adverse action is sent or household is notified that its benefits will be increased or decreased;
- The household indicates, verbally or in writing, that it no longer wishes to receive free or reduced price benefits:
 - Verification is considered complete when the notice of adverse action is sent;
- The application provides case numbers and it is determined that no household member is receiving benefits from an Assistance Program:
 - Verification is considered complete when the notice of adverse action is sent.

If verification results in higher benefits (e.g., a child who is moved from the reduced price to free category), the change is effective immediately and must be implemented no later than 3 operating days later. Parents should be notified through whatever channels the LEA uses to notify the household of approval for benefits.

FOLLOW-UP

The LEA must make *at least one follow-up attempt* to contact the household when the household does not adequately respond to the request for verification. The follow-up attempt may be in writing (including to the parent's/guardian's email) or by telephone and the LEA must document that a contact was attempted. **LEAs must ensure the LEP households are provided adequate language assistance and understand the need to respond to the verification request.**

- The LEA must inform the household that failure to provide adequate written evidence or to designate an adequate collateral contact will result in termination of benefits.

- The follow-up contact must attempt to obtain the missing written evidence or obtain collateral contact information.
- If the collateral contact is unwilling or unable to provide the requested information, the LEA must contact the household to complete the verification process.

The LEA must make a follow-up attempt when the household:

- Does not respond to the request for verification;
- Submits insufficient or obsolete written evidence;
- Does not designate collateral contacts; and
- Collateral contacts are unable or unwilling to provide the requested evidence.

If, after at least one follow-up attempt:

- Household responds and provides all needed evidence, verification is considered complete for this household:
 - If there is no change in benefits;
 - When household is notified that its benefits will be increased;
 - When notice of adverse action is sent.
- Household does not respond, verification is considered complete for this household:
 - When notice of adverse action is sent.
- LEA is unable to continue its verification activities because the household fails to provide adequate written evidence or knowledgeable collateral contacts, verification is considered complete for this household:
 - When the notice of adverse action is sent.

K. NOTICE OF ADVERSE ACTION

All households for whom benefits are to be reduced or terminated must be given 10 calendar days' written advance notice of the change. A prototype notice of adverse action may be found using the link in Appendix B. of this manual.

The notice of adverse action may be sent via the postal service or to the email address of a parent/guardian. The LEA cannot notify the household of adverse action by phone.

The first day of the advance notice period is the day the notice is sent. The notice must advise the household of the following:

- Change in benefits;
- Reasons for the change;
- That an appeal must be filed within the 10 calendar days advance notice period to ensure continued benefits while awaiting a hearing and decision;
- Instructions on how to appeal;
- That the household may reapply for benefits at any time during the school year; and
- Households that were terminated because no member was receiving benefits from an Assistance Program may submit an application containing household names and income information and provide written evidence of current household income.

L. BENEFITS DURING AN APPEAL

When a household appeals a reduction or termination of benefits within the 10 calendar day advance notice period, the LEA must continue to provide the benefits for which the child was originally approved until a final determination is made. The LEA may continue to claim reimbursement at that level during this period.

When a household does not appeal a reduction or termination of benefits during the 10 calendar day advance notice period, or the hearing official rules that benefits must be reduced, the actual reduction or termination of benefits must take place no later than 10 operating days after the 10 calendar day advance notice period, or 10 operating days after the decision by the hearing official.

M. HEARING PROCEDURE

The hearing procedure in the LEA's free and reduced price policy statement must be followed. The hearing official must be an individual who was not connected with the approval or verification process.

The household may request a school conference prior to a formal hearing. Any such conference must not prejudice a later appeal.

N. HOUSEHOLDS THAT REAPPLY FOR PROGRAM BENEFITS

Households affected by a reduction or termination of benefits may reapply for benefits at any time during the school year. However, if benefits to a household have been terminated and the household reapplies in the same school year, the household is required to submit income documentation or proof of participation in Assistance Programs at the time of reapplication. These are not considered new applications.

O. RECORDKEEPING

Documentation must be kept by the LEA to demonstrate compliance with the verification requirements when LEAs are reviewed by State or Federal reviewers including documentation concerning any appeals. LEAs must maintain a description of their verification efforts. The description must include a summary of the verification efforts including the selection process; the total number of applications on file on October 1 and the percentage or number of applications that are/will be verified by November 15. The LEA must also be able to demonstrate compliance with the confirmation review requirement and provision of a no-cost telephone number for assistance in the verification process.

INDIVIDUAL APPLICATIONS

For each application, the LEA must keep records of the source of information used to verify the application such as wage stubs or names and titles of collateral contacts. The LEA must retain:

- Copies of all relevant correspondence between the households selected for verification and the LEA;
- One of the following for all documentation used to verify eligibility:
 - All documents submitted by the household or reproductions of those documents; or
 - In cases where the actual documents or photocopies cannot be kept, the verifying official must make a written record of the documents submitted by the household including the type of document, e.g., wage stubs or a letter from an employer, income shown on the document, time period of the income, and the date of the document and any changes in eligibility as a result of verification procedures, the reasons for the changes, and the date the change was made.
- Any change in eligibility as a result of verification procedures, the reason for the change and the date the household was notified, if necessary, and the date it became effective; and
- Records of follow-up attempts and results.

LEAs should also record:

- Any additional information necessary to show the efforts made by the LEA to meet the verification requirements;
- Title and signature of the verifying official; and
- Criteria for replacing applications for verification.

When verification information is needed for coordinated review effort (CRE) purposes, the LEA must be able to provide this information for each school selected for review.

P. QUESTIONS AND ANSWERS

1. What if an application is selected for verification but, the household transfers out of the school district before the information can be verified?

If a household selected for verification transfers out of the district before the information can be verified, verification cannot be completed. To meet the minimum verification requirements, a new application must be selected.

2. What if I am using other agency records and that agency does not respond before November 15?

The LEA should document that it contacted another agency well in advance of deadline which demonstrates good faith. This would be a valid reason for the State agency to extend the deadline.

3. How is overtime income counted for the purposes of verification?

The LEA official should work with the household to determine whether the overtime for the month being verified is representative of overtime received in other months. If the overtime is a one-time or sporadic source of income, income should be calculated based on the regular monthly income without overtime.

4. If a household is paid weekly and submits a pay stub for a week, must I go back and ask for pay stubs for a whole month?

No. If the weekly pay stub is representative of what the household normally receives each week, one pay stub is sufficient.

5. In our school district, no one lives outside of the local calling area. Do we have to provide a no-cost telephone number for verification questions?

The LEA doesn't have to have a toll-free number to call but a parent must be able to call collect if, for example, s/he works outside of the local calling area and is unable to contact the LEA during the LEA's hours of operation.

PART 9: DIRECT VERIFICATION

A. GENERAL

Direct verification is using records from public agencies to verify income and/or program participation. Direct verification may be completed at the State or local level or through a joint effort at both levels.

LEAs are not required to conduct direct verification. However, any LEA that wishes to conduct direct verification must contact their State agency for assistance with establishing a direct verification method.

LEAs may conduct direct verification activities with Assistance Programs as well as the agency that administers the State plan for Medicaid, and the State Children's Health Insurance Program (SCHIP). Direct verification must be conducted prior to contacting the household for documentation. The public agency's records may document income for any point in time between the month prior to application and the time the household is required to provide income documentation.

B. NAMES SUBMITTED FOR DIRECT VERIFICATION

The LEA must only submit the names of school children certified for free or reduced price meal benefits listed on the application. These names are submitted to the agency administering an eligible program (for example, SNAP or the Medicaid program). The names of other household members (all adults, children who are not attending school, or children not approved for free or reduced price meals) cannot be submitted for direct verification purposes.

C. DIRECT VERIFICATION WITH ASSISTANCE PROGRAMS

If information obtained through direct verification of an application for free or reduced price meal benefits indicates a child is participating in one of these programs, no additional verification is required. The eligibility status of the child or children listed on the application is considered verified.

D. DIRECT VERIFICATION WITH MEDICAID AND SCHIP

STATES WITH MEDICAID AND/OR SCHIP INCOME LIMITS OF 133% OR LESS

- If the income eligibility used for the Medicaid or SCHIP is not more than 133% of the official poverty line or where those households that have income that is not more

than 133% of the official poverty line can be identified, records from these agencies may be used to verify eligibility

- If information obtained through direct verification with these programs verifies the eligibility status of the child or children listed on the application, no additional verification is required

STATES WITH MEDICAID AND/OR SCHIP INCOME LIMITS BETWEEN 133%-185%

- Direct verification information must include either:
 - The percentage of the official poverty line upon which the applicant's participation is based; or
 - The income and household size used by Medicaid or SCHIP in order to determine that the applicant is either at or below 133% of the Federal poverty line, or is between 133% and 185% of the Federal poverty line
- Verification for children approved for free meals is complete if the data indicates that the percentage is at or below 133% of the Federal poverty line;
- Verification for children approved for reduced price meals is complete if the data indicates that the percentage is at or below 185% of the Federal poverty line; and
- If information obtained through direct verification with Medicaid or SCHIP verifies eligibility status, no additional verification is required.

E. DOCUMENTATION TIMEFRAME

The information used for direct verification must be the *most recent information available* which is defined as data which is no older than 180 days prior to the date of the free and reduced price application. To be consistent with policy established for “regular” verification, direct verification efforts may use information from any point in time between the month prior to application and the time the LEA conducts direct verification.

In other words, for direct verification, LEAs and State agencies may use:

- The latest available information for one month (within the 180-day requirement); or
- Information for all months from the month prior to application through the month direct verification is conducted.

An example of this would be one where the State agency or LEA would use data for the month of September or, if available, for August through October.

F. INCOMPLETE OR INCONSISTENT INFORMATION

If information provided by the public agency does not verify eligibility, the LEA must proceed with regular verification activities. (See *Part 8: Verification*.)

PART 10: APPENDICES

APPENDIX A

POLICY STATEMENT

The free and reduced price policy statement must contain, at a minimum, the following:

- Names of official(s), or the position of the LEA or school official, designated to make eligibility determinations;
- An assurance that the LEA will determine eligibility in accordance with the current Income Eligibility Guidelines (IEGs);
- LEAs specific procedures to accept applications for benefits and its direct certification procedures;
- Description of the method(s) used to collect payments from children paying the full price of the meal or milk or the reduced price of the meal which prevents the overt identification of the children receiving free or reduced price meals or free milk;
- An assurance that the school will abide by the hearing procedures and the nondiscrimination practices; and
- Copy of the application form and letter to households.
- Statement that a *foster child* is categorically eligible for free meals and may be included as a member of the foster family if the foster family chooses to also apply for benefits for other children and an explanation that including children in foster care as household members can help other children in the household qualify for free or reduced price meals. If the foster family is not eligible for free or reduced price meal benefits, it does not prevent a foster child from receiving free meal benefits;
- Explanation that households with children who are categorically eligible under Other Source Categorically Eligible Programs should contact the school for assistance in receiving benefits and mark the relevant box on the application to indicate their status.
- A statement that State agencies and LEAs will ensure there are no barriers for participation in our Programs for Limited English Proficient (LEP) families and that State agencies and LEAs are required to communicate with parents and guardians in a language they can understand throughout the certification and verification processes.
- LEAs selling competitive foods during a meal service are encouraged to include a description of how the cafeteria and meal service prevents overt identification of the children receiving free or reduced price meals or free milk.

The free and reduced price policy statement should also contain a copy of the following:

- Media release;
- Notice to households of approval or denial of benefit;
- Notice to households of selection for verification;
- Notice to households of adverse action; and
- In LEAs that have opted to implement direct certification, the notice of eligibility, under direct certification.

AMENDMENTS

Unless there is a substantive change made to the free and reduced price policy of the LEA, the policy statement need not be changed and resubmitted for State agency approval. Routine changes, such as inclusion of the new IEGs are not sufficient to require resubmission.

The LEA must amend its policy statement for any substantive changes to its free and reduced price policy and include a description of the change. In all cases, the LEA must have an approved policy statement on file at the State agency that accurately describes its current free and reduced price policies. Amendments must be submitted for approval by the State agency by October 15. The amendments must be approved by the State agency prior to implementation.

The amendments must reflect:

- Changes made necessary by law/regulations;
- Changes made by the LEA (e.g., changes in collection procedures, designation of new approving/hearing official(s), changes in procedures for accepting applications, revisions in the letter to households or application for free and reduced price meals/free milk);
- Additional information specified by the State agency.

LEAS OPERATING THE SPECIAL MILK PROGRAM

A free policy statement must be approved by the State agency or RO for LEAs participating in the SMP with the free milk option. SFAs may submit one policy statement for both meals and milk when some of the schools in the district participate in the SMP and others participate in meal programs. Specific instructions on the development of the policy statement and policy approval process are provided to LEAs by the State agency.

APPENDIX B

PROTOTYPE APPLICATION

FNS has developed a prototype application and related materials which have been translated into a number of different languages. These materials may be accessed at <http://www.fns.usda.gov/cnd/FRP/frp.process.htm>

States may adopt these or develop their own State specific forms. For application forms for your State, contact the State agency responsible for the administration of the Child Nutrition Programs.

APPENDIX C

PROTOTYPE AGREEMENT: DISCLOSURE OF FREE AND REDUCED PRICE INFORMATION

I. PURPOSE AND SCOPE

(Insert Name of Determining Agency) and (Insert Name of Receiving Agency) acknowledge and agree that children's free and reduced price meal and free milk eligibility information obtained under provisions of the Richard B. Russell National School Lunch Act (42 USC 1751 et. seq.) (NSLA) or Child Nutrition Act of 1966 (42 USC 1771 et. seq.) (CNA) and the regulations implementing these Acts is confidential information. This Agreement is intended to ensure that any information disclosed by the (insert name of determining agency) to the (insert name of receiving agency) about children eligible for free and reduced price meals or free milk will be used only for purposes specified in this Agreement and that the (insert name of determining agency) and (insert name of receiving agency) recognize that there are penalties for unauthorized disclosures of this eligibility information.

II. AUTHORITY

Section 9(b)(6)(A) of the NSLA (42 USC 1758(b)(6)(A)) authorizes the limited disclosure of children's free and reduced price meal or free milk eligibility information to specific programs or individuals, without prior parent/guardian consent. Except that, the parent/guardian must be provided the opportunity to decline to share eligibility information prior to the disclosure for identifying children eligible for benefits under or enrolling children in the State Medicaid Program and the State children's health insurance program. Additionally, the statute specifies that for any disclosures not authorized by the statute, the consent of children's parents/guardians must be obtained prior to the disclosure.

The requesting agency certifies that it is currently authorized to administer the following program(s) and that information requested will only be used by the program(s) indicated.

| Check all that apply | Program | Information Authorized |
|-----------------------------|---|--|
| | <p><i>Medicaid or the State children's health insurance program (SCHIP), administered by a State or local agency authorized under titles XIX or XXI of the Social Security Act.</i></p> <p>Specify Program:</p> | <p>All eligibility information unless parents elect not to have information disclosed.</p> |
| | <p><i>State health program other than Medicaid/SCHIP, administered by a State agency or local education agency.</i></p> <p>Specify Program:</p> | <p>Eligibility status only; consent not required.</p> |
| | <p><i>Federal health program other than Medicaid/SCHIP</i></p> <p>Specify Program:</p> | <p>No eligibility information unless parental consent is obtained.</p> |
| | <p><i>Local health program</i></p> <p>Specify Program:</p> | <p>No eligibility information unless parental consent is obtained.</p> |
| | <p><i>Child Nutrition Program under the National School Lunch Act or Child Nutrition Act</i></p> <p>Specify Program:</p> | <p>All eligibility information; consent not required.</p> |
| | <p><i>Federal/State or local means tested nutrition program with eligibility standards comparable to the National School Lunch Program</i></p> <p>Specify Program:</p> | <p>Eligibility status only; consent not required.</p> |
| | <p><i>Federal education program</i></p> <p>Specify Program:</p> | <p>Eligibility status only; consent not required.</p> |
| | <p><i>State education program administered by a State agency or local education agency</i></p> <p>Specify Program:</p> | <p>Eligibility status only; consent not required.</p> |

Note: Section 9(b)(6)(A) specifies that certain programs may receive children's eligibility status only, without parental consent. Parental consent must be obtained to disclose any additional eligibility information. Section 9(b)(6)(D)(ii) specifies that for State Medicaid or SCHIP, parents must be notified and given opportunity to elect not to have information disclosed. Social security numbers may only be disclosed if households are given notice of the disclosure and the uses to be made of their social security numbers as required by Sec. 7 of the Privacy Act.

III. RESPONSIBILITIES

(Insert Name of Determining Agency) will:

When required, secure parents/guardians consent prior to any disclosure not authorized by the National School Lunch Act or any regulations under that Act, unless prior consent is secured by the receiving agency and made available to the determining agency;

For State Medicaid and SCHIP notify parents/guardians of potential disclosures and provide opportunity for parents/guardians to elect not to have information disclosed;

Disclose eligibility information only to persons directly connected to the administration or enforcement of programs authorized access under the National School Lunch Act or regulations under the Act or to programs or services for which parents/guardians gave consent.

(Insert Name of Receiving Agency) will:

Ensure that only persons who are directly connected with the administration or enforcement of the (insert name of the Program) and whose job responsibilities require use of the eligibility information will have access to children's eligibility information:

Specify by name(s) or title(s) _____

Use children's free and reduced price eligibility information for the following specific purpose(s):

(Describe) _____

Inform all persons that have access to children's free and reduced price meal eligibility information that the information is confidential, that children's eligibility information must only be used for purposes specified above, and the penalties for unauthorized disclosures.

Protect the confidentiality of children's free and reduced price meal or free milk eligibility information as follows:

Specifically describe how the information will be protected from unauthorized uses and further disclosures.)

Description of Procedures to Transfer Meal Eligibility Information (May be completed by either the determining agency or receiving agency)

Describe the procedures for transferring students' meal eligibility information from the determining agency to the requesting agency/program so as to limit the number of individuals who have access to the information.

(Describe) _____

IV. EFFECTIVE DATES

This agreement shall be effective from _____ to _____.

V. PENALTIES

Any person who publishes, divulges, discloses, or makes known in any manner, or to any extent not authorized by Federal law (Section 9(b)(6)(C) of the National School Lunch Act; 42 USC 1758(b)(6)(C)) or a regulation, any information about a child's eligibility for free and reduced price meals or free milk shall be fined not more than a \$1,000 or imprisonment of not more than 1 year or both.

VI. SIGNATURES

The parties acknowledge that children's free and reduced price meal and free milk eligibility information may be used only for the specific purposes stated above; that unauthorized use of free and reduced price meal and free milk information or further disclosure to other persons or programs is prohibited and a violation of Federal law which may result in civil and criminal penalties.

Requesting Agency/Program Administrator

Printed Name: _____

Title: _____ Phone: _____

Signature: _____

Date: _____

Determining Agency Administrator

Printed Name: _____

Title: _____ Phone: _____

Signature: _____

Date: _____

**Any attachments will become part of this agreement.*

Income Eligibility Guidelines for Use in Schools

(This form is for school personnel use only.)

Family income criteria to be used for the 2012-2013 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 | \$14,521 | \$1,211 | \$606 | \$559 | \$280 | \$20,665 | \$1,723 | \$862 | \$795 | \$398 |
| 2 | \$19,669 | \$1,640 | \$820 | \$757 | \$379 | \$27,991 | \$2,333 | \$1,167 | \$1,077 | \$539 |
| 3 | \$24,817 | \$2,069 | \$1,035 | \$955 | \$478 | \$35,317 | \$2,944 | \$1,472 | \$1,359 | \$680 |
| 4 | \$29,965 | \$2,498 | \$1,249 | \$1,153 | \$577 | \$42,643 | \$3,554 | \$1,777 | \$1,641 | \$821 |
| 5 | \$35,113 | \$2,927 | \$1,464 | \$1,351 | \$676 | \$49,969 | \$4,165 | \$2,083 | \$1,922 | \$961 |
| 6 | \$40,261 | \$3,356 | \$1,678 | \$1,549 | \$775 | \$57,295 | \$4,775 | \$2,388 | \$2,204 | \$1,102 |
| 7 | \$45,409 | \$3,785 | \$1,893 | \$1,747 | \$874 | \$64,621 | \$5,386 | \$2,693 | \$2,486 | \$1,243 |
| 8 | \$50,557 | \$4,214 | \$2,107 | \$1,945 | \$973 | \$71,947 | \$5,996 | \$2,998 | \$2,768 | \$1,384 |
| | \$5,148* | \$429* | \$215* | \$198* | \$99* | \$7,326* | \$611* | \$306* | \$282* | \$141* |

*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.

Office of School Support Services
School Nutrition Programs
P.O. Box 30008
Lansing, MI 48909
517-373-3347



2012-13 NATIONAL SCHOOL LUNCH/USDA FOODS 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 Food Distribution | USDA/Food and Nutrition Service | 10.555 | USDA Foods Distribution Program |
| 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, the Healthy Hunger Free Kids Act of 2010, 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/USDA FOODS 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. MEGS+ Site Listing 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 MEGS+ CNP: School Nutrition Programs Site Listing 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* have its contract approved by and provide a copy of the contract to the State Agency to be eligible for participation.
6. The terms of this Agreement shall not be modified or changed in any way other than by written consent of both parties.

B. THE STATE AGENCY AGREES THAT:

To the extent of available funds, 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 MEGS+ CNP: School Nutrition Programs Site Listing during any school year 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 another rate as that 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 (7 CFR Part 210.14(a) and 210.19(a)(2)). 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, submit a plan of action to spend down the excess fund balance that exceeds three months average expenditures. (Depreciation reserve is not included in the operating balance.)
4. Maintain a financial system as prescribed by the Michigan Department of Education.
5. Price the school lunch as a unit. Serve lunches 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 medical doctor to be disabled and the disability would prevent the child from eating the regular school meal, the school must make substitutions prescribed by a medical doctor.
10. Complete verification in compliance with regulations (7 CFR Part 245).
11. Maintain files of approved and denied free and reduced price applications. If applications are maintained at the Local Educational Agency (LEA) level, they *must* be readily retrievable by school building.
12. Comply with the requirements of USDA Civil Rights Nondiscrimination regulations (7 CFR Parts 15, 15a, and 15b).
13. Claim reimbursement at the assigned rates only for the type of lunches and snacks specified in the MEGS+ Site Listing in this agreement served to eligible children. Not to overtly identify or discriminate against any child because of inability to pay the full price. 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.
14. Submit claims for reimbursement in accordance with procedures established by the State Agency.
15. Establish rules, as necessary, to control the sale of food in competition with the meals served under the program. Including, but not limited to, 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.
16. Maintain proper sanitation and health standards for storage, preparation, and service of food in conformance with all applicable state and local laws and regulations.
17. 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.
18. 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, Bulletin 1022, and the Michigan School Auditing Manual.
19. The Sponsor agrees to the following requirements in the accepting and handling of USDA Foods:

- 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 USDA Foods per local health department requirements. All USDA Foods 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 USDA Foods from the premises to a local commercial locker or warehouse for the purpose of providing proper storage. The Sponsor must ensure that the storage facility is properly licensed and inspected by the Michigan Department of Agriculture and Rural Development. The Sponsor must make arrangements to maintain a current record of receipts, withdrawals, and balances. USDA Foods must not be stored in private homes under any circumstances.
 - d. Request and accept USDA Foods on a 30-day supply basis *only*.
 - e. To use USDA Foods SOLELY for the benefit of the students. Under *no* circumstances will USDA Foods be sold, traded, or used off the premises of the sponsor. The use of any USDA Foods 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 foods.
 - 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 USDA Foods. 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 USDA Foods. 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 Foods on hand upon request.
 - 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 Foods in accordance with provisions of this Agreement or to return such inventories to their distribution outlet upon written authorization from the State Agency - USDA Foods 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. Funds derived from the feeding program salvage of USDA Foods or recoveries from insurance claims involving lost USDA Foods shall be used only for the payment of expenses related to the Food Distribution Program.
 - k. Report to the State Agency any complaint in connection with the condition or improper use of USDA Foods.
21. Provide a means to encourage student and teacher/parent input into the program.
21. Agree that the School Food Authority (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).

22. 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.
23. Only claim reimbursement for snacks served in eligible Afterschool Care Programs, i.e., After-school Care Programs that provide children with regularly scheduled activities in an organized, structured, and supervised environment.
24. 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 the MEGS+ CNP: School Nutrition Programs Site Listing 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 SPONOSOR AGREES THAT:

It will supervise school breakfast operations in the schools listed in MEGS+ Site Listing 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 to overtly identify or 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 – Schools or institutions must offer only pasteurized fluid types of unflavored or flavored fat free or low-fat (1%) fluid milk. All milk must meet all State and local standards. All milk should contain vitamins A and D at levels specified by the Food and Drug Administration.

A. THE STATE AGENCY AND THE SPONSOR MUTUALLY AGREE:

1. To comply with and meet all responsibilities and requirements set forth in (7CFR, 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 (8 oz.) 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 (8 oz.) 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 and Department of Defense (DoD).
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, publications, and websites.
2. Program material *must* include the following information: Complaints may be filed directly to the Secretary of Agriculture.

3. Display a nondiscrimination "And Justice for All" poster in a prominent place in each school building/facility.

C. PROVIDE ANNUAL CIVIL RIGHTS TRAINING FOR STAFF:

The training must include: Collecting and using data; effective public notification systems; complaint procedures; compliance review techniques; resolution of non-compliance; requirements for reasonable accommodation of persons with disabilities; requirements for language assistance; conflict resolution; and customer service.

D. COMPLIANCE REVIEWS:

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

E. 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 United States 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. Non-Public, Private, 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 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.

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

Michigan Department of Education
Office of School Support Services
School Nutrition Programs
P.O. Box 30008
Lansing, MI 48909
517-373-3347



2012-13 NATIONAL SCHOOL LUNCH/COMMODITY DISTRIBUTION SPECIAL MILK, AFTERSCHOOL SNACK, AND BREAKFAST PROGRAMS

Policy Statement

| <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 | 10.550 | 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 |

The Local Educational Agency (LEA) assures the Michigan Department of Education (MDE) that the school system will uniformly implement the following policy to determine children's eligibility for free or reduced price school meals in all National School Lunch, School Breakfast, Afterschool Snack, and/or Special Milk Programs in schools under its jurisdiction.

The following forms are adopted with and considered part of this policy:

Letter to Parents

- Free Milk Application
- Free and Reduced Price School Meals Family Application

Application Form

- Free Milk Application
- Free and Reduced Price School Meals Family Application

Sharing Information with Other Programs

Approval-Disapproval Form

Public Release

- Sample Public Release for Free and Reduced Price Meals

A. The State Agency agrees to:

Submit the informational public release containing the same information outlined in the *Letter to Parents*, to local unemployment offices, major employers contemplating large layoffs, and minority and grass root organizations.

B. The LEA (including Residential Child Care Institutions (RCCIs) with day treatment programs) agrees to:

1. Submit to MDE any alterations to the *Letter to Parents*, *Family Application for Free and Reduced Price School Meals*, *Family Application for Free Milk*, etc., prior to implementation. Such changes will be effective only upon approval. All changes in eligibility criteria must be publicly announced in the same manner used at the beginning of the school year.

2. Develop and send to each child's parent or guardian a letter, as outlined herein, including an application form for free or reduced price school meals or free milk at the beginning of each school year and whenever there is a change in eligibility criteria. Only the reduced priced guidelines may be included in the School Meals Program *Letter to Parents*. The free scale is used for Special Milk Program *Letter to Parents* only.

Parents will be requested to complete the application and return it to the Eligibility Determination Official for review. Such applications and documentation of action taken will be maintained for three years after the end of the fiscal year to which they pertain.

3. Designate an Eligibility Determination Official to review applications and make the determination of eligibility. This official will use the criteria outlined in this policy to determine which individual children are eligible for free and reduced price meals and/or free milk.

Foster children are also eligible for free benefits. If a household has foster children living with them and wishes to apply for free and reduced price school meals and/or free milk for the other children in the household, they must provide the information asked for on the application.

Applications may be filed at any time during the year. Any parent enrolling a child in a school for the first time, at any time during the year, shall be supplied with such documents. If a child transfers from one school to another under the jurisdiction of the same school food authority, his/her eligibility for free meals, or reduced price meals will be transferred to and honored by the receiving school.

All children from a family will receive the benefits they qualify for. Within ten working days of the receipt of the applications, the eligibility determination must be made. Parents or guardians will be notified individually of the acceptance or denial of their applications. Children will be served free and reduced price school meals and/or free milk immediately upon the establishment of their eligibility.

When an application is rejected, parents or guardians will be informed in writing of the reason for denial and of the fair hearing procedure.

4. Establish and use a fair hearing procedure for parents' appeals of the school's decisions on applications and for school officials' challenges to the correctness of information contained in an application or to the continued eligibility of any child for free and reduced price meals and/or free milk. During the appeal and hearing, the child will continue to receive free and reduced price meals and/or free milk. A record of all such appeals and challenges and their dispositions shall be retained for three years.

Prior to initiating the hearing procedure, the parent or local school official may request a conference to provide an opportunity for the parent and school official to discuss the situation, present information, and obtain an explanation of data submitted in the application and decisions rendered. Such a conference shall not in any way prejudice or diminish the right to a fair hearing. The hearing procedure shall provide the following:

- a. A publicly-announced, simple method for making an oral or written request for the hearing.
- b. An opportunity to be assisted or represented by an attorney or other person.
- c. An opportunity to examine, prior to and during the hearing, the documents and records presented to support the decision under appeal.
- d. Reasonable promptness and convenience in scheduling a hearing and adequate notice as to the time and place of the hearing.
- e. An opportunity to present oral or documentary evidence and arguments supporting its position.

- f. An opportunity to question or refute any testimony or other evidence and to confront and cross-examine any adverse witnesses.
 - g. That the hearing be conducted and the decision made by a hearing officer who did not participate in the decision under appeal.
 - h. That the decision of the hearing official be based on the oral and documentary evidence presented at the hearing and made part of the hearing record.
 - i. That the parties concerned and any designated representative thereof be notified in writing of the decision of the hearing official.
 - j. That for each hearing, a written record be prepared, including the decision under appeal, any documentary evidence and a summary of any oral testimony presented at the hearing, the decision of the hearing official and the reasons therefore, and a copy of the notification to the parties concerned of the hearing official's decision.
5. Verify applications for meal benefits in accordance with program regulations and maintain records of such verification. Prepare a summary of verification results according to regulatory requirements.
 6. Serve free meals or free milk to children from families whose income are at or below the guidelines listed in Scale A (*Guidelines for Use in Schools*).
 7. Serve reduced price meals to children from families whose income is at or below the guidelines list in Scale B (*Guidelines for Use in Schools*).

Reduced price meals must be provided with a maximum charge is \$0.40 for lunch, \$0.30 for breakfast and \$0.15 for afterschool snack.
 8. Provide these benefits to children of families who are experiencing strikes, layoffs and unemployment, which cause the family income to fall below the guidelines in *Guidelines for Use in Schools*.
 9. Establish a procedure to collect from children who pay for meals or milk and to account for the number of free, reduced price, and full price meals served and the number of half-pints of full-price and free milk served. This procedure will be used so that no other child in the school will consciously be made aware of such procedure or the identity of the children receiving free and reduced price meals and/or free milk.
 10. The names of the children eligible to receive free meals or milk or reduced price meals shall not be published, posted, or announced in any manner. LEAs 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. In order to release the names for any other purpose such as research, grant applications, etc., the parent or guardian must sign a *Sharing Information with Other Programs* statement. Such *Sharing Information with Other Programs* must be maintained on file in the food service office. Parents must be informed that failure to grant the *Sharing Information with Other Programs* does not change their child's eligibility to receive free or reduced price meals or free milk.
 11. No physical segregation of, nor any other discrimination against any child because of inability to pay the full price of the meal or milk. There shall be no overt identification of any such children by use of special tokens or tickets or any other means. Further assurance is given that children eligible for free meals or reduced price meals shall *not* be required to:

- a. Use a separate lunchroom.
 - b. Go through a separate serving line.
 - c. Enter the lunchroom through a separate entrance.
 - d. Eat meals or drink milk at a different time.
 - e. Eat a meal or drink milk different from that sold to children paying the full price.
 - f. Work for their meals or milk.
12. In the operation of child feeding programs, no child shall be discriminated against because of race, sex, color, national origin, age, or disability.



STATE OF MICHIGAN
DEPARTMENT OF EDUCATION
LANSING

RICK SNYDER
GOVERNOR

MICHAEL P. FLANAGAN
SUPERINTENDENT OF
PUBLIC INSTRUCTION

FOOD SERVICE

**ADMINISTRATIVE POLICY NO. 5
SCHOOL YEAR 2011-2012**

SUBJECT: Verification of Eligibility for School Meals

DATE: October 26, 2011

Verification is confirmation of eligibility for free and reduced price school meals under the National School Lunch Program (NSLP) and School Breakfast Program (SBP). Annually, each Local Educational Agency (LEA) must select and verify a sample of applications approved for meal benefits. The results of verification must be reported to the Michigan Department of Education (MDE) on the Local Educational Agency Review System (LEARS)-Verification Summary Report website.

The verification sample must be selected from households that have submitted an approved Free and Reduced Price School Meals Family Application as of October 1, 2011. Verification is not required for children who have been certified for free school meals under direct certification. The deadline for completing Verification of Eligibility for School Meals is **November 15, 2011**.

For assistance with the verification process, LEAs are encouraged to use the document, *12 Steps to Conducting Verification*. These step by step instructions include links to all documents required to complete the verification process and are available at http://www.michigan.gov/mde/0,4615,7-140-43092_50144-222884--,00.html.

Districts participating in the Community Eligibility Option (CEO) do not have to complete verification for those school sites that are participating in CEO. However, any school sites within the district NOT participating in CEO will still be required to complete the normal verification process.

All LEAs must report verification activities and outcomes to MDE using the LEARS-Verification Summary Report. LEARS will be available January 15, 2012. Specific information on how CEO schools will complete the LEARS report will be forthcoming.

STATE BOARD OF EDUCATION

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

The electronic report for School Year 2011-2012 must be submitted to MDE by **March 1, 2012**. If your LEA needs to designate a new individual to access the LEARS-Verification Summary Report, the Child Nutrition Program Security Agreement must be completed. The form is available at <http://michigan.gov/meis>.

To access the LEARS-Verification Summary Report website:

1. Go to <http://michigan.gov/meis>.
2. Under Child Nutrition Programs, click on **LEARS-Verification Summary Report**.
3. Log in using your MEIS Account ID and password. If you need assistance, click on **LEARS Help Page** on the Login page or click on the **Help** button located in the report to view line by line instructions on how to complete the report.
4. Complete the report. Click on **Save** at the bottom of the report to save entered data. Click on **Certify** at the bottom of the report to confirm the accuracy of the data entered on the report.

Questions regarding this Administrative Policy may be directed to the School Nutrition Programs Unit by e-mail to MDE-SchoolNutrition@michigan.gov.

**Office of School Support Services
School Nutrition Programs**

12 Steps to Conducting Verification

Step 1- Determine if your Local Educational Agency (LEA) must complete an Improvement Plan

- [Schools Required to Submit an Improvement Plan for Certification and Verification for SY 2012-2013](#)
- If the LEA is on the list required to submit an Improvement Plan use the following documents:
 - [Requirements for an Improvement Plan for Certification and Verification](#)
 - [Improvement Plan for Certification and Verification SY 2012-2013](#)

Step 2- Determine the sampling method your LEA must use to identify applications for verification.

- [Schools Required to use Basic Sampling \(Standard Sample\) for SY 2012-2013](#)
 - [Basic Sampling \(Standard Sample\)](#)
- If the LEA is not on the list for Basic Sampling one of the two alternate methods may be selected.
 - [Alternate-Random Sampling](#)
 - [Alternate-Focused Sampling](#)

Step 3-Establish the Free and Reduced Price School Meals Application pool.

- Only approved current school year applications as of **October 1** must make up the pool.
- Applications that should not be included in the application pool are:
 - Students directly certified; students certified as migrant, homeless, or runaway; students in Headstart or Evenstart programs.

Step 4-Calculate the sample size/number of applications that must be verified.

- Follow the instructions on the sampling method information sheet.
- Be sure to round up.

Step 5- Conduct a Confirmation Review of the applications selected for verification.

- LEAs that use electronic systems are exempt from this requirement.
- Be sure to document on the back of the original application the date of when the Confirmation Review was conducted.

Step 6- Notify the selected households.

- Use the [We Must Check Your Application](#) form.
- Be sure to give the households a due date.

Step 7- Contact the local Department of Human Service (DHS) office to verify applications with a Food Assistance Program (FAP) or Family Independence Program (FIP) case number by using the following two forms:

- [Letter to the Department of Human Services From the Local Educational Agency](#)

Step 8- Conduct a Follow-up Review for any household that has not responded by the original due date.

- Be sure to document on the back of the original application the date of when the Follow-up Review was conducted.

Step 9- Notify all households of the final verification determination.

- Use the [We Have Checked Your Application](#) form.
- Households must be given 10 day advance, written notification that benefits will be decreased.
- The first day of the ten calendar day advance notice is the day the notice is sent.

Step 10- Make any required changes to benefit issuance documentation as required from the outcomes of the Verification process by **November 15**.

- Be sure to wait until the 10 day advance notification period has passed.

Step 11- Complete all required Verification documents.

- [Verification Worksheet](#)
- [Verification Summary Information sheet](#)
- [Verification Check List](#)
 - These forms must remain on file as part of the Verification documentation.

Step 12- Complete the [LEARS-Verification Summary Report](#) **before February 1**

- The report is available January 1 via the MEIS website:
 - Go to <http://michigan.gov/meis>.
 - Under Child Nutrition Programs, click on the bullet point entitled, LEARS Verification Summary Report.
 - Log in using your MEIS Account ID and password.

**SCHOOLS REQUIRED TO SUBMIT AN IMPROVEMENT
PLAN FOR CERTIFICATION AND VERIFICATION
SCHOOL YEAR 2012-2013**

Your Local Education Agency (LEA) is required to submit an Improvement Plan for Certification and Verification, if during School Year 2011-2012, they had:

1. Less than 80% of the applications selected for verification did not respond to your request for additional income information, and
2. Over 20% of the free and reduced price applications in your reported verification sample were changed to paid.

| | |
|--------|---|
| 06-010 | Arenac Eastern School District |
| 09-030 | Bangor Township Schools |
| 11-030 | Lakeshore Public Schools (Berrien) |
| 11-033 | River Valley School District |
| 33-020 | Lansing Public School District |
| 33-130 | Mason Public Schools (Ingham) |
| 33-909 | Windemere Park Charter Academy |
| 33-910 | Lansing Charter Academy |
| 41-026 | Wyoming Public Schools |
| 41-170 | Lowell Area Schools |
| 63-070 | Avondale School District |
| 79-145 | Unionville-Sebewaing Area School District |
| 82-040 | Dearborn Heights School District #7 |
| 82-230 | Crestwood School District |
| 82-240 | Westwood Community Schools |
| 82-390 | Northville Public Schools |
| 82-904 | Plymouth Educational Center |
| 82-943 | Weston Preparatory Academy |
| 82-945 | Edison Public School Academy |
| 82-968 | Canton Charter Academy |
| 83-070 | Mesick Consolidated Schools |

Requirements for an Improvement Plan for Certification and Verification

An Improvement Plan for Certification and Verification is required if your school district reported during School Year 2011-2012:

- (1) Less than 80% of the applications selected for verification did not respond to your request for additional income information.
- and
- (2) Over 20% of the free and reduced price applications in your reported verification sample were changed to paid.

The plan must contain actions all required by The Child Nutrition and WIC Reauthorization Act of 2004 (P.L. 108-265) and should include one or both of the optional actions set forth by the law.

Required actions to help maintain benefits for eligible students:

- Establish a toll-free or local telephone number for which there is no charge for parents to call for assistance with verification. Parents and/or guardians often need assistance in gathering data to qualify for benefits.
- All approved household applications selected for verification must be reviewed for accuracy to ensure that initial eligibility determinations are correct. The review must be done by an individual other than the individual making the initial determination. The requirement for a confirmation review is waived if the LEA is using a technology based solution that demonstrates a high level of accuracy in processing initial determinations.
- If the confirmation review finds that the initial determination was incorrect, the LEA must: (1) correct the household eligibility status and (2) notify the household of the change. If the review indicates the household is not eligible for either free or reduced meals, the household must be notified of the reason and informed that the household may reapply with income documentation.
- Verification follow-up activities are required by LEAs and must be documented. A specific person within the LEA must be identified to families/households as being able to directly assist in completing verification.
- The LEA must follow-up if a household cannot obtain assistance during the initial call. If the household fails to respond to the initial request for verification information, the LEA must make at least one attempt to obtain necessary verification. The attempt may be through the mail, by telephone, by e-mail, or through personal contact. All attempts and results must be documented by the LEA. If follow-up attempt(s) fail, the household benefits must be terminated through a written notice of adverse action.
- Direct Certification is required. Each local educational agency (LEA) must directly certify children who are members of households receiving assistance under the Food Assistance Program as eligible for free school meals, without further application. The Direct Certification Report is available via the Center of Educational Performance and Information (CEPI) Michigan Student Data System (MSDS).

Office of School Support Services
School Nutrition Programs

- LEAs verifying income eligibility for free and reduced price meals must allow households to provide documentation of income for any point in time between the month prior to application and the time the household is required to provide income documentation. Implementation memoranda are found at: www.fns.usda.gov/cnd/lunch. Click on Reauthorization Memoranda for 2004; click on "Verification of Income Eligibility-SP-5" and "Verification Activities – March 10, 2005."

Optional activities for LEAs that may lower the non-response rate and prevent eligible students from losing benefits:

- The LEA, on individual review may remove up to 5% of applications in the selected sample if factors such as household stability and communication difficulties may interfere with verification. Any application removed from the sample must be replaced with another application approved on the same basis.
- The LEA may contract with a third party to assist with the required follow-up activity. Any third party is subject to confidentiality requirements outlined in current regulations.

If your name is on the Schools Required to Submit an Improvement Plan for Certification and Verification list, you must submit the attachment Improvement Plan for Certification and Verification to MDE by November 16, 2012.

IMPROVEMENT PLAN FOR CERTIFICATION AND VERIFICATION SCHOOL YEAR 2012-2013

1. Write "Yes" or "No" in column to indicate if the action is in place.
2. Record the implementation date.
3. Record name of employee responsible for action.

| | Action in Place (Yes/No) | Date of Implementation | Employee Responsible |
|---|--------------------------------|---------------------------|----------------------|
| REQUIRED ACTIONS | | | |
| Toll-free or Local Telephone Number | | | |
| Confirmation Reviewer | | | |
| Employee Responsible for Responding to Verification Assistance Requests | | | |
| Formal Follow-up and System of Documentation | | | |
| Participation in Direct Certification | | | |
| OPTIONAL ACTIVITIES | | | |
| Third Party Assistance with Verification Follow-up | | | |
| Exemption of Up to 5% from Verification Sample | | | |
| ADDITIONAL ACTIONS | | | |
| | | | |
| | | | |

School: _____ Agreement No.: _____

Verification Official's Signature: _____

Phone: _____ Date: _____

Due Date: November 16, 2012

FAX or MAIL this IMPROVEMENT PLAN TO:

FAX No. 517-373-4022 OR

School Nutrition Programs
Office of School Support Services
Michigan Department of Education
P.O. Box 30008
Lansing, MI 48909

| |
|--|
| <i>MDE Office Use Only - Received:</i> |
|--|

SCHOOLS REQUIRED TO USE BASIC SAMPLING (STANDARD SAMPLE) SCHOOL YEAR 2012-2013

Sponsors Over 20% of Non Response Rate

Your Local Education Agency (LEA) is required to use Basic Sampling for School Year (SY) 2012-2013 to select applications for verification when less than 80% of the applications selected for verification did not respond to your request for additional income information during SY 2011-2012.

| AGREEMENT NUMBER | LOCAL EDUCATION AGENCY | AGREEMENT NUMBER | LOCAL EDUCATION AGENCY |
|------------------|------------------------------------|------------------|---------------------------------------|
| 3030 | Allegan Public Schools | 31110 | Houghton-Portage Township School D |
| 3070 | Hopkins Public Schools | 33040 | Dansville Schools |
| 3100 | Hamilton Community Schools | 33060 | Haslett Public Schools |
| 5060 | Elk Rapids Schools | 33200 | Stockbridge Community Schools |
| 11000 | Berrien RESA | 33230 | Williamston Community Schools |
| 11300 | Niles Community Schools | 33909 | Windemere Park Charter Academy |
| 11330 | Coloma Community Schools | 33910 | Lansing Charter Academy |
| 11901 | Countryside Academy | 34080 | Belding Area School District |
| 12010 | Coldwater Community Schools | 34090 | Lakewood Public Schools |
| 12020 | Bronson Community School District | 34110 | Portland Public Schools |
| 13010 | Albion Public Schools | 36025 | West Iron County Public Schools |
| 13050 | Athens Area Schools | 37010 | Mt. Pleasant City School District |
| 13080 | Homer Community School District | 37060 | Shepherd Public Schools |
| 13095 | Mar Lee School District | 38080 | Concord Community Schools |
| 13110 | Marshall Public Schools | 38100 | Hanover-Horton School District |
| 13130 | Tekonsha Community Schools | 38140 | Northwest Community Schools |
| 14020 | Dowagiac Union School District | 38170 | Jackson Public Schools |
| 14030 | Edwardsburg Public Schools | 39010 | Kalamazoo Public Schools |
| 14050 | Marcellus Community Schools | 39030 | Comstock Public Schools |
| 15020 | Boyne City Public Schools | 39130 | Parchment School District |
| 15050 | Charlevoix Public Schools | 39140 | Portage Public Schools |
| 16015 | Cheboygan Area Schools | 39905 | Paramount Charter Academy |
| 16070 | Mackinaw City Public Schools | 41010 | Grand Rapids Public Schools |
| 17110 | Rudyard Area Schools | 41020 | Godwin Heights Public Schools |
| 21021 | Gladstone Area Schools | 41026 | Wyoming Public Schools |
| 23090 | Potterville Public Schools | 41140 | Kelloggsville Public Schools |
| 24020 | Harbor Springs School District | 41160 | Kentwood Public Schools |
| 25040 | Mt. Morris Consolidated Schools | 41170 | Lowell Area Schools |
| 25070 | Genesee School District | 41240 | Sparta Area Schools |
| 25080 | Carmen-Ainsworth Community Schools | 41901 | New Branches School |
| 25110 | Kearsley Community School District | 41905 | Excel Charter Academy |
| 25140 | Davison Community Schools | 41909 | Vista Charter Academy |
| 25200 | Lake Fenton Community Schools | 41910 | Vanguard Charter Academy |
| 25230 | Bentley Community School District | 41919 | Ridge Park Charter Academy |
| 25907 | Linden Charter Academy | 41922 | Lighthouse Academy |
| 25909 | Burton Glen Charter Academy | 41926 | Hope Academy of West Michigan |
| 26010 | Beaverton Rural Schools | 44090 | North Branch Area Schools |
| 26040 | Breckenridge Community Schools | 46010 | Adrian School District of the City of |
| 29050 | Fulton Schools | 46020 | Addison Community Schools |
| 29060 | Ithaca Public Schools | 46040 | Blissfield Community Schools |
| 30050 | North Adams-Jerome Public Schools | 46080 | Hudson Area Schools |
| 30060 | Pittsford Area Schools | 46140 | Tecumseh Public Schools |

| AGREEMENT NUMBER | LOCAL EDUCATION AGENCY | AGREEMENT NUMBER | LOCAL EDUCATION AGENCY |
|-------------------------|---|-------------------------|--|
| 47030 | Fowlerville Community Schools | 73170 | Birch Run Area Schools |
| 47070 | Howell Public Schools | 73200 | Freeland Community School District |
| 50070 | Clintondale Community Schools | 73910 | North Saginaw Charter Academy |
| 50090 | Fitzgerald Public Schools | 74050 | East China School District |
| 50100 | Fraser Public Schools | 75010 | Sturgis Public Schools |
| 50180 | Richmond Community Schools | 75030 | Centreville Public Schools |
| 50210 | Utica Community Schools | 75040 | Colon Community School District |
| 50230 | Warren Consolidated Schools | 75050 | Constantine Public School District |
| 50902 | Conner Creek Academy East | 75060 | Mendon Community School District |
| 50909 | Prevail Academy | 78080 | Perry Public Schools |
| 50910 | Ben Ross Public School Academy | 78100 | Corunna Public Schools |
| 50912 | Reach Charter Academy | 78110 | Owosso Public Schools |
| 51070 | Manistee Area Public Schools | 80010 | South Haven Public Schools |
| 53010 | Mason County Central Schools | 80020 | Bangor Public Schools (Van Buren) |
| 53040 | Ludington Area School District | 80160 | Paw Paw Public School District |
| 54025 | Chippewa Hills School District | 81000 | Washtenaw ISD |
| 54901 | Crossroads Charter Academy | 81020 | School District of Ypsilanti |
| 56010 | Midland Public Schools | 81070 | Lincoln Consolidated School District |
| 57020 | Lake City Area School District | 81120 | Saline Area Schools |
| 58000 | Monroe ISD | 81905 | South Arbor Charter Academy |
| 58030 | Bedford Public Schools | 81906 | Fortis Academy |
| 58090 | Mason Consolidated Schools (Monroe) | 81909 | Arbor Preparatory High School |
| 59070 | Greenville Public Schools | 81910 | East Arbor Charter Academy |
| 61010 | Muskegon, Public Schools of the City of | 82030 | Dearborn City School District |
| 61190 | Orchard View Schools | 82045 | Melvindale-North Allen Park School |
| 61220 | Reeths-Puffer Schools | 82050 | Garden City Public Schools |
| 61240 | Whitehall District Schools | 82055 | Grosse Pointe Public Schools |
| 61902 | Timberland Academy | 82090 | Lincoln Park, School District of the City |
| 62090 | White Cloud Public Schools | 82095 | Livonia Public School District |
| 63010 | School District of the City of Birmingham | 82100 | Plymouth-Canton Community Schools |
| 63020 | Ferndale Public Schools | 82110 | Redford Union Schools, District No. 1 |
| 63040 | School District of the City of Roy | 82120 | River Rouge, School District |
| 63060 | Southfield Public School District | 82130 | Romulus Community Schools |
| 63070 | Avondale School District | 82140 | South Redford School District |
| 63080 | Bloomfield Hills Schools | 82150 | Taylor School District |
| 63090 | Clarenceville School District | 82160 | Wayne-Westland Community School Dis |
| 63250 | Oak Park, School District of the City of | 82170 | Wyandotte, School District of the City |
| 63290 | Walled Lake Consolidated Schools | 82290 | Gibraltar School District |
| 63910 | Dr. Joseph F. Pollack Academic Center | 82365 | Woodhaven-Brownstown School District |
| 63913 | Walton Charter Academy | 82390 | Northville Public Schools |
| 63914 | Advanced Technology Academy | 82400 | Riverview Community School District |
| 63918 | Laurus Academy | 82405 | Southgate Community School District |
| 63919 | Woodmont Academy | 82430 | Van Buren Public Schools |
| 63922 | Great Oaks Academy | 82703 | Henry Ford Academy: School for Creative Studies (PSAD) |
| 64090 | Walkerville Public Schools | 82718 | Quest Charter Academy |
| 67060 | Reed City Area Public Schools | 82723 | Legacy Charter Academy |
| 68010 | Mio-AuSable Schools | 82727 | Regent Park Scholars Charter Academy |
| 70175 | Jenison Public Schools | 82729 | South Canton Scholars Charter Academy |
| 70300 | Spring Lake Public Schools | 82905 | Nataki Talibah Schoolhouse of Detroit |
| 70350 | Zeeland Public Schools | 82915 | Eaton Academy |
| 70904 | Black River Public Schools | 82919 | Commonwealth Community Devel. Academy |
| 70906 | Eagle Crest Charter Academy | 82925 | Detroit Community Schools |
| 72010 | Roscommon Area Public Schools | 82927 | HEART Academy |
| 73030 | Carrollton Public Schools | 82930 | Dove Academy of Detroit |
| 73110 | Chesaning Union Schools | 82943 | Weston Preparatory Academy |

BASIC SAMPLING (STANDARD SAMPLE)

The required sample size is 3% or 3,000, whichever is less of all approved applications on file on October 1. However, the Basic Sampling method concentrates on **“error-prone applications.” (Income-based applications reporting monthly household income within \$100 or annual income within \$1,200 of the free or reduced priced eligibility limit.**

Remember, families approved through direct certification are not included in the application pool.

Calculation and selection of the minimum required number of applications in the LEA to verify using Basic Sample:

Step 1. Count the total number of approved applications (Food Assistance Program (FAP) Family Independence Program (FIP) case number, foster child, income-based) on file on October 1. Multiply the total by 3% (.03). Round decimals upward. At least one (1) application must be verified.

Example: If there was a total of 1300 approved applications on file as of October 1, 2007, the verification sample size would be $1300 \times 0.03 = 39$ applications.

Step 2. Separate out all applications “error-prone applications,” reporting monthly household income within \$100 or annual income within \$1,200 of the free or reduced priced eligibility limit. This is the pool from which you randomly select applications for verification.

Step 3. Randomly select the required number of applications.

A selection interval may be used. This can be accomplished by dividing the total number of approved applications reporting monthly household income within \$100 or annual income within \$1,200 of the free or reduced priced eligibility limit by the sample size to determine selection interval.

Example: If there are 445 applications on file reporting monthly household income within \$100 or annual income within \$1,200 of the free or reduced priced eligibility limit and 39 are required to be verified, divide 445 by 39 = 12. Number all the applications. Randomly select an application from the total approved applications reporting monthly household income within \$100 or annual income within \$1,200 of the free or reduced priced eligibility limit. Then choose every 12th application until 39 applications have been selected.

Another random method of selection would be to put all applications into a container and draw the 39 applications out for the verification sample.

Step 4. If there are not enough error-prone applications to meet the sample size requirements, additional applications must be selected at random from other income-based approved applications.

ALTERNATE-RANDOM SAMPLING

The required sample size is 3% or 3,000, whichever is less, of all approved household applications on file on October 1. An alternate-random sample should include all (Food Assistance Program (FAP) or Family Independence Program (FIP) case number, foster child, and income-based) applications. No attempt should be made to select only FAP/FIP applications.

Remember, families approved through direct certification are not included in the application pool.

Calculation and selection of the minimum required number of applications in the LEA to verify using Random Sampling:

Step 1. Count the total number of approved applications on file on October 1. Multiply the total by 0.03. Round decimals upward. At least one application **must** be verified.

Example: 340 applications \times 0.03 = 10.2 applications. Round upward to 11 applications.

Step 2. Compare the result in Step 1 to 3,000. The sample size is the lesser number.

Example: In this example, 11 applications **must** be verified to meet the required sample size.

Step 3. Randomly select the required number of applications.

- (1) A selection interval may be used. This can be accomplished by dividing the total number of approved applications on file in the SFA by the sample size to determine the selection interval.

Example: If there are 340 applications on file and 11 are required to be verified, divide 340 by 11 = 30.9. In this case, the selection interval is 31. Number all the applications. Randomly select an application from the total approved, and then choose every 31st application until 11 applications have been selected.

- (2) Another random method of selection would be to put all the applications in a container and draw the eleven applications out for the verification sample.

ALTERNATE-FOCUSED SAMPLING

In alternate-focused sampling, a minimum required percentage or number of applications based on income eligibility must be selected for verification AND a minimum required percentage or number of applications approved based on categorical eligibility must be selected for verification.

Remember, families approved through direct certification are not included in the selection process.

The SFA **must** verify a minimum of:

- (1) The lesser of **1% or 1,000** of the **total** number of approved applications (both income and categorical). The 1% sample is selected from income applications with total household income within \$100 monthly or \$1,200 annually of the Income Eligibility Guidelines (IEGs) for free and reduced price meals for that size household;

PLUS

- (2) The lesser of **one-half of 1% (0.5%) or 500** of the total number of applications that were approved based on categorical eligibility, selected from applications with a FAP or FIP case number.

EXAMPLE: 300 income applications
 200 categorical applications
 500 total applications in the application pool

- (a) 500 total applications x .01 = 5
- (b) 200 categorical applications x .005 = 1
 TOTAL SAMPLE = 6

- (3) A sample of 5 applications must be selected from income applications with total household income within \$100 monthly or \$1,200 annually of the Income Eligibility Guidelines (IEGs) for free and reduced price meals for that size household;

PLUS

- (4) 1 from the 200 categorical applications that provided a FAP/FIP case number in lieu of income on the application.

WE MUST CHECK YOUR APPLICATION

You must send the information we need, or contact [name] by [date], or your children will stop getting free or reduced price meals.

School: _____ Date: _____

Dear _____:

We are checking your Free and Reduced Price School Meals Application. Federal rules require that we do this to make sure only eligible children get free or reduced price meals. You must send us information to prove that [names of children] are eligible.

If possible, send copies, not original papers. If you do send originals, they will be sent back to you only if you ask.

1. If you were participating in the Food Assistance Program (FAP), Family Independence Program (FIP), or Food Distribution Program on Indian Reservations (FDPIR) when you applied for free or reduced price meals, or at any time since then, send us a copy of one of these:
 - FAP, FIP, or FDPIR Certification Notice that shows dates of certification.
 - Letter from Department of Human Services Office that says you have gotten FAP or FIP.
 - **Do NOT send your EBT card.**
2. If you get this letter for a homeless, migrant or runaway child, please contact [*school, homeless liaison, or migrant coordinator*] for help.
3. **If the child is a Foster Child:** Send us official documentation from the agency sponsoring the child.
4. **If you do not get FAP, FIP, or FDPIR for your children:**
Send this page along with papers that show the amount of money your household gets from each source of income.

The papers you send must show the **name** of the person who received the income, the date it was received, **how much** was received, and **how often** it was received.

Send information to: [address]

ACCEPTABLE PAPERS INCLUDE:

Jobs: Paycheck stub or pay envelope that shows the amount and how often pay is received; letter from employer stating gross wages and how often they are paid; or business or farming papers, such as ledger or tax books.

Social Security, Pensions, or Retirement: Social Security retirement benefit letter, statement of benefits received, or pension award notice.

Unemployment, Disability, or Worker's Comp: Notice of eligibility from State employment security office, check stub, or letter from Worker's Compensation.

Welfare Payments: Benefit letter from welfare agency.

Child Support or Alimony: Court decree, agreement, or copies of checks received.

Other Income (such as rental income): Information that shows the amount of income received, how often it is received, and the date received.

No Income: A brief note explaining how you provide food, clothing and housing for your household, and when you expect an income.

Military Housing Privatization Initiative: Letter or rental contract showing that your housing is part of the Military Housing Privatization Initiative.

Timeframe of Acceptable Income Documentation: Please submit papers that show your income at the time that you applied for benefits, no more than a month prior. If you do not have this information, you may submit papers from time of application up to time of verification.

If you have questions or need help, please call **[name]** at **[phone number]**. The call is free. **[Toll free or reverse charge explanation]**.

Sincerely,

[signature]

Privacy Act Statement: The Richard B. Russell National 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 social security number of all adult household members. The social security number is not required when you apply on behalf of a foster child or you list a Food Assistance Program (FAP), Family Independence Program (FIP) or Food Distribution Program on Indian Reservations (FDPIR) case number or other FDPIR identifier for your child or when you 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.

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.

Letter to the Department of Human Services From the Local Educational Agency

Date: _____

Dear _____:

The regulations for the Supplemental Nutrition Assistance Program and National School Lunch Program permit the Department of Human Services to release Food Assistance Program (FAP) and Family Independence Program (FIP) eligibility information to administrators of the National School Lunch and Breakfast Programs to ensure that only eligible children receive free meal benefits.

The receipt of FAP and/or FIP automatically qualifies children for free school meals. Enclosed is a listing of the names and FAP and/or FIP case numbers for those approved free meal applicants who have been selected for verification. They have been approved to receive free meal benefits because they have indicated that the child for whom application was made now receives FAP and/or FIP benefits. On the enclosed listing, please indicate if these household members are currently participating in the FAP and/or FIP program. This information will be used only to confirm the approved applicant's eligibility for free meals benefits.

Your prompt return of this listing will be appreciated. A self-addressed return envelope is also enclosed for your convenience. If you have any questions or need additional information, please contact _____ (*enter name of school official*) at _____ (*enter telephone number*).

Sincerely,

Signature

Title

Enclosure

WE HAVE CHECKED YOUR APPLICATION

School: _____

Date: _____

Dear _____:

We checked the information you sent us to prove that **[names of child(ren)]** are eligible for free or reduced price meals and have decided that:

- Your child(ren)'s eligibility has not changed.
- Starting **[date]**, your child(ren)'s eligibility for meals will be changed **from reduced price to free** because your income is within the free meal eligibility limits. Your child(ren) will receive meals at no cost.
- Starting **[date]**, your child(ren)'s eligibility for meals will be changed **from free to reduced price** because your income is over the limit. Reduced price meals cost **[\$]** for lunch and **[\$]** for breakfast.
- Starting **[date]**, **your child(ren) are no longer eligible** for free or reduced price meals for the following reason(s):

___ Records show that you did not receive Food Assistance Program, Family Independence Program, or Food Distribution Program on Indian Reservation benefits.

___ Records show that the child(ren) is not homeless, runaway, or migrant.

___ Income is over the limit for free or reduced price meals.

___ Did not provide: _____

___ Did not respond to our request.

Meals cost **[\$]** for lunch and **[\$]** for breakfast. If your household income goes down or your household size goes up, you may apply again. If you did not provide proof of current eligibility, you will be asked to do so if you reapply.

If you were previously denied benefits because no one in the household received Food Assistance Program (FAP), Family Independence Program (FIP), or Food distribution Program on Indian Reservations (FDPIR), you may reapply based on income eligibility. If you did not provide proof of current eligibility, you will be asked to do so if you reapply.

If you disagree with this decision, you may discuss it with **[name]** at **[phone]**. You also have the right to a fair hearing. If you request a hearing by **[date]**, your child(ren) will continue to receive free or reduced price meals until the decision of the hearing official is made. You may request a hearing by calling or writing to: **[name], [address], [phone number]**.

Sincerely,

[signature]

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 WORKSHEET

(Completed Sample)

| Application ID | # of Students Approved on Application | A. ORIGINAL APPROVAL <i>(Select only one for each application)</i> | | | B. RESULTS OF VERIFICATION <i>(Select only one for each application)</i> | | | | | C. REINSTATED ON OR BEFORE FEB. 15 |
|----------------|---------------------------------------|---|------------------------------|---------------|---|---------------------------|------------------------------------|---------------------------|-----------------|------------------------------------|
| | | Free Based on FAP/FIP/FDPIR Case # | Free Based on Income/HH Size | Reduced Price | NO Change | Responded Changed to FREE | Responded Changed to Reduced Price | Responded Changed to PAID | Did NOT Respond | |
| AA | 2 | | | 2 | | 2 | | | | |
| BB | 1 | 1 | | | | | | | 1 | |
| CC | 5 | 5 | | | 5 | | | | | |
| DD | 4 | | | 4 | 4 | | | | | |
| EE | 6 | | 6 | | 6 | | | | | |
| FF | 2 | 2 | | | | | | 2 | | |
| GG | 5 | | 5 | | | | | | 5 | 5 |
| HH | 3 | | | 3 | | 3 | | | | |
| II | 5 | 5 | | | 5 | | | | | |
| JJ | 6 | | 6 | | 6 | | | | | |
| KK | 2 | 2 | | | 2 | | | | | |
| | | | | | | | | | | |
| | | | | | | | | | | |
| TOTALS | 41 | 15 | 23 | 3 | 28 | 5 | | 2 | 6 | 5 |

The ABCDE School District needed to verify 11 applications based on Random Sampling. The 11 "Family/Household" applications were for a total of 41 students. The totals of each "application type" (under A. Original Approval) add up to 41. The totals under B. Results of Verification add up to 41.

The "no response rate" can be easily calculated by dividing the number of applications for "Did Not Respond" by the total number of applications verified. $(2/11) \times 100 = 18.18\%$

The worksheet puts all the information in one place to make it easier to calculate totals and percentages required for reporting to USDA.

VERIFICATION SUMMARY INFORMATION SHEET

(Completed Sample)

Agreement Number: 270456 School Year: SY 2012-2013
 School Food Authority Name: ABCDE School District
 Verification Official's Name: _____
 Title: _____ Telephone #: (_____) _____

1. Date Verification Completed: 11-15-2012
 2. Number of "Paper" Applications Approved as of "October 1": 350
 3. Type of Free/Reduced Price Applications Used; Household
 4. Number of Schools: 2
 Number of Enrolled Students with Access to the NSLP/or SBP: 1,200

*Number of Students as of **Oct. 31, 2012.** **Number of Applications as of **Oct. 1, 2012.**

| | A *Number of Students | B **Number of Approved Applications |
|--|-----------------------------|--|
| 5. Total FREE ELIGIBLE reported | 725 | |
| 5 - 1 Number approved through Direct Certification: FAP, homeless, migrant, Head Start, and foster child | 135 | |
| 5 - 2 # approved as FREE ELIGIBLE based on FAP/FIP/FDPIR case number submitted on an application (Categorically Eligible) | 115 | 50 |
| 5 - 3 # approved as FREE ELIGIBLE based on income/household size information submitted on an application | 475 | 200 |
| 6. Total REDUCED PRICE ELIGIBLE reported | 255 | 100 |

7. TYPE OF VERIFICATION METHOD USED
(Check Boxes Only for the Method(s) Used and Enter Requested Data Only For the Method(s) Used.)

- 7 - 1 BASIC-STANDARD
 Number of error prone income applications verified: _____ (Lesser of 3% or 3,000)
(Must be selected from income applications with total household income within \$100 monthly or \$1,200 annually of the IEG for free and reduced price meals for that size household.)
- 7 - 2 ALTERNATE-RANDOM
 Number of FAP/FIP/income applications verified: 11 (Lesser of 3% or 3,000)
- 7 - 3 ALTERNATE-FOCUSED
 Number of error prone income applications verified: _____ (Lesser of 1% or 1,000)
(Must be selected from income applications with total household income within \$100 monthly or \$1,200 annually of the IEG for free and reduced price meals for that size household.)
 Number of FAP/FIP applications Verified: _____ (Lesser of 0.5% or 500)
- 7 - 4 NO VERIFICATION PERFORMED
- LEA has only free eligibles that are not subject to verification (directly certified, homeless liaison list, students in Residential Child Care Institutions.
 - LEA had free/reduced price students eligible by application, but failed to perform verification.

8. METHOD OF INCOME CONFIRMATION USED
(Check the box next to each method used).

- 8 - 1 WRITTEN EVIDENCE
 (Received directly from the household, including Food Assistance Program/FIP documentation)

- 8 - 2 AGENCY RECORDS
(Received from Department of Human Services office or other Government agency)
- 8 - 3 COLLATERAL CONTACT
(Received verbally from sources other than the household or government agencies)

9. DOCUMENTATION

Local Education Agencies must maintain records that document the reasons for any changes in household benefits as a result of verification.

Indicate where such records are maintained; (Check all that apply)

- a. Attached to summary

| | | A | B | C |
|--|----------------|--|--|------------------------|
| | | FREE Eligible Based on FS/FIP/FDPIR Application (Categorically Eligible) | FREE Eligible Based on Income/ HH Size Application (Income Eligible) | REDUCED Price Eligible |
| No Change | # Applications | 3 | 2 | 1 |
| | # Students | 12 | 6 | 4 |
| Responded Changed to Free | # Applications | | | 2 |
| | # Students | | | 5 |
| Responded Changed to Reduced Price | # Applications | | | |
| | # Students | | | |
| Responded Changed to Paid | # Applications | 1 | | |
| | # Students | 2 | | |
| Did Not Respond | # Applications | 1 | 1 | |
| | # Students | 1 | 5 | |
| Reapplied and Re-approved on or Before Feb. 15 | # Applications | | | |
| | # Students | | | |
| TOTAL # APPLICATIONS | | | | |

b. Recorded on/attached to individual applications

c. Other (Describe) _____

10. RESULTS OF VERIFICATION BY APPLICATION TYPE

CERTIFICATION:

This is to certify that income verification in regard to free and reduced price school meal applications has been completed as indicated above.

Signature

Title

Date

VERIFICATION SUMMARY INFORMATION SHEET

Complete after the November 15th deadline.

DO NOT MAIL – Maintain with Verification Records.

Agreement Number: _____ School Year: _____

School Food Authority Name: _____

Verification Official's Name: _____

Title: _____ Telephone #: (_____) _____

1. Date Verification Completed: _____
2. Number of "Paper" Applications Approved as of "October 1": _____
3. Type of Free/Reduced Price Applications Used; Household
4. Number of Schools: _____
Number of Enrolled Students with Access to the NSLP/or SBP: _____

*Number of Students as of **Oct. 31, 2012.** **Number of Applications as of **Oct. 1, 2012.**

| | A *Number of Students | B **Number of Approved Applications |
|--|-----------------------------|--|
| 5. Total FREE ELIGIBLE reported | | |
| 5 - 1 Number approved through Direct Certification: FAP, homeless, migrant, Head Start, and foster child | | |
| 5 - 2 # approved as FREE ELIGIBLE based on F/FIP/FDPIR case number submitted on an application (Categorically Eligible) | | |
| 5 - 3 # approved as FREE ELIGIBLE based on income/household size information submitted on an application | | |
| 6. Total REDUCED PRICE ELIGIBLE reported | | |

7. TYPE OF VERIFICATION METHOD USED
(Check Boxes Only for the Method(s) Used and Enter Requested Data Only For the Method(s) Used.)
 - 7 - 1 BASIC-STANDARD
Number of error prone income applications verified: _____ (Lesser of 3% or 3,000)
(Must be selected from income applications with total household income within \$100 monthly or \$1,200 annually of the IEG for free and reduced price meals for that size household.)
 - 7 - 2 ALTERNATE-RANDOM
Number of FAP/FIP/income applications verified: _____ (Lesser of 3% or 3,000)
 - 7 - 3 ALTERNATE-FOCUSED
Number of error prone income applications verified: _____ (Lesser of 1% or 1,000)
(Must be selected from income applications with total household income within \$100 monthly or \$1,200 annually of the IEG for free and reduced price meals for that size household.)
Number of FAP/FIP applications Verified: _____ (Lesser of 0.5% or 500)
 - 7 - 4 NO VERIFICATION PERFORMED
 - LEA has only free eligibles that are not subject to verification (directly certified, homeless liaison list, students in Residential Child Care Institutions.
 - LEA had free/reduced price students eligible by application, but failed to perform verification.
8. METHOD OF INCOME CONFIRMATION USED
(Check the box next to each method used).
 - 8 - 1 WRITTEN EVIDENCE
(Received directly from the household, including FAP/FIP documentation)
 - 8 - 2 AGENCY RECORDS

- 8 - 3 (Received from FAP/FIP office or other Government agency)
 COLLATERAL CONTACT
 (Received verbally from sources other than the household or government agencies)

9. DOCUMENTATION

Local Education Agencies must maintain records that document the reasons for any changes in household benefits as a result of verification.

Indicate where such records are maintained; (Check all that apply)

- a. Attached to summary
 b. Recorded on/attached to individual applications
 c. Other (Describe) _____

| | | A | B | C |
|--|----------------|--|---|------------------------|
| | | FREE Eligible Based on FS/FIP/FDPIR Application (Categorically Eligible) | FREE Eligible Based on Income/HH Size Application (Income Eligible) | REDUCED Price Eligible |
| No Change | # Applications | | | |
| | # Students | | | |
| Responded Changed to Free | # Applications | | | |
| | # Students | | | |
| Responded Changed to Reduced Price | # Applications | | | |
| | # Students | | | |
| Responded Changed to Paid | # Applications | | | |
| | # Students | | | |
| Did Not Respond | # Applications | | | |
| | # Students | | | |
| Reapplied and Re-approved on or Before Feb. 15 | # Applications | | | |
| | # Students | | | |
| TOTAL # APPLICATIONS | | | | |

10. RESULTS OF VERIFICATION BY APPLICATION TYPE

CERTIFICATION:

This is to certify that income verification in regard to free and reduced price school meal applications has been completed as indicated above.

Signature

Title

Date

VERIFICATION CHECK LIST

School Year: _____

| | Yes | No |
|---|-----|----|
| Was verification done after approval of applications? | | |
| Was the selection method used nondiscriminatory against the six protected classes (national origin, race, color, age, gender, disability)? | | |
| Were households submitting applications notified in writing of their selection for verification? Attach a copy to this list. | | |
| Was a Confirmation Review conducted for those applications selected for verification? | | |
| Did the selection notice state: | | |
| • That the household has been selected for verification? | | |
| • The types of acceptable income information? | | |
| • That proof of current Food Assistance Program (FAP), Family Independence Program (FIP), or Food Distribution Program on Indian Reservation (FDPIR) eligibility may be provided in lieu of other documentation? | | |
| • That information must be provided and failure to do so will result in termination of benefits? | | |
| • The deadline date for information? | | |
| • The name and telephone number of the school official who can answer questions and provide help? | | |
| Were FAP, FIP or FDPIR households given the opportunity to document participation in the FAP, FIP or FDPIR in lieu of providing other forms of documentation? | | |
| Was income documentation provided for any point in time between the month prior to application and the time the household is required to provide income documentation (exceptions: farmers, seasonal workers, self-employed or other extraordinary circumstances)? | | |
| Was at least one attempt made to follow-up with households that did not respond to the notice of selection for verification? | | |
| Were households notified 10 days in advance of reduction or termination of benefits? A copy of the notification form should be attached. | | |
| Did this notification advise households of: | | |
| • The change and the reason for the change in benefits? | | |
| • The right to appeal and instructions on how and to whom to appeal? | | |
| • The right to reapply anytime during the school year? | | |
| • If a FAP, FIP or FDPIR household, their option to provide written evidence to confirm household income to assist in establishing continued eligibility? | | |
| Were benefits terminated or reduced for all households whose income confirmation did not support the previous eligibility? | | |
| Are the reasons for all eligibility changes made as a result of verification properly documented and maintained on file? | | |
| Is the written Verification Summary Report completed and maintained on file for review? | | |

INSTRUCTIONS FOR COMPLETING THE LEARS-VERIFICATION SUMMARY REPORT

Local Educational Agencies (LEAs) participating in the National School Lunch Program (NSLP) and School Breakfast Program (SBP) are required to annually report their verification results of the Free and Reduced Price School Meals Program to the Michigan Department of Education (MDE).

The LEARS - Verification Summary Report is organized into two parts:

- Part I - Provides information about the number of students served by the LEAs and how the students were qualified for the meal benefits.
- Part II - Summarizes the results of the verification activities, which includes the number of students for whom benefits were decreased, maintained at current levels, or terminated.

NOTE: LEAs are either public or private. Please select the appropriate LEA type for your institution. Click on the circle next to LEA Type.

If you need to leave the screen at any time while filling in information, *Click the Save button* at the bottom left of the screen. Please be sure to verify your current e-mail address in the boxes provided.

Part I. Enrollment, Application, and Eligibility Information (Pre-Verification)

1. Only household/family applications may be used to determine eligibility for free and reduced price school meals.
2. The total number of buildings operating the NSLP and SBP is taken directly from your October claim (SM-4012-SL) and shown in Column A. You will NOT be allowed to change this number.
3. The total number of students with access to the NSLP or SBP (for SBP only schools) is also taken directly from your October claim (SM-4012-SL) and shown in Column B. You will NOT be allowed to change this number.

Column A and Column B applies to #4 and #5 on the form, as follows:

- Column A - Reports the number of eligible STUDENTS as of October 31.
 - Column B - Reports the number of household APPLICATIONS as of October 1.
4. The total number of Free Eligible STUDENTS that the LEA reported as of October 31. This number is taken from your October claim (SM-4012-SL). You will NOT be allowed to change this number. The sum of the three Free Eligibility categories reported on lines 4-1, 4-2, and 4-3 must equal this number.
 - 4.0 Section I, Question 4-0, Column A, is a new addition to the LEARS report. Question 4-0, Column A is prepopulated with information about students that are eligible for free meals from the direct certification list and cannot be changed. The number in Question 4-1, Column A can either be the same or greater than the number in Question 4-0, Column A. An error message will occur if the 4-1 A is less than 4-0 A.

4.1 Section I, Question 4-1, Column A can be used to add more students that are directly certified that may not have shown up on the direct certification report as of the last operating day of October. Examples of students that may not have shown up on the list are:

- Foster children
- Runaway and homeless children
- Migrant children
- Income eligible Head Start, Even Start
- Residential students in RCCIs
- Non-applicants approved by local officials

4.2 Column A - Report the total number of STUDENTS approved as Free Eligible based on a Food Assistance Program/Family Independence Program/Food Distribution Program on Indian Reservation (FAP/FIP/FDPIR) case number submitted on an application as of October 31.

Column B - Report the total number of approved Free Eligible APPLICATIONS based on a FAP/FIP/FDPIR case number on file as of October 1.

4.3 Column A - Report the total number of STUDENTS approved as Free Eligible based on household size/income as of October 31.

Column B - Report the total number of APPLICATIONS approved as Free Eligible based on household size/income as of October 1.

5. Column A - The total number of STUDENTS approved as Reduced Price Eligible based on household size/income as of October 31.

Column B - Report total number of APPLICATIONS approved as Reduced Price Eligible based on household size/income on file as of October 1.

Part II. Results of Verification by Application Type

This portion reports the number of applications and the number of students for whom benefits were maintained at the same level, reduced, or terminated as a result of information submitted during verification.

6. Report the type of verification process the LEA used to comply with the requirements of 7 CFR 245.6a. Click on the method of verification sample selection used by the LEA.

NOTE: The verification of *all applications* is now prohibited, and your sample selection is determined in accordance with your prior year response rate to verification, as well as eligibility status changes. (See Administrative Policy No. 5 School Year 2010-2011.)

#7 through #12 - Report the results of the verification process by type of application approval, categorically or income eligible.

#7 through #11 – The results are reported as of the date verification is completed. For the purpose of this report, verification is complete when an application has been processed and meets the following criteria:

- The household submits the required last 4 digits of social security numbers (income applications only) and there is either adequate written evidence or collateral contact corroboration of income or categorical eligibility. Verification is considered complete for this household.

- The household submits the required last 4 digits of social security numbers (income applications only) and there is either adequate written evidence or collateral contact corroboration of income which indicates that the child(ren) should receive either a greater or lesser level of benefits. Verification is considered complete for this household when the notice of adverse reaction is sent or household is notified that its benefits will be increased.
 - The household indicated, verbally or in writing, that it no longer wishes to receive free or reduced price benefits. Verification is considered complete when the notice of adverse action is sent.
 - When it is determined that a child is not part of the household currently certified to receive Food Assistance Program, TANF, or FDPIR. Verification is considered complete when the notice of adverse action is sent.
7. Report the number of applications with NO CHANGE in eligibility and the number of students on each of these applications, for each application type.
 8. Report the number of applications for which eligibility was changed to FREE based on documentation provided by the household, and the number of students on these applications, for each application type.
 9. Report the number of applications for which the eligibility was changed to REDUCED PRICE based on documentation provided by the household and the number of students on these applications, for each application type.
 10. Report the number of applications for which the eligibility was changed to PAID based on documentation provided by the household and the number of students on these applications, for each application type.
 11. Report the number of applications for which the eligibility was changed to PAID because the household did not respond, and the number of students on these applications, for each application type.
- NOTE: Report *all* applications for which the household Did Not Respond, even if the students on the application continued to receive free or reduced price school meals while being claimed as paid. Report the number of students on these applications.
12. Report the number of applications for households whose eligibility was changed to PAID as a result of verification and then resubmitted and approved for either free or reduced price school meal benefits on or before February 15. Include the number of students on these applications for each eligibility category.

After you have verified that all data is correct, click the Certify button at the bottom right of the screen. There is an area for external comments which is used by the MDE reviewer, in case there are questions, comments or concerns that may involve editing your report. An e-mail will be sent requesting you to login to your report and view these comments. After you have certified your report, click on the Logout link in the upper left hand corner of the screen to safely leave LEARS.

Should you need further assistance in completing this report, send inquiries by e-mail to: MDE-SchoolNutrition@michigan.gov

Please include the name of your school and/or agreement number, along with your name and a phone number where you can be reached.

IMPORTANT: Print at least one copy of the LEARS-Verification Summary Report to keep on file at the LEA.



**Michigan Department of Education
Child Nutrition Programs - Security Authorization Form**

| | |
|---|---|
| School District/Organization/Institution Name | Agreement Number |
| 1. Designated MEIS Applications Check boxes below for which Level 3 "Enter/Certify" access rights are being requested. | |
| a. CHILD NUTRITION APPLICATION PROGRAM (CNAF) <input type="checkbox"/> School Meals Program <input type="checkbox"/> Child & Adult Care Food Program - Centers <input type="checkbox"/> Child & Adult Care Food Program - FDCH Sponsor <input type="checkbox"/> Summer Food Service Program <input type="checkbox"/> Summer Camp Special Milk Program <input type="checkbox"/> The Emergency Food Assistance Program <input type="checkbox"/> Commodity Supplemental Food Program | b. CLAIM FORM <input type="checkbox"/> School Meals Program <input type="checkbox"/> Child & Adult Care Food Program - C Claim <input type="checkbox"/> Child & Adult Care Food Program - FDCH Claim <input type="checkbox"/> Summer Food Service Program <input type="checkbox"/> Summer Camp Special Milk Program <input type="checkbox"/> The Emergency Food Assistance Program <input type="checkbox"/> Commodity Supplemental Food Program |
| c. LEARS - VERIFICATION SUMMARY REPORT <input type="checkbox"/> School Meals Program | d. YEAR END REPORT - SM-4012-A/R <input type="checkbox"/> School Meals Program The Year End Report is not required for schools operating the Special Milk Program ONLY. |
| 2. Designated Individual (CANNOT BE A FOOD SERVICE MANAGEMENT COMPANY EMPLOYEE) I agree to protect my user ID and password from unauthorized use and understand that all activity under my user ID is my responsibility. I further understand that by reporting Child Nutrition Program data on MEIS, I am certifying the data is true and correct, records are available to support it, and it is in accordance with the terms of the existing Agreement. | |
| Signature _____ | Date _____ |
| Print Name _____ | Title _____ |
| * A _____ MEIS Account Number | |
| Telephone Number _____ | |
| Email Address _____ | |
| * If you HAVE already established a MEIS account, enter the existing account number above. DO NOT CREATE ANOTHER ONE. * If you do NOT have a MEIS account number, go to: http://michigan.gov/meis and click on the MEIS logo box at the top of the screen. Click on "Create a MEIS Account" and follow instructions. | |
| Check if you are a: <input type="checkbox"/> Replacement Designee _____ Name of Former Designated Individual to be Removed from Security Access | |
| 3. Authorization by Superintendent, Administrator, or Institution Official or Owner Public School Academies: Signature of the School Board President is required I attest that the above named individual is authorized to initiate and electronically submit Child Nutrition Program applications to the Michigan Department of Education and to grant Level 1 "Read Only" or Level 2 "Enter/Edit" access rights to other individuals within the organization. | |
| Signature of Superintendent/Administrator/Institution Official or Owner (Public School Academy: School Board President) | Title |
| Print Name | Date |
| 4. Mail or fax form to: Ruby Zavala, Michigan Department of Education, GCSS, P.O. Box 30008, Lansing, MI 48909 Fax: (517) 373-4022 | |

This form must be submitted for **each** individual requesting Level 3 "Enter/Certify" security access rights to any of the Child Nutrition Program applications on the Michigan Education Information System (MEIS). Each organization may designate a maximum of two individuals and must submit a separate form for **each** individual to obtain Level 3 access.



United States
Department of
Agriculture

Food and
Nutrition
Service

3101 Park
Center Drive
Alexandria, VA
22302-1500

DATE: February 10, 2012

MEMO CODE: SP 13-2012

SUBJECT: Verification for Cause in the School Meals Programs

TO: Regional Directors
Special Nutrition Programs
All Regions

State Directors
Child Nutrition Programs
All States

Recently, concerns have been raised about school district employees allegedly misrepresenting their incomes on applications to receive free or reduced price school meals for their children. As a result, we have been asked if a local education agency (LEA) may use the salary information of their own employees, maintained for business purposes, as a tool to implement verification for cause and help ensure the integrity of free and reduced price certifications. This memorandum clarifies the use of verification for cause by LEAs in this manner.

Section 9(b)(3) of the Richard B. Russell National School Lunch Act (NSLA), 42 USC 1758(b)(3), and regulations on eligibility for free and reduced price meals in participating schools, at 7 CFR 245.6a, establish requirements for LEAs in conducting verification of the information provided on approved applications. In general, LEAs must annually verify a sample of approved applications which is typically 3 percent of applications approved on the basis of income. The required verification sample size may not be increased or decreased by an LEA.

Apart from the required verification of a specified sample of approved applications, regulations at 7 CFR 245.6a(c)(7) require that an LEA “must verify any questionable application and should, on a case-by-case basis, verify any application for cause ...when the [school] is aware of additional income or persons in the household.” In addition, regulations, at 7 CFR 245.6a(c)(1)(ii), require that an LEA must first complete the certification process – reviewing an application for free or reduced price meals and notifying a household of the child’s free or reduced price status – prior to conducting verification.

LEAs can use verification for cause to review approved applications for free or reduced price meals when known or available information indicates school district employees may have misrepresented their incomes on their applications to receive free or reduced price meals for their children. We would recommend that an LEA consult with legal counsel in establishing the parameters of verification for cause for school district employees.

Regional Directors
State Directors
Page 2

Verification for cause must not be used to automatically verify the households of all school district employees whose children are certified for free or reduced price meals. However, from among the list of children approved for free or reduced price meals, an LEA could identify children of school district employees and use LEA salary information available to them to identify questionable applications and then conduct verifications for cause on those questionable applications.

Please note that any verification for cause conducted by an LEA is separate from the verification sample required by the NSLA and program regulations, and may be conducted at any time during the school year. LEAs must also follow the confidentiality, notice and appeal procedures required in 7 CFR 245.6a when conducting any type of verification. Under the regulatory procedures, any modifications to a student's eligibility status cannot occur until the verification process, including any appeal, is complete. More information about the verification process is available in Part 8D of the *Eligibility Manual for School Meals* (October 2011), available at <http://www.fns.usda.gov/cnd/guidance/EliMan.pdf>

FNS supports use of verification for cause where appropriate as a method for LEAs to address integrity concerns. We strongly encourage LEAs and their legal counsel to consult with their State agency prior to undertaking verification for cause where concerns with employee misrepresentation of information on an income eligibility application have been raised. State agencies should be able to assist in ensuring that LEAs balance administrative requirements and integrity with access to free and reduced price meals for eligible children. Finally, as a reminder, any situation of suspected fraud should be reported to the Department of Agriculture's Office of the Inspector General at 800-424-9121.

State agencies should contact their FNS regional offices with any additional questions regarding verification.

Original Signed

Cynthia Long
Director
Child Nutrition Division

#3

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 _____
 Skip Part 2 and 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 FDIPIR, 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.

| 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: Jane Doe | Yes | | | \$0 | \$600 | monthly | | | \$250 | twice a month | | |
| John Doe | Yes | | | \$0 | \$400 | weekly | | | | weekly | | |
| Bobby Doe | Yes | 1st | | \$0 | | twice a month | | | | twice a month | | |
| | Yes | | | \$0 | | monthly | | | | monthly | | |
| | Yes | | | \$0 | | weekly | | | | weekly | | |
| | Yes | | | \$0 | | twice a month | | | | twice a month | | |
| | Yes | | | \$0 | | monthly | | | | monthly | | |
| | Yes | | | \$0 | | every 2 weeks | | | | every 2 weeks | | |
| | Yes | | | \$0 | | monthly | | | | monthly | | |
| | Yes | | | \$0 | | twice a month | | | | twice a month | | |
| | Yes | | | \$0 | | weekly | | | | weekly | | |
| | Yes | | | \$0 | | twice a month | | | | twice a month | | |
| | Yes | | | \$0 | | monthly | | | | monthly | | |
| | Yes | | | \$0 | | every 2 weeks | | | | every 2 weeks | | |
| | Yes | | | \$0 | | monthly | | | | 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 Jane Doe Print Name: JANE DOE Date: 9/17/2012
 Last Four (4) Digits of Adult Social Security Number: XXX-XX-1234 I do not have a Social Security Number
 Address: 1267 Flower Lane City: Lansing Zip Code: 48933 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.

#2

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 _____
 Skip Part 2 and 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 FDIPIR, 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

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.
 If a case number is provided, only students need to be listed in Part 3.

| 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 | monthly | weekly | monthly | weekly | monthly | weekly | monthly | weekly | monthly |
| Example: Jane Doe | Yes | | | \$0 | \$600 | | | | | \$250 | | | |
| 1 Lisa Smith | Yes | N/A | | \$0 | \$300 | \$100 | | | | | | | |
| 2 Jordan Smith | Yes | 2nd | | \$0 | | | | | | | | | |
| 3 John Smith | Yes | 4th | | \$0 | | | | | | | | | |
| 4 | Yes | | | \$0 | | | | | | | | | |
| 5 | Yes | | | \$0 | | | | | | | | | |
| 6 | Yes | | | \$0 | | | | | | | | | |
| 7 | Yes | | | \$0 | | | | | | | | | |
| 8 | Yes | | | \$0 | | | | | | | | | |

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 Lisa Smith Print Name: Lisa Smith Date: 9/21/2012
 Last Four (4) Digits of Adult Social Security Number: XXX-XX-XXXX I do not have a Social Security Number

Address _____ City _____ Zip Code _____ County _____
 Home/Cell Phone _____ Email Address _____
 Work Phone _____

By providing your email address you may be notified via email of your eligibility for free and reduced price school meals.

#1

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 _____
 Skip Part 2 and 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: Jane Doe Case Number: 913567932 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.

| 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: Jane Doe | Yes | | | \$0 | \$600 | twice a month | monthly | | \$250 | twice a month | monthly | |
| Jane Doe | Yes | | | \$0 | | weekly | every 2 weeks | | | weekly | every 2 weeks | |
| John Doe | Yes | | | \$0 | | twice a month | monthly | | | twice a month | monthly | |
| Bobby Doe | Yes | 1st | | \$0 | | weekly | every 2 weeks | | | weekly | every 2 weeks | |
| | Yes | | | \$0 | | twice a month | monthly | | | twice a month | monthly | |
| | Yes | | | \$0 | | weekly | every 2 weeks | | | weekly | every 2 weeks | |
| | Yes | | | \$0 | | twice a month | monthly | | | twice a month | monthly | |
| | Yes | | | \$0 | | weekly | every 2 weeks | | | weekly | every 2 weeks | |
| | Yes | | | \$0 | | 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 Jane Doe Print Name: Jane Doe Date: 9/7/2012
 Last Four (4) Digits of Adult Social Security Number: XXX-XX-1234 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.