THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY

Office of Elementary, Middle, Secondary and Continuing Education
School Operations and Management Services
Child Nutrition Program Administration, Room 55
Tel. (518) 473-8781
Fax (518) 473-0018
http://www.nysed.gov/cn/cnms.htm

June 2003

TO: District Superintendents
Superintendents of Schools
Chancellor, New York City Department of Education
Chief Administrative Officers of Nonpublic Schools Participating in the School Lunch, Breakfast, or Special Milk Programs
Executive Directors of Residential Child Care Institutions
School Food Service Directors/Managers

FROM: Frances N. O'Donnell, Coordinator

SUBJECT: 2003-04 Free and Reduced Price Income Eligibility and Policy Information

PLEASE READ CAREFULLY

The 2003-04 attached Free and Reduced Price Policy information announces the income eligibility scales for the 2003-04 school year and provides each school food authority (SFA) with the forms and guidance needed to process applications for free and reduced price meals and/or milk. This packet reiterates the most recent information needed to make eligibility determinations.

Changes for 2003-04

- New York City

This packet contains information for both New York City (formerly printed in yellow) as well as for the rest of the state. The direct certification letter for New York City and the questions and answers for New York City, which are different, are also included. Be sure you refer to the questions and answers for your area of the state.

- Foreign Language Applications

An application and parent letter in Spanish are included. We also have camera-ready prototype copies of applications in 18 translated foreign languages: Thai, Spanish, French, Portuguese, Creole (Haitian), Japanese, Vietnamese, Hmong, Russian, Laotian, Mandarin Chinese, Cambodian, Urdu, Somali, Croatian, Korean, Serbian and Hindi. Each packet contains a letter to households, an application, instructions on how to complete the meal benefit application, a chart for yearly income eligibility guidelines, a waiver for information for health insurance, a verification selection letter to parents and a verification letter of results and adverse action. Contact your respective Child Nutrition Representative for the languages you need, or download from USDA's web site at http://www.fns.usda.gov/cnd/translations.

- Public announcement

We have inserted the required scales in the prototype notice.

Common Errors

- Pre-printed applications

Applications cannot be computer generated based on prior knowledge of family names, family size, social security number, income, etc. Applications must be completed manually by the family and signed by an adult family member.

- Inappropriate applications

All SFAs must use New York State's current application. For school year 2003-04, this application is enclosed and can also be found at http://www.nysed.gov/cn/cnms.htm.

- Inappropriate headings

The free/reduced price application must include the proper heading which indicates its purpose. It cannot be labeled as a "reduced fee" application for alternate purposes if it establishes eligibility for free/reduced price meals.

- No parent letter or income scale

Parents must also receive the required parent letter that includes only the reduced price eligibility scale in the letter. Otherwise the application cannot be approved. Parent letters incorrectly containing both scales or no scale jeopardize the loss of free reimbursement.

- Public announcement

We have inserted the required scales in the prototype notice.

It is essential that you understand there will be no exceptions to these policies. SFAs that are not in compliance will find their applications for free and reduced price meals disallowed and will incur additional printing, dissemination and approval costs to bring their programs into compliance.

Ensure everyone connected with the application process for free and reduced price meals is fully aware and in compliance with the above policies.

A. Overcertification

Increasingly, the number of children eligible for free and reduced price meals is used to allocate State and federal and even local funds. When the data is incorrect because ineligible families have been approved for free and reduced price meals, there is a significant misdirection of funds. New York State and the United States Department of Agriculture (USDA) are taking steps to ensure the integrity of child nutrition data, which are rapidly becoming the proxy for identifying poverty.

Over the years, we have modified our free and reduced price application in order to facilitate the review process and eliminate confusion by eligible families applying for benefits. We also are reiterating some of the regulations so that persons reviewing applications have a better understanding of their responsibilities. At this time, we do not know if and/or how federal laws and regulations will change regarding verification for the 2003-04 school year. Many strategies to eliminate ineligible families are being considered.

Specifically:

1. You must have a new correctly approved application or direct certification letter on file as of October 1, 2003. You cannot use last year's application information after September 30, 2003. If your school year begins in July, new applications must be obtained by August 1, 2003 or the child must be claimed in the paid category. We recommend you begin contacting families in mid-September to obtain current eligibility data to ensure access to all children who qualify. This would also assist you in your efforts to provide information on free and reduced price eligibles on the Basic Educational Data System (BEDS) report in early October. As you are probably aware, BEDS data is used for a variety of funding formulas that will affect your school and community.

2. Temporarily approved applications where the family has reported zero (0) income, (not applications with missing income) must be reviewed every 45 calendar days. You are expected to document dates and results of your contact with each family to assess their current household income every time the 45 days expire to ensure the application is still valid. This year we have provided a prototype letter to send to parents to obtain this information (Attachment XV).

3. Only complete applications with zero income written in can be temporarily approved. Applications missing required information, such as income, must be denied if the missing information cannot be obtained.

4. Additional children cannot be added on a direct certification letter. You must obtain an income application for those children whose names are not indicated on a direct certification letter.

5. Administrative prerogative as described on page 28 of this packet is a very restrictive option that must be used judiciously and only when it can be determined through an independent source(s) that family income qualifies a child. This option is available only when exhaustive efforts to obtain an application from the family have been documented. The source of the documentation of household size and income information must be noted on the application.

6. Military Families and Eligibility in the Child Nutrition Programs
At this time, it seems to be appropriate to clarify child nutrition policy for households affected by deployments in support of Operation Enduring Freedom and possible future military contingencies. In recent years, USDA has addressed the deployment of family members for military service to accommodate free and reduced price meal eligibility determinations, tier 1 daycare home determinations and meal benefits for children temporarily residing with their providers.

For the purpose of determining household size, deployed service members should be considered as family members living apart on a temporary basis. Instruct families to include the names and income of deployed service members on their application forms. The reviewing official should count the service member as part of the household in establishing a child's eligibility for free and reduced price meals, or a daycare home provider's eligibility for tier 1 reimbursement rates.

Deployment of a parent or guardian may also affect the eligibility of a child, who temporarily resides with a daycare home provider, to receive meals in the Child and Adult Care Food Program. Although the child may live with the provider while the service member is deployed, the child would not be considered a "provider's own" child. In this special situation, the child would continue to participate in the meal service as a nonresidential participant. To claim reimbursement for program meals, the daycare home provider must have power of attorney, custody, or an agreement established by the military to provide residential care to the child.

7. **Treatment of Military Housing Allowance for Families in "Privatized Housing" For Purposes of Determining Eligibility in the Child Nutrition Programs**

   Effective May 13, 2002, certain housing allowances are excluded from consideration in total income in the school nutrition programs, the National School Lunch Program, School Breakfast Program, the Special Milk Program and the Summer Food Service Program. In <u>some</u> instances, military personnel living in privatized housing receiving a housing allowance will not include this allowance in their total income when evaluating household eligibility for free or reduced price meals or free milk. The Military Housing Privatization Initiative, refers to the operation of military housing under private contractors at military installations at a number of military bases. A housing allowance is given under this privatization initiative, which is shown on the leave and earnings statement of military personnel living in the housing provided. This income exclusion is only for those military personnel living in the housing provided by the Military Housing Privatization Initiative. It does not apply to those military personnel living off base in the community neighborhood in the general commercial/private real estate market.

8. **Treatment of U.S. Armed Forces Family Subsistence Supplemental Allowances (FSSA)**

   The Floyd D. Spence National Defense Authorization Act of Fiscal Year 2001 (Public Law 106-398) requires the Armed Forces to pay certain low-income service members and their families a family subsistence allowance not to exceed $500 per month to reduce the number of service members and their families who rely on food stamps. The Armed Forces will pay the FSSA payment to eligible service members beginning June 1, 2001. For Child Nutrition Program (CNP) eligibility determination purposes, the FSSA payments must be counted as earned income to the household. There is no legislative authority that would permit the exclusion of FSSA payments from consideration as income in the CNP. We have been advised that the Leave and Earnings Statement for the Marines will identify the payment as "FSSA". The Leave and Earnings Statement for the Army, Navy and Air Force will temporarily identify the payment as "Saved Pay" and subsequently be changed to identify the payment as "FSSA". Please note that some military families receiving FSSA payments may still be income eligible for free or reduced price meal benefits. Other military families receiving FSSA payments also may be certified to receive food stamp benefits (despite the FSSA payment); these families would be categorically eligible for free meals in the CNP.

9. **Food Stamp and Temporary Assistance to Needy Families (TANF) Application**

   School officials must familiarize themselves with valid food stamp/Temporary Assistance To Needy Families (TANF) case numbers before beginning the application approval process. They need to contact their local Department of Social Services, prior to reviewing applications to determine how to recognize a valid number. For example, in Albany County

if a family received TANF or public assistance, a P will precede the six digit number (P123456). If a family receives only food stamps, an F will precede the six digit number (F123456). It is imperative that food stamps or TANF applications are correctly approved with proper numbers to prevent potential fiscal sanctions being assessed against the SFA. If families do not know their food stamp or TANF numbers, they could either (1) contact their local Department of Social Services to obtain their number (2) complete sections 4 and 5 of the application or (3) submit their direct certification letter. Applications with invalid case numbers should not be approved. Families receiving food stamps or TANF no longer have a benefit issuance card that contains the information identifying that the family is currently eligible for benefits or their food stamp or TANF number. While there are several numbers on a benefit issuance card, none are the food stamp or TANF numbers required for the application for free meals/milk. The benefit issuance card may be used for medical assistance rather than TANF or food stamps. Families must refer to the letter they received from their local Department of Social Services to obtain their food stamp or TANF numbers.

10. Applications must be retained for three years plus the current year. If applications are lost, misplaced, damaged, etc., the SFA could lose reimbursement for free and reduced price meals.

11. Special education students are not automatically eligible for free meals. These students qualify for free, reduced price and paid meals by using the same income guidelines or categorical criteria used for all students. The SFA may claim special education students for free or reduced price reimbursement only if a correctly approved application is on file.

12. Houseparents may complete and sign an application for children in their care who reside in residential child care institutions.

13. Any and all contact with families regarding eligibility can and should be documented on the application.

14. If an application lacks how frequently income is received, e.g., weekly, monthly, etc., the reviewing official will process the income as weekly OR place a call to the family before approving since income information is not complete.

B. Disclosure

The Healthy Meals for Healthy Americans Act of 1994, P.L. 103-448 amended Section 9(b)(2)(c) of the National School Lunch Act (NSLA) to allow limited disclosure of information about free and reduced price meals and/or free milk eligibility without parent/guardian consent. SFAs are not required to disclose eligibility information. Providing aggregate information that does not identify individuals continues to be permitted without parental consent.

Disclosure of Eligibility Information Without Parent/Guardian Consent

You may disclose, without parent/guardian consent, participants' names and eligibility status (whether they are eligible for free or reduced price meals or free milk) to persons directly connected with the administration or enforcement of the following programs:

1. Federal education programs such as Title I, National Assessment of Education Progress (NAEP) and No Child Left Behind (NCLB).
2. State health or State education programs, provided the State agency or local education agency administers the program. Representatives of State or local education agencies evaluating the results and compliance with student assessment programs would be covered only to the extent that the assessment program was established at the State, not local level. This includes the System for Tracking Education Performance (STEP) which is a State electronic reporting system.
3. Federal, State or local means-tested nutrition programs with eligibility standards comparable to the National School Lunch Program (NSLP), such as the Food Stamp Program.

In addition to names and eligibility status, you may disclose, without parent/guardian consent, all eligibility information obtained through the free and reduced price meal or free milk eligibility process, including all information on the application or obtained through direct certification or verification, to the following:

1. Persons directly connected with the administration or enforcement of the programs authorized under the NSLA or Child Nutrition Act (CNA) of 1966. This includes the NSLP, the School Breakfast Program, Special Milk Program, Child and Adult Care Food Program, Summer Food Service Program and the Special Supplemental Nutrition Program for Women, Infants and Children (WIC). Program eligibility information collected for any one of the Child Nutrition Programs (CNPs) may be shared with another CNP, even if the programs are sponsored by different entities. For example, a school may disclose eligibility information from applications without parental consent to a Summer Food Service Program administered by Parks and Recreation.
2. The Comptroller General of the United States.
3. Federal, State or local law enforcement officials investigating alleged violations of any of the programs under the NSLA or CNA or investigating violations of programs authorized to have access to names and eligibility status of participants.

Further information, regarding whom you can share application information with, is provided on our web site under more. Refer to the 2002-03 Free and Reduced Price Income Eligibility and Policy Information.

GENERAL INFORMATION

- You must complete the Certification of Acceptance form annually (Attachment XIII or XIV) and maintain it on file for three years plus the current year.

- Income eligibility guidelines, which must be used for the CNPs, are based on the federal income poverty guidelines and are stated by household size. The information in both scales must be used for eligibility determinations and must be included in the public release to the local newspaper, the local unemployment office, and any major employer contemplating large layoffs in the area. However, only the reduced price scale may accompany the parent letter and application in those schools participating in the National School Lunch Program and/or School Breakfast Program. Including the free scale with the parent letter and application will result in the SFA being ineligible to receive free reimbursement. The SFA will also have to reissue the parent letter with the proper scale and application form.

- SFAs opting to use alternate counting and claiming procedures (Provision 2) as described in the April 1999 memorandum must retain applications for three years plus the current year following the end of the provision they used.

TABLE OF CONTENTS

Direct Certification Fact Sheet……9

Sample Direct Certification Letters:Upstate…….11 NYC ……16

Free and Reduced Price Policy Statement…….22

Introduction to Policy……23

Policy Statement for Free and Reduced Price Meals
or Free Milk to be adopted by Board of Education…… 24

Free and Reduced Price Policy Summary of Attachments…….. 33

ATTACHMENTS

I. Income Eligibility Guidelines for Free and Reduced Price Meals or Free Milk……..35

II. Annual News Release - Public Announcement……36

III. Applications for Free and Reduced Price School Meals/Milk A-D……39-46

IV. Free and Reduced Price Meal Application Fact Sheet……..47

V. Letter to Parents for School Meal Programs……49

VI. Letter to Parents for Special Milk Program……...51

VII. Notification Letter for School Meals……53

VIII. Letter to Parents Regarding Direct Certification Letters…… 54

IX. Parent Letter for Meal Services to Children with Disabilities……. 55

X. Parent/Guardian Consent to Release Eligibility Information
For Free and Reduced Meals or Free Milk…….. 56

XI. Consent to Release Free or Reduced Price Eligibility Information (Single Program)……57

XII. Consent to Release Free or Reduced Price Eligibility Information (Program Check Off)58

XIII. Certification of Acceptance for Districts and Nonpublic Schools…….59

XIV. Certification of Acceptance for Residential Child Care Institutions (RCCIs)……..60

XV. Temporarily Approved Applications…… 61

XVI. Staff Listing…….. 62

DIRECT CERTIFICATION FACT SHEET

Direct certification is the process which enables children from families receiving food stamps or Aid to Dependent Children (ADC) to receive free meals or free milk at school **without having to complete an application.** In New York State, ADC is the program used to disseminate Temporary Assistance to Needy Families (TANF) funds. ADC/TANF has replaced Aid to Families with Dependent Children (AFDC) as a result of welfare reform legislation. In conjunction with the State Education Department, the New York State Office of Temporary and Disability Assistance (TADA) is sending a letter to all families with school-age children (ages 4-18) who currently receive food stamps or ADC/TANF benefits. This letter (sample follows) can be submitted to the child's school as certification of eligibility of the child/children listed for free meals or milk **in lieu of the family completing an application for free meals/milk.** SFAs must still provide every family with school-age children the free and reduced price application and parent letter.

Direct Certification results in more students gaining access to the school nutrition programs, because some parents do not complete the application forms correctly or do not submit applications. Since direct certification letters do not need to be reviewed for completeness, administrative time incurred by reviewing officials to process applications will be reduced. Additionally, direct certification letters are not subject to the verification process and will reduce the number of applications which schools must verify, thereby further reducing administrative time and cost.

To deter ineligible families from receiving benefits, the letter from TADA will use three different fonts or print styles - one for the family name and address, another for the body, and a third for the listing of eligible children.

Families must submit the original letter to the child's school in order to protect the integrity of the process.

Record-keeping and reporting requirements for children whose eligibility is obtained from these direct certification letters are the same as for free and reduced price application forms. They must be:

- retrievable by building, where the child is fed;
- and maintained for three years plus the current year, regardless of the child's actual attendance during this period

Please ensure that principals, teachers and the school lunch director in your district/school are made aware of this method of certification for free meals/milk and the name of the reviewing official. In the event that some students present them with a direct certification letter, they would be able to forward it directly to the reviewing official for immediate processing.

Reviewing officials often want to require families to identify each child's school and grade before the Direct Certification letter can be processed. Children are automatically entitled to benefits based on the fact that they receive food stamps or ADC/TANF benefits. The State or the school food authority (SFA) cannot and should not impose an additional standard. Our goal is to expedite, not complicate the process.

The number of children eligible for program benefits as a result of direct certification must be included on reimbursement claim forms when reporting numbers of approved applicants. Schools can use last year's applications and direct certification letters **only** until September 30, 2003. Parents or guardians have the right to decline the meal benefits and must be informed of this right and the process to do so.

SFAs that participate in the Child and Adult Care Program and/or Summer Food Service Program may use the direct certification letter for these programs also.

SAMPLE

NEW YORK STATE
OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE
40 NORTH PEARL STREET
ALBANY, NEW YORK 12243-0001

George F. Pataki
Governor

Brian J. Wing
Commissioner

Upstate Letter

PLEASE COMPLETE AND SEND OR TAKE THIS DIRECT CERTIFICATION LETTER TO THE SCHOOL YOUR CHILD ATTENDS.

August 2003

Dear Parent/Guardian:

The children listed below **are approved** to receive free lunch and/or breakfast if they attend a school that participates in the National School Lunch and/or School Breakfast Programs, or free milk in a school that participates in the Special Milk Program. **TO RECEIVE THIS BENEFIT, COMPLETE AND TAKE OR SEND THIS LETTER TO ONE OF THE SCHOOLS WHICH YOUR CHILD/CHILDREN ATTEND. THE SCHOOL WILL FORWARD COPIES TO ALL SCHOOLS LISTED BELOW OR YOU MUST COMPLETE THE FREE AND REDUCED PRICED MEAL APPLICATION WHICH WILL BE SENT TO YOU BY THE SCHOOL.**

During the year, if you are no longer eligible for Food Stamps or ADC (TANF), you must notify the school of the change. If you have any questions, please review the back of this letter, or call your child's school lunch director, or call the toll free hotline number 1-800-342-3009.

Commissioner
NYS Education Department

Commissioner
NYS Office of Temporary and Disability Assistance

Name	**Date of Birth**	**School**	**Grade**
		Please Complete This Information	

AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER

READ THIS PAGE BEFORE CALLING YOUR CHILD'S SCHOOL OR THE TOLL-FREE HOTLINE

ALL CHILDREN REGARDLESS OF IMMIGRATION STATUS ARE STILL ELIGIBLE FOR THE SCHOOL MEALS PROGRAM AND THE MILK PROGRAM

1. **What do I do if some of my children go to:**
   - different schools in the same school district?
   - public school and some go to private school?
   - different schools in different districts?

   Send this letter to one of the schools your children attend. That school is responsible for making and sending the necessary copies of this letter to the other schools you listed on the front of the letter.

2. **What do I do if one of my children is not listed on the letter?**

   YOU CANNOT ADD NAMES TO THIS LETTER. If there is a child/children in your household whose name is not listed on this letter, you must fill out the Free and Reduced Priced Meal Application form provided by the school.

3. **What if a child/children listed on the letter is no longer in the household?**

   If only one child is listed on the letter and that child is no longer in the household, **DESTROY THE LETTER.**

   If other children are listed on the letter, **CROSS-OFF THE NAME OF THE CHILD WHO IS NO LONGER LIVING WITH YOU.** Fill in the information (school and grade) for the other children living with you and send the letter to school.

4. **What if a child/children lives with me, but is not my child/children?**

   Fill in the information and send the letter to school.

5. **Can my pre-schooler who is listed on the letter get free lunch or milk?**

   Yes, if the child is **ENROLLED AND ATTENDING SCHOOL.**

6. **If my child qualifies for free school meals, can he/she get free milk when bringing a lunch from home?**

   NO. THE CHILD CANNOT GET FREE MILK. In order to have the free milk, the child **MUST** get a school meal.

7. **Can home-schooled children or children who have graduated, get free meals?**

   No. School meals are not available to children who are being educated at home or to children who have graduated.

PLEASE RETURN THE CERTIFICATION LETTER TO THE SCHOOL YOUR CHILD ATTENDS

The following questions and answers will assist you in responding to questions 1-20 regarding direct certification in all areas of New York State, except New York City:

1. Does direct certification apply to my child who attends a school that doesn't have a lunch or a breakfast program?

Direct certification applies to children who attend schools where the federal government pays for the milk served to children and free milk is available to eligible students. Contact the school principal or school lunch director to find out if the school participates in the Special Milk Program with the free milk option.

2. Do these free meals apply to any food that my child obtains at school?

Direct certification applies only to meals served to your child under the National School Lunch, School Breakfast, and Special Milk Programs. It does not apply to food obtained separately (ala carte items or an ala carte type of school food service program).

3. Does this apply to my child who attends a nonpublic school?

Yes, if the nonpublic school participates in the National School Lunch, School Breakfast, or Special Milk Programs. Contact the school principal to find out if the school takes part in any of these federal programs.

4. What if one of the children listed lives in my household, but is not my child?

Kinship is not a factor in establishing the child's eligibility. Fill in the name of the school and grade the child attends and return the TADA letter to the school.

5. What if one of the children listed is no longer in my household?

Indicate on the letter that the child is no longer in the household, and complete the information for the children who are still in your household. Return the letter to the school.

6. What should I do if one of my children is not listed on the letter?

If there are children in your family whose names do not appear on the TADA letter, or who are under 4 years of age or over 18 and attend a school that participates in the School Lunch, Breakfast, or Special Milk Programs, you must complete a free and reduced price meal application for the children to receive program benefits. **You cannot add names to the TADA letter.**

7. How do I notify the school about changes in income or loss of benefits?

Send a note or call the school official identified in the letter to parents that you received with the Application for Free and Reduced Price School Meals/Milk.

8. What do I do when my children go to different schools in the same school district?

Send the letter from TADA to the school of one of the children. The school administration will be responsible for making any necessary copies and giving the information to the other schools within the same school district.

9. What do I do when my children go to different schools in different school districts?

You should send the TADA letter to the school district where most of your children attend school. Attach a note asking the school administrator to send copies of the letter to all of the other schools your children attend.

10. What do I do when some of my children go to public school and some go to private schools?

If all the schools that the children attend are within New York State and all provide milk or meals under the Special Milk Program or the National School Lunch and/or the School Breakfast Programs, you can send the letter to the school attended by most of your children. Attach a note asking the school administrator to send copies of the letter to all of the other schools listed.

11. Can my preschooler (four-year old), who is listed on the letter, get free lunch or free milk?

A four-year-old child can only receive the free milk or free meal benefits if the child is enrolled in a school.

12. Can I refuse to accept these free meals for my children?

Yes, you can refuse these benefits by not sending the letter from TADA to the school.

13. What if one or more of my children doesn't like school lunch? Can I refuse the free meals for some of the children listed in the letter?

By federal regulation, the school must provide the same free meal benefits for all the children in the household. Even if only one child likes the school lunches, you should accept the free meal benefits. The meals will be made available to all the children, but they are not required to take them.

14. If my child qualifies for free school meals, can he/she get free milk when he/she brings a lunch from home to school?

No. The school cannot give your child free milk in schools where free meals, which include milk, are available to students. The school can give free milk only to its half-day pre-kindergarten and kindergarten students, who are not in school during the meal service, providing the school participates in the Special Milk Program with the free milk program.

15. If my child qualifies for free school meals, can he/she get free milk at recess time?

No. The free meal benefits apply only to complete meals in schools offering lunches or breakfasts for which the federal government makes payments to the school.

16. Is free milk for pre-kindergarten and kindergarten students only?

Not necessarily. If the pre-kindergarten and kindergarten students are half-day students and are, therefore, not in school when breakfast and lunch meals are served, these children are eligible for free milk. Free milk is available to any student in a school where the federal government pays for milk under the Special Milk Program, but does not pay for meals, and the school has opted to offer free milk.

17. Can my child, who is home schooled, get a free lunch when he/she makes use of other school facilities?

Federal regulations restrict the availability of the free meals to enrolled school children. Free school meals are not available to the home-schooled child.

18. Can my child who has graduated from high school but is living in my household, get free meals at school if he/she is listed on this letter?

No. Only enrolled students are eligible to take part in these benefits.

19. What if no child in my household is old enough to be responsible for getting this letter to the school?

If you are uncomfortable about having a child take the letter to the school, either mail it or take it to the school yourself. The school must have an approved application or this letter on file so it can give your child a free meal or free milk.

20. When will my child receive free meals or free milk?

Any child who received free meals last year will get free meals/milk at the start of school this year. If your family is new to the school system or first-time recipients of free meal benefits, you should call the lunch director or principal of the school.

NEW YORK STATE
OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE
40 NORTH PEARL STREET
ALBANY, NEW YORK 12243-0001

George F. Pataki
Governor

BrianJ. Wing
Commissioner

New York City Letter

PLEASE COMPLETE AND SEND OR TAKE THIS DIRECT CERTIFICATION LETTER TO THE SCHOOL YOUR CHILD ATTENDS.

August 2003

Dear Parent/Guardian:

The children listed below **are approved** to receive free lunch and/or breakfast if they attend a school that participates in the National School Lunch and/or School Breakfast Programs, or free milk in a school that participates in the Special Milk Program. **TO RECEIVE THIS BENEFIT, COMPLETE AND TAKE OR SEND THIS LETTER TO ONE OF THE SCHOOLS WHICH YOUR CHILD/CHILDREN ATTEND. THE SCHOOL WILL FORWARD COPIES TO ALL SCHOOLS LISTED BELOW OR YOU MUST COMPLETE THE FREE AND REDUCED PRICED MEAL APPLICATION WHICH WILL BE SENT TO YOU BY THE SCHOOL.**

During the year, if you are no longer eligible for Food Stamps or ADC (TANF), you must notify the school of the change. If you have any questions, please review the back of this letter, or call your child's school lunch director, or call the toll free hotline number 1-800-342-3009.

Commissioner
NYS Education Department

Commissioner
NYS Office of Temporary and Disability Assistance

(Vea el otro lado para la version en espanol)

Name	**Date of Birth**	**School**	**Grade**
		Please Complete This Information	

AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER

Por Favor Complete Y Lleve O Envie Por Correo Esta Certificacion/Carta
A LaEscuela A La Cual Su Hijo(A) Asiste

Agosto de 2003

Estimado(a) Padre/Madre/Guardián:

El niño(a) cuyo nombre aparece abajo ha sido aprobado para recibir almuerzo y/o desayuno gratis si asiste a una escuela que participa en el Programa Nacional de Almuerzo y/a Desayuno.

PARA RECIBIR ESTE BENEFICIO:

(1) COMPLETE Y LLEVE O ENVIE POR CORREO ESTA CARTA A LA ESCUELA A LA QUE SU HIJO(A) ASISTE,

O

(2) COMPLETE LA SOLICITUD QUE LA ESCUELA ENVIARA A SU CASA. ESTA SOLICITUD ES PARA ALIMENTOS GRATUITOS.

Durante el año, si usted deja de ser elegible para Cupones de Alimentos o para "ADC" (TANF), usted deberá notificar a su escuela sobre este cambio. Si usted tiene alguna pregunta, por favor revise las páginas adjuntas o llame a la escuela a la cual su hijo(a) asiste o llame al telefono gratuito de informacion 1-800-342-3009.

Atentamente,

Comisionado
Depto. De Education
Del Estado de Nueva York

Comisionado
Oficina de Asistencis Temporal y
Asistencia para Incapacitados

Nombre

_____

Fecha de Nacimiento

_____

Favor de proveer la siquiente información.

Escuela

_____

Grado

_____

LEA ESTA PAGINA ANTES DE LLAMAR A LA ESCUELA DE SU HIJO(A) GRATUITO O AL TELEFONO DE INFORMACION GENERAL

1. ¿Quá debo de hacer, si uno de mis hijos no recibe la carta?
   Si usted no recibió una carta para uno de sus hijos, usted deberá llenar usa solicitud para Comidas a Precio Reducido o Gratuitas (Free and Reduced Meal Application) para ese niño(a).

2. ¿Que pasa si el niño(a) mencionado en la carta ya no vive en mi casa?
   Si el niño(a) está viviendo actualmente en otra casa, destruya la carta.

3. ¿Qué pasa si el niño(a) mencionado la carta vive en mi casa pero no es mi hijo(a)?
   Escriba el nombre de la escuela y el grado que atiende y envielo a la escuela.

4. ¿Puede mi hijo(a) en edad preescolar (de 4 años de edad), mencionnado carta, recibir almuerzo o leche gratuitamente?
   Si, si su hijo(a) en está matriculado y está atendiendo clases.

5. Si mi hijo(a) califica para comidas gratis, ¿puede él/ella obtener leche gratis si lleva el almerzo de la casa?
   No. Para obtener la leche, el niño(a) deberá rescibir la comida completa.

6. ¿Puede me hijo(a), quien esta siendo educado en casa o quien ya se graduó, obtener comidas gratis?
   No. Las comidas gratis no están disponibles para un niño que está siendo educado en casa o que se graduó. El niño(a) deberá estar actualmente matriculado en una escuela para recibir este beneficio.

7. ¿Puede me hijo(a), quien atiende una escuela que no tiene el programa de almuerzo o desayuno, recibir este beneficio?
   No. Pero póngase en contacto con el director de la escuela o con el director de servicios de comidas para saber si la escuela participa en el Programa Especial de Leche Que le daria derecho a leche gratuitamente.

8. ¿Qué pasa si a mi hijo(a) no le gusta el almmuerzo de la escuela?
   ¿Puedo rechazar este beneficio?
   Si, si desea rechazar este beneficio NO envie esta carta a la escuela.

POR FAVOR ENVIE ESTA CARTA DE CERTIFICACION A LA ESCUELLA QUE ATENDE SU HIJO(A).

The following questions and answers will assist you in responding to questions regarding direct certification: **NYC only 1-16.**

1. Does direct certification apply to my child who attends a school that doesn't have a lunch or a breakfast program?

Direct certification applies to children who attend schools where the federal government pays for the milk served to children and free milk is available to eligible students. Contact the school principal or school lunch director to find out if the school participates in the Special Milk Program with the free milk option.

2. Do these free meals apply to any food that my child obtains at school?

Direct certification applies only to meals served to your child under the National School Lunch, School Breakfast, and Special Milk Programs. It does not apply to food obtained separately (ala carte items or an ala carte type of school food service program).

3. Does this apply to my child who attends a nonpublic school?

Yes, if the nonpublic school participates in the National School Lunch, School Breakfast, or Special Milk Programs. Contact the school principal to find out if the school takes part in any of these federal programs.

4. What if one of the children listed lives in my household, but is not my child?

Kinship is not a factor in establishing the child's eligibility. Fill in the name of the school and grade the child attends and return the TADA letter to the school.

5. *What if one of the children listed is no longer in my household?*

The letter should be provided to the household of the child.

6. What should I do if one of my children is not listed on a letter?

Complete the free/reduced price meal application.

7. Can my preschooler (4 year old), who is listed on the letter, get free lunch or free milk?

A four-year old child can only receive the free milk or free meal benefits if the child is enrolled in a school.

8. Can I refuse to accept these free meals for my children?

Yes, you can refuse these benefits by not sending the letter from TADA to the school.

9. What if one or more of my children doesn't like school lunch? Can I refuse the free meals for some of the children listed in the letter?

By federal regulation, the school must provide the same free meal benefits for all the children in the household. Even if only one child likes the school lunches, you should accept the free meal benefits. The meals will be made available to all the children, but they are not required to take them.

10. If my child qualifies for free school meals, can he/she get free milk when he/she brings a lunch from home to school?

No. The school cannot give your child free milk in schools where free meals, which include milk, are available to students. The school can give free milk only to its half-day pre-kindergarten and kindergarten students, who are not in school during the meal service, providing the school participates in the Special Milk Program with the free milk program.

11. If my child qualified for free school meals, can he/she get free milk at recess time?

No. The free meal benefits apply only to complete meals in schools offering lunches or breakfasts for which the federal government makes payments to the school.

12. Is free milk for pre-kindergarten and kindergarten students only?

Not necessarily. If the pre-kindergarten and kindergarten students are half-day students and are, therefore, not in school when breakfast and lunch meals are served, these children are eligible for free milk. Free milk is available to any student in a school where the federal government pays for milk under the Special Milk Program, but does not pay for meals, and the school has opted to offer free milk.

13. Can my child, who is home schooled, get a free lunch when he/she makes use of other school facilities?

Federal regulations restrict the availability of the free meals to enrolled school children. Free school meals are not available to the home-schooled child.

14. Can my child who has graduated from high school but is living in my household, get free meals at school if he/she is listed on this letter?

No. Only enrolled students are eligible to take part in these benefits.

15. What if no child in my household is old enough to be responsible for getting this letter to the school?

If you are uncomfortable about having a child take the letter to the school, either mail it or take it to the school yourself. The school must have an approved application or this letter on file so it can give your child a free meal or free milk.

16. When will my child receive free meals or free milk?

Any child who received free meals last year will get free meals/milk at the start of school this year. If your family is new to the school system or first-time recipients of free meal benefits, you should call the lunch director or principal of the school.

The University of the State of New York
THE STATE EDUCATION DEPARTMENT
Room 55
Albany, NY 12234-0055

FREE AND REDUCED PRICE POLICY STATEMENT AND ATTACHMENTS

2003-2004

KEEP THIS BOOKLET ON FILE: Insert copies of public release, application form, and parent letter(s) used by your school for free or reduced price meal and/or milk benefits during the 2003-04 school year.

Change in Authorizing Signature: There is no federal requirement which describes who must sign Child Nutrition Program documents. The Child Nutrition Program regulations specify that an official of the SFA make written application to the state agency for any school in which it desires to operate the program. The SFA means the governing body which is responsible for the administration of one or more schools and which has the legal authority to operate the program.

The signature of the District Clerk as well as an officer of the Board of Education such as President and Vice President are accepted for the forms.

The Board of Education may delegate the Chief Administrative Officer to act as its agent with regard to entering into contracts and agreements for the Child Nutrition Programs. This policy **will not** permit the chief administrative officer's signature in lieu of board action, but will permit the chief administrative officer to sign, in all respects, **after** the board resolution.

INTRODUCTION

All schools participating in the federally assisted National School Lunch Program, School Breakfast Program, or Special Free Milk Program **must** make these benefits available to eligible children each year. The State Education Department annually issues this free and reduced price policy booklet to all SFAs to assist in the correct implementation of these program requirements.

Each participating SFA must annually adopt the free and reduced price policy statement.

The 2003-2004 free and reduced price policy booklet consists of:

- the Policy Statement;
- application procedures;
- direct certification procedures;
- a prototype public release;
- prototype parent letters for meals and food substitutions for children with disabilities
- free and reduced price meal application
- the income eligibility guidelines as issued by the United States Department of Agriculture
- prototype parent letter regarding disclosure of eligibility information
- prototype parent consent statement to release eligibility information

Each is discussed below.

Policy Statement: This statement sets forth the conditions which must be followed for the SFA to maintain participation in the Breakfast, Lunch, or Special Milk Programs and must be officially adopted each year. Completion and signing the Certification Statement (Attachments XIII or XIV) acknowledges the SFAs adoption of this policy statement.

Direct Certification: This process enables children from families receiving food stamps or Aid to Dependent Children/Temporary Assistance to Needy Families (ADC/TANF) to receive free meals or free milk at schools participating in the Child Nutrition Programs without having to complete an application.

Public Release, Parent Letter, and Free and Reduced Price Meal Application: These attachments are in "prototype" form so that the SFA can personalize them. Any changes in the **content** of the release, parent letter, or application form **require prior approval**. Submit any changes to your respective Child Nutrition Office. If the SFA uses the prototype letters in this policy booklet, there is no need for the SFA to send the State Education Department any information. We are no longer collecting the one page **Certification of Acceptance statement.** However, the forms (Attachment XIII and XIV) must be completed and retained on file.

Parent Disclosure Letter and Consent Statements: These attachments are in “prototype” form. Any changes in the content of the parent disclosure letter or consent statements require prior approval from your respective Child Nutrition Office.

POLICY STATEMENT FOR FREE AND REDUCED PRICE MEALS OR FREE MILK

_____, (District Sponsoring Agency or governing body) responsible for administration of one or more schools referred to as the school food authority (SFA), has entered into agreement to participate in the National School Lunch Program, School Breakfast Program, and/or Special Milk Program and accepts responsibility for providing free and reduced price meals and/or free milk to eligible children in the schools under its jurisdiction.

The SFA assures the State Education Department that the school system will uniformly implement the following policy with respect to determining the eligibility of children for free and reduced price meals in each school building under its jurisdiction which participates in the programs mentioned above.

In fulfilling its responsibilities, the SFA agrees to the following:

A. **Free Meals and (For Milk Only Schools) Free Milk**

To serve meals or milk at no charge to children from families approved by the SFA and whose income is at or below the income levels for free meals and milk listed on the annual income eligibility guidelines, or to children from food stamp households, Aid to Dependent Children/Temporary Assistance to Needy Families (ADC/TANF) households, households participating in the Food Distribution Program on Indian Reservations (FDPIR) that provide a case number, or households that provide a Direct Certification letter from the NYS Office of Temporary and Disability Assistance.

B. **Reduced Price Meals**

To serve lunch at a reduced price of $.25 or less, and breakfast at a reduced price of $.25 or less, to children from families approved by the SFA whose income is within the range of the annual income eligibility guidelines for reduced price meals.

C. **Special Conditions**

To serve free or reduced price meals or free milk to foster children in cases where the court or welfare agency is legally responsible for the child and the annual personal income of the child is not above the income for free or reduced price meals of a one-member family.

To provide free or reduced price meals or free milk to those children whose parents or guardians have become unemployed, provided the loss of income causes the family income during the period of unemployment to be within the eligibility criteria.

D. **Non-Discrimination**

1. That there will be no physical segregation of, or any other discrimination against, any child because of his/her inability to pay the full price of the meal or milk. The names of children eligible to receive free or reduced price meals or milk shall not be published, posted, or announced in any manner, and there shall be no overt identification of any such children by use of special tokens or tickets, or by any other means. Further assurance is given that children eligible for free or reduced price meals or free milk shall not be required to:

    - Work for their meals or milk.
    - Use a separate lunchroom.
    - Go through a separate serving line.
    - Enter the lunchroom through a separate entrance.
    - Eat meals or drink milk at a different time.
    - Eat a meal different from the meal sold to children paying the full price of such a meal or drink milk different from that sold to children paying the full price.

2. That in the operation of Child Nutrition Programs, no child shall be discriminated against because of his or her race, gender or sexual orientation, age, color, national origin, or physical or mental handicap.

E. **Hearing Procedures**

To establish and use a fair hearing procedure in cases of appeal by parents of the school's decision on applications and in cases where the school official challenges the correctness of information contained in an application or of the continued eligibility of any child for a free or reduced price meal or free milk. During appeal, hearing, and disposition of the case, the child will receive free or reduced price meals or free milk.

To maintain, for a period of three years plus the current year, records of all such appeals, challenges, and dispositions.

That in 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.

That the hearing procedure shall provide:

1. A simple, publicly announced method for making an oral or written request for a hearing;
2. An opportunity to be assisted or represented by an attorney or other person in presenting its appeal;

3. An opportunity to examine, prior to and during the hearing, the documents and records presented to support the decision under appeal;
4. That the hearing shall be held with reasonable promptness and convenience and that adequate notice shall be given as to the time and place of the hearing.
5. An opportunity to present oral or documentary evidence and arguments supporting its position;
6. An opportunity to question or refute any testimony or other evidence and to confront and cross-examine any adverse witnesses;
7. That the hearing shall be conducted and the decision made by a hearing official who did not participate in making the decision under appeal or in any previous conference;
8. That the decision of the hearing official, who may not be the same person as the reviewing and/or the verification official, shall be based on the oral and documentary evidence presented at the hearing and made a part of the hearing record;
9. That the parties concerned and their designated representative shall be notified in writing of the decision of the hearing official;
10. That a written record shall be prepared with respect to each hearing which shall include: the decision under appeal; any documentary evidence and a summary of any oral testimony presented at the hearing; the decision of the hearing official, including the reasons therefore and a copy of the notification to the parties concerned of the decision of the hearing official; and
11. That such written record of each hearing shall be preserved for a period of three years plus the current year and shall be available for examination by the parties concerned or their representative at any reasonable time and place during such period.

F. Reviewing Official

A reviewing official shall review and make determinations of eligibility using the criteria outlined in this policy to determine which individual children are eligible for free or reduced price meals or free milk. The official should sign, date, and indicate eligibility determination on each application.

G. Notice to Parents

To send at the beginning of each school year, and whenever there is a change in eligibility criteria, to the parent or guardian of each child, a letter such as the prototypes in Attachment V or VI, including a form on which to make application for free or reduced price meals or free milk, and a parent disclosure letter and consent statement.

H. Applications

To advise parents to complete the application and return it or the Direct Certification letter received from the NYS Office of Temporary and Disability Assistance to the reviewing official for eligibility determination.

Such applications, direct certification letters, and documentation of action taken, will be maintained for three years plus the current year after the end of the school year to which they pertain.

To accept applications at any time during the year and to supply applications to any parent enrolling a child in a school for the first time.

To accept the eligibility of a child who transfers from one school to another under the jurisdiction of the SFA. Copies of the application or Direct Certification letter and eligibility dates should be retained with the records of both schools.

Inform parents of eligibility determinations. Parents must be notified in writing of the reason(s) for rejection of their application, notification of the right to appeal, instructions on how to appeal, and a reminder to parents that they may reapply for free and reduced price benefits at any time during the school year. Copies of rejection letters to parents must be maintained for three years plus the current year.

I. **Verification of Applications – This information may change for 2003-04. Check the web site for updated information.**

Verify the eligibility of applicant households **by December 15** in accordance with program regulations and annually maintain records as follows: (1) a summary of the verification efforts; (2) the total number of applications on file by October 31; (3) the percentage or number of applications verified; and (4) the total number of children represented on those applications selected for verification. Failure to do verification will result in the SFA being ineligible to receive free and reduced price reimbursement.

J. **Anonymity and Accountability**

To establish a procedure to collect money from children who pay for their meals or milk which prevents overt identification, and accounts, at the point of service, for the number of free and reduced price and full price meals served or the number of half-pints of free and full price milk served. The procedure(s) adopted will be used in order that no other child in the school will consciously be made aware, by such procedure, of the identity of the children receiving reduced price meals, free meals, or free milk.

K. **Amendments to Policies**

To submit to the State Education Department any alterations or amendments to the policy including eligibility criteria, applications, public announcements, etc., for approval prior to implementation. Such changes will be effective following approval by your respective regional office. Any and all changes in eligibility criteria shall be publicly announced in the same manner used at the beginning of the school year.

L. **Records**

To maintain a file of the following records for three years plus the current year after the end of the fiscal year to which they pertain:

1. All applications and Direct Certification letters returned and documentation of action taken.
2. Records of all appeals and challenges and their disposition.
3. All notifications of eligibility determinations, including benefit rejection letters.
4. Records of all verification efforts and resulting eligibility changes.

M. **Public Release**

On or about the beginning of the school year, a public release containing the same information supplied to parents and including both free and reduced price eligibility criteria should be provided to the informational media (local newspaper), the local unemployment office, and any major employers contemplating large layoffs in the areas from which the school draws its attendance. Documentation must be kept on file for three years plus the current year identifying where the public release was sent.

N. **Special Assistance - Provisions 1 and 2 (where applicable)**

For more information about Provision 1 or 2, refer to the April 1999 memorandum or contact the Child Nutrition Program representative for your area.

Provision 1: Biennially, notify parents, distribute and certify applications for free students in schools where at least 80 percent of all enrolled children are eligible for free or reduced price meals. Annually, notify, distribute, and certify applications for all other students enrolled in the school. Maintain accountability and record-keeping requirements as mandated by program regulations for this alternate system.

Provision 2: In schools where all enrolled children, regardless of their category of eligibility, are served meals at no charge; notify parents, distribute, and certify applications for free and reduced price students once every four consecutive school years. For three years after the base year, the school is not required to count meals served by category for claiming purposes. After the base year, the building's monthly reimbursement is based on total meal counts and monthly claim statistics from the base year. Maintain accountability and record-keeping requirements as mandated by program regulations for this alternate reimbursement system.

*** If your school year begins in September, you must notify Sandy Sheedy by September 1, 2003 if you intend to participate in Provision 1 or 2 for the 2003-04 school year. If your school year begins in July, you must notify Sandy Sheedy by July 1, 2003.**

O. **Administrative Prerogative**

In certain circumstances, when households fail to apply for free or reduced price meals, the nutritional needs of students who are obviously at an economic disadvantage may be addressed by local officials.

Using administrative prerogative, local officials may complete an application for a student known to be eligible if the household had applied. This judgmental option acknowledges

the various reasons that a family may fail to apply for free or reduced price meals, such as lack of understanding, fear of authority, alien status, substance abuse, etc.

To exercise this option properly, an application must be completed on behalf of the student, based on the best family size and income information available. The source of this information must be noted on the application. Exhaustive prior efforts must be made by the SFA to obtain a completed application from the parent or guardian and efforts must be documented.

The names of all household members, a social security number, or an adult signature need not be secured. Instead, the name of the student, household size, estimated family income, and the administrator's signature must be provided. The household must be notified of the student's approval status for free or reduced price meals. These applications should be excluded from the verification process.

This option must be used judiciously and only after repeated efforts to obtain applications from families have been unsuccessful. It is to be used on an individual basis and not to provide eligibility determinations for large numbers of students. It also may not be used when family income is above the eligibility guidelines, even though the children are not coming to school with a meal or money. Family economic status must remain the criterion for administratively making the decision to place the student on free or reduced price meals.

1. ***Can a student be approved for free or reduced price meals without an application from the parent or guardian?***

   Yes. Under special circumstances, a school official may fill out an application for a student whom they have reason to believe would be eligible if the household were to apply. However, the school must first attempt to obtain an application from the household. It should not be indiscriminately used to claim ineligible students for free meals or to generate aid for other federal programs.

2. ***How can a school show that attempts have been made to obtain the application from the household?***

   Copies of mailings to the household and documentation of conversations with the parent/guardian or a responsible adult in the household must be kept on file. An administrator cannot arbitrarily qualify students from families who did not reapply from the prior year.

3. ***If the parent/guardian of the student cannot be reached or communicated with due to language barriers, etc., who may be contacted for household information?***

   An employer, a Social Service official, immigration official, or a relative suggested by either the student or the student's teacher may be contacted to urge the household to apply.

4. ***Is there a specific time-period which the school must allow to pass before attempts to obtain an application are deemed unsuccessful?***

No specific time-period is required. The process should be facilitated as quickly as possible so that the student is not going without meals in school.

5. ***Can an administrative prerogative be implemented during the period of time in which the school is attempting to obtain an application from the household?***

   If the school has reason to believe that the student is going without meals in school on a regular basis due to financial need, the school may implement an administrative prerogative immediately.

6. ***What should the school official be looking for as evidence that the student is not getting proper nourishment?***

   The student's teacher, the school nurse, or other school personnel in direct contact with the student may notice behavior indicating under nourishment, such as irritability, listlessness, complaints of headache or stomach aches, and absenteeism. School cafeteria personnel may notice that a student has no food during the lunch period or is constantly requesting to charge lunch.

7. ***Can a school official simply write a note to the food service manager to add a student's name to the list of eligible students?***

   No. The school official must complete an application that contains the name of the student, the household size, an estimated family income, and a signature of the school official.

8. ***How should the school tell the student and the household that the student will have access to free meals in the school cafeteria?***

   The household must be informed of the decision via phone, correspondence, or in person. The student may be told by the teacher, school nurse, or other school official.

9. ***Is an application completed by a school official handled in the same way as those submitted by households?***

   Yes. Like other applications, it must be counted for purposes of the claim for reimbursement and retrievable by building during a review. However, the application should not be included in the verification process.

10. ***Can the administrative prerogative be implemented for families or groups of students who appear to be lacking proper nutrition?***

    No. Applications must be completed on an individual basis.

11. ***Can an application be completed for a student who appears to be lacking proper nourishment, if the household has indicated that it is not eligible for benefits?***

No. An application can only be completed for students who appear to be missing meals for reasons of financial need. Other problems occurring in a household that may result in poor eating habits, but are not a reflection of family economic status, should not be resolved by this measure.

P. Meal Eligibility for Homeless Children

The United States Department of Agriculture (USDA) has acknowledged that the number of homeless children has risen considerably in the last few years, and that parents/guardians who are homeless often fail to return a free meal application, and homeless children are often not included in the direct certification process. While administrators can exercise the administrative prerogative option for determining program eligibility, this process is only intended to be exercised on a case-by-case basis and becomes burdensome in areas where there are many homeless children residing in shelters. USDA has therefore established the following procedures for all Child Nutrition Programs when an application is not submitted by the household or it is not anticipated that an application will be submitted:

- The director of the homeless shelter at which the child resides can complete and submit an application for the child;

- Local level officials may complete an application for a child and approve the child for free meals based solely on their knowledge that the child's address is a homeless shelter or that the child has no known address and is indeed homeless;

- If large numbers of homeless children make it impractical for a homeless shelter or school officials to complete individual applications, the school administrator may establish a list of eligible students based on his/her knowledge of the family's residence (shelter, address, car, etc.). The documentation necessary to substantiate free meal eligibility for a list of children must contain at a minimum the following information:

  - The child's name
  - The effective date of eligibility determination
  - The name of the shelter, etc., where the child resides
  - The signature of the determining official
  - The date of withdrawal from the shelter, school, or program.

The homeless population can be very transient and their circumstances may change. Therefore, it is imperative that when using a list to document eligibility, the administration review the list monthly and update it as changes occur. **These lists must be kept current by adding new names and removing the names of children who may have left the school or institution or whose circumstances have changed.**

Q. Food Distribution Program on Indian Reservation (FDPIR)

Public and nonpublic schools participating in the School Lunch, Breakfast, or Special Milk Programs with children in attendance originating from either the St. Regis Mohawk Tribe

or the Seneca Nations of Indians may accept insertion of a Food Distribution Program on Indian Reservation (FDPIR) case number in lieu of household income, food stamp number, or ADC/TANF number.

R. Food Substitutions for Children with Disabilities

Federal regulations governing the operation of Child Nutrition Programs and Section 504 of the Rehabilitation Act of 1973 require that children with disabilities be offered the opportunity to participate in all academic and nonacademic activities including the school nutrition programs. To ensure that these children are not denied reasonable access to the programs, the Department of Agriculture's regulations require schools and institutions to make reasonable accommodations, such as providing substitutions in the regular meal patterns, for children who have a disability and whose disability restricts their diet. A student with a disability is defined in 7 4CFR part 15b.3 as one who has "... a physical or mental impairment which substantially limits one or more major life activities..." Major life activities are defined to include functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

Accordingly, meal substitutions must be made for children with disabilities and must be supported by a statement signed by the physician attesting to the need for the substitutions and recommending alternate foods. These meals must be offered at no extra charge. Substitutions may also be made for non-disabled children who are unable to consume the regular meal because of medical or other special dietary needs, though schools are not required to do so in these instances. Substitutions for non-disabled children must be supported by a statement signed by a recognized medical authority. Children with disabilities are not automatically eligible for free meal benefits. Parents must adhere to the same income eligibility criteria and procedures used for all children.

2003-2004 FREE AND REDUCED PRICE INCOME ELIGIBILITY ATTACHMENTS

I - Income Eligibility Scales:

These scales are published each year by the federal government and must be used to determine eligibility for free and reduced price meals for the effective dates prescribed.

II - Public Release:

Prior to the beginning of the school year this release, along with the income eligibility scales for both free and reduced price meals, must be provided to the local news media, the local unemployment office, and to any major employers contemplating large layoffs in the area.

III - Free and Reduced Price Application Forms (English and Spanish):

Along with the parent letter, the family application (Attachment IIIA) must be distributed to all parents of children in attendance at school at the beginning of the school year and for new students when entering. If your school opts to require one application per child, a sufficient number of the application forms (Attachment IIIB) must be provided to each family. Attachments IIIC and IIID are the Spanish applications.

IV- Free and Reduced Price Application Form Fact Sheet:

At the option of the SFA, this fact sheet may be sent home with the application or made available at the school.

V - Parent Letters: School Meal Programs

These are prototypes of the letters sent to parents each year announcing the availability of the Child Nutrition Programs. Use only those which are applicable to your school program. **Only the Reduced Price eligibility scale from Attachment I is included in the breakfast/lunch parent letter.** The prototype parent letters included in this packet contain the appropriate scales for the 2003-04 school year.

VI - Parent Letters: Special Milk

Those schools which sponsor the Special (Free) Milk program solely for half-day Kindergarten or Pre K classes may adapt the Special Milk parent letter accordingly. Include only the free eligibility scale from Attachment I when preparing the Special Milk (Free Milk available) parent letter.

VII - Notification Letter:

All parents who submit applications must be informed of the approval or denial of such applications. Written notification must be provided to each family denied program benefits and a copy of such written notification must be retained on file.

VIII - Sample Parent Letter - Direct Certification

IX - Sample Parent Letter - Children with Disabilities

X - Parent/Guardian Consent Letter

XI - Parent/Guardian Consent Statement (Single Program)

XII - Parent Guardian Consent Statement (Program Check List)

XIII - Certification of Acceptance for Districts and Nonpublic Schools

XIV - Certification of Acceptance for Residential Child Care Institutions (RCCIs)

XV - Temporarily Approved Application

Attachment I

INCOME ELIGIBILITY GUIDELINES
FOR FREE AND REDUCED PRICE MEALS OR FREE MILK
(Effective July 1, 2003 through June 30, 2004)

FREE ELIGIBILITY SCALE Free Lunch, Breakfast, Milk				**REDUCED PRICE ELIGIBILITY SCALE** Reduced Price Lunch, Breakfast			
Household Size	Year	Month	Week	Household Size	Year	Month	Week
1	$11,674	$ 973	$ 225	**1**	$16,613	$ 1,385	$ 320
2	15,756	1,313	303	**2**	22,422	1,869	432
3	19,838	1,654	382	**3**	28,231	2,353	543
4	23,920	1,994	460	**4**	34,040	2,837	655
5	28,002	2,334	539	**5**	39,849	3,321	767
6	32,084	2,674	617	**6**	45,658	3,805	879
7	36,166	3,014	696	**7**	51,467	4,289	990
8	40,248	3,354	774	**8**	57,276	4,773	1,102
For each additional family member ADD	+4,082	+341	+ 79	For each additional family member ADD	+5,809	+485	+112

Please note: Incomes indicated on the free and reduced price eligibility scales are maximum amounts. For example, if a family of four earns more than $1,994.00 per month, but less than $2,837.00 per month they are eligible for reduced price meals. However, if this family earns more than $2,837.00 per month they are not eligible for free or reduced price meals and should be denied

BOTH of the above scales should appear in the Public Announcement/release to the media (Attachment II)

ONLY the Reduced Price Eligibility Scale can appear in the Letter to Parents (for those schools participating in the National School Lunch or Breakfast Program). (Attachment V)

ONLY those schools which participate in the Special Milk Program and offer Free Milk should publish the Free Eligibility Scale in both the Public Announcement and the Letter to the Parent.

ONLY those schools where the split-session Pre-K/Kindergarten participate in the Special Milk Program and offer Free Milk should publish the Free Eligibility Scale in the Public Announcement and Letter to the Parent. The Letter to Parent should only go to those students in split-session Pre-K/Kindergartens classes.

Attachment II

ANNUAL NEWS RELEASE - PUBLIC ANNOUNCEMENT

(Send to newspaper, unemployment office, large area employer contemplating layoffs and keep documentation on file.)

PROTOTYPE

_____ (Local School Food Authority) today announced a free and reduced price meal (Free Milk) policy for _____ area school children.

Local school officials have adopted the following family eligibility criteria to assist them in determining eligibility:

INCOME ELIGIBILITY GUIDELINES
FOR FREE AND REDUCED PRICE MEALS OR FREE MILK
(Effective July 1, 2003 through June 30, 2004)

FREE ELIGIBILITY SCALE
Free Lunch, Breakfast, Milk

Household Size	Year	Month	Week
1	$11,674	$ 973	$ 225
2	15,756	1,313	303
3	19,838	1,654	382
4	23,920	1,994	460
5	28,002	2,334	539
6	32,084	2,674	617
7	36,166	3,014	696
8	40,248	3,354	774
For each additional family member ADD	+4,082	+341	+ 79

REDUCED PRICE ELIGIBILITY SCALE
Reduced Price Lunch, Breakfast

Household Size	Year	Month	Week
1	$16,613	$ 1,385	$ 320
2	22,422	1,869	432
3	28,231	2,353	543
4	34,040	2,837	655
5	39,849	3,321	767
6	45,658	3,805	879
7	51,467	4,289	990
8	57,276	4,773	1,102
For each additional family member ADD	+5,809	+485	+112

Food Stamp/ADC/TANF/FDPIR Households: Households which currently include children who receive Food Stamps or Aid to Dependent Children (ADC)/Temporary Assistance to Needy Families (TANF), or the Food Distribution Program on Indian Reservations (FDPIR) must complete an application listing the child's name, a food stamp, ADC/TANF, or FDPIR number and the signature of an adult household member, or provide a Direct Certification letter from the NYS Office of Temporary and Disability Assistance. Children in the household with the same case number may be included on the same application. Separate applications are required for children in the same household with different case numbers. If the family does not list a food stamp, ADC/TANF, or FDPIR number for all children for whom they are applying, then the application must contain all the information as required for "other households" as described below.

Other Households: Households with incomes the same or below the amount of money listed above for their family size may be eligible for and are urged to apply for free and/or reduced price meals (or free milk). They may do so by filling in the application forms sent home with a letter to parents. Additional copies are available at the principal's office in each school. Applications may be submitted any time during the school year to _____(Title of Reviewing Official). If a family member becomes unemployed, if the family size decreases, or if family income increases by more than $50.00 per month, or $600.00 per year, the family must contact the school to file a new application. The form requests information needed to determine economic need based on the income and number of persons in the family.

The information provided on the application will be confidential and will be used for determining eligibility. The names and eligibility status of participants may also be used for the allocation of funds to federal education programs such as Title I and National Assessment of Educational Progress (NAEP), State health or State education programs, provided the State agency or local education agency administers the programs, and for federal, State or local means-tested nutrition programs with eligibility standards comparable to the NSLP. Eligibility information may also be released to programs authorized under the National School Lunch Act (NSLA) or the Child Nutrition Act (CAN). The release of information to any program or entity not specifically authorized by the NSLA will require a written consent statement from the parent or guardian.

The school district does, however, have the right to verify at any time during the school year the information on the application. If a parent does not give the school this information, the child/children will no longer be able to receive free or reduced price meals (free milk).

Foster children may also be eligible for these benefits. An application for a foster child must contain the child's name, the child's Apersonal use income and an adult signature.

Under the provisions of the policy, the designated official will review applications and determine eligibility. If a parent is dissatisfied with the ruling of the designated official, he/she may make a request either orally or in writing for a hearing to appeal the decision _____(Title), whose address is _____has been designated as the Hearing Official. Hearing procedures are outlined in the policy. However, prior to initiating the hearing procedure, the parent or School Food Authority may request a conference to provide an opportunity for the parent and official to discuss the situation, present information, and obtain an

explanation of the data submitted in the application or the decisions rendered. The request for a conference shall not in any way prejudice or diminish the right to a fair hearing.

Only complete applications can be approved. This includes complete and accurate information regarding: the Food Stamp/ADC/TANF, or FDPIR number; the names of all household members; the social security number of the person who signs the form or an indication that the adult does not have one; and the amount and source of income received by each household member. In addition, the parent or guardian must sign the application form, certifying the information is true and correct.

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 to *USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 1400 Independence Avenue, SW, Washington DC 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provider and employer*.

A complete copy of this policy is on file in the office of the School Food Authority District Administrator where it may be reviewed by any interested persons.

PLEASE NOTE: This notice **must** be sent to the local media and your local unemployment office at the beginning of each school year.

The school or district may request the media to print the entire notice.

The media **are not required to print** any of the notice.

The school or district must maintain on file a copy of the letter to the media and the article (if printed).

The school or district should not pay to have this notice printed.

Attachment IV

OPTIONAL

FREE AND REDUCED PRICE MEAL APPLICATION FACT SHEET

When filling out the application form, please pay careful attention to these helpful hints.

Food Stamp/ADC/TANF/FDPIR number:

This must be the complete number supplied to you by the agency including all numbers and letters, for example, E 123456, or whatever combination is used in your county. Refer to a letter you received from your local Department of Social Services for your number or contact them for your number. All children with the same case number may be listed on the same application. Separate applications are required for children with different case numbers.

Direct Certification:

If you receive food stamps or ADC/TANF, send in the Direct Certification Letter from the NYS Office of Temporary and Disability Assistance instead of completing the application.

Foster Child:

A child who is living with a family but who is under the legal care of the welfare agency or court. List the child's "personal use" income. This includes only those funds provided by the agency which are identified for the personal use of the child, such as personal spending allowances, money received by his/her family, or from a job. Funds provided for housing, food and care, medical, and therapeutic needs are not considered income to the foster child. Write "0" if the child has no personal use income.

Household:

A group of related or non-related people who are living in one house and share income and expenses.

Adult Family Members:

All related and non-related people who are 21 years of age and older living in your house.

Financially Independent:

A person is financially independent and a separate economic unit/household when his or her earnings and expenses are not shared by the family/household.

Gross Income:

Is money earned or received by each member of your household before deductions. Examples of deductions are federal tax, State tax, and Social Security deductions.

Examples of gross income are:

- Wages, salaries, tips, commissions, or income from self-employment
- Net farm income
- Pensions, annuities, or other retirement income including Social Security retirement benefits
- Unemployment compensation
- Welfare payments (does not include value of food stamps)
- Public Assistance payments
- Adoption assistance
- Strike benefits
- Supplemental Security Income (SSI) or Social Security Survivor's Benefits
- Alimony or child support payments
- Disability benefits, including workman's compensation
- Veteran's subsistence benefits
- Interest or dividend income
- Cash withdrawn from savings, investments, trusts, and other resources which would be available to pay for a child's meals
- Other cash income

If you have more than one job, you must list the income from all jobs.

If you receive income from more than one source (wage, alimony, child support, etc.), you must list the income from all sources.

Current Income:

Your income at the present time **before deductions**. Farmers, self-employed workers, migrant workers, and other seasonal employees may use their income for the past 12 months.

Income Exclusions: The value of any child care provided or arranged, or any amount received as payment for such child care or reimbursement for costs incurred for such care under the Child Care Development (Block Grant) Fund should not be considered as income for this program.

If you have any questions or need help in filling out the application form, please contact:

Name:_____ Title:_____

Telephone Number:_____

Attachment V

PROTOTYPE

Letter to Parents for School Meal Programs

Dear Parent/Guardian:

Children need healthy meals to learn. (School Name) offers healthy meals every school day. Breakfast costs [$] lunch costs [$]. Children from households that meet Federal income guidelines (outlined below) are eligible for free meals or reduced price meals. Reduced price meals cost each eligible student $.25 for lunch and $.25 for breakfast. To apply for free or reduced price meals, submit a Direct Certification letter from the NYS Office of Temporary and Disability Assistance **OR** complete the enclosed application, sign it, and return it to the school as soon as possible. Please refer to the guidelines contained in this letter when completing the application. We cannot approve an application that is not complete, so be sure to fill out all required information.

How to Apply: To get free or reduced price meals for your children you may submit a **Direct Certification letter received from the NYS Office of Temporary and Disability Assistance, OR carefully complete the application** and return it to the school. If you now receive food stamps, or Aid to Dependent Children (ADC)/Temporary Assistance to Needy Families (TANF) for any children, or participate in the Food Distribution Program on Indian Reservations (FDPIR), the application must include the children's names, the household food stamp, ADC/TANF or FDPIR number and the signature of an adult household member. All children with the same case number may be listed on the same application. Separate applications are required for children with different case numbers. If you do not list a food stamp/ADC/TANF or FDPIR number for all the children for whom you are applying, the application must include the names of everyone in the household, the amount of income each household member, and how often it is received and where it comes from. It must include the signature of an adult household member and that adult's social security number, or the word “none” if the adult does not have a social security number. An application that is not complete cannot be approved. Contact your local Department of Social Services for your food stamp or TANF number or complete the income portion of the application.

Income Chart: The following chart lists income levels according to household size and income levels received either yearly, monthly or weekly. If your total household income is the same or less than the amounts on the Income Chart below, your children can get reduced price meals, and may be eligible to receive free meals.

REDUCED PRICE ELIGIBILITY INCOME CHART
Effective from July 1, 2003 to June 30, 2004

Household Size	Annual	Month	Week
1.....	$16,613	$ 1,385	$ 320
2.....	22,422	1,869	432
3.....	28,231	2,353	543
4.....	34,040	2,837	655
5.....	39,849	3,321	767
6.....	45,658	3,805	879
7.....	51,467	4,289	990
8.....	57,276	4,773	1,102
For each additional family member add.....	+5,809	+485	+112

Verification: The school may ask you at any time during the school year to verify your eligibility. You will be notified, in writing, if you have been selected for Verification. School officials may ask you to send papers showing that your child should receive free or reduce price meals.

Reporting Changes: If you list income information and your child is approved for meal benefits, you must tell the school when your household income increases by more than $50 per month, $600 per year, or when your household size decreases. If you list a food stamp case number, ADC/TANF or FDPIR number, you must tell the school when you no longer receive food stamps or ADC/TANF for your child or you no longer participate in the FDPIR. You may then fill out another application giving income information.

Income Exclusions: The value of any child care provided or arranged, or any amount received as payment for such child care or reimbursement for costs incurred for such care under the Child Care Development (Block Grant) Fund should not be considered as income for this program.

Foster Child: Your foster child may be eligible for meal benefits. An application for a foster child must have the child's name, the child's personal use income and an adult signature. If you have questions contact the school for help with the application.

Nondiscrimination 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 to *USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 1400 Independence Avenue, SW, Washington DC* 20250-9410 or call 202-720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

Fair Hearing: If you do not agree with the school's decision on your application or the result of verification, you may wish to discuss it with the school. You also have the right to a fair hearing. This can be done by calling or writing the following official:

_____

(Name, Address, Telephone Number of Hearing Official)

Meal Service to Children With Disabilities: Federal regulations require schools and institutions to serve meals at no extra charge to children with a disability which may restrict their diet. A student with a disability is defined in 7CFR Part 15b.3 of Federal regulations, as one who has a physical or mental impairment which substantially limits one or more major life activities. Major life activities are defined to include functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working. You must request the special meals from the school and provide the school with medical certification from a medical doctor. If you believe your child needs substitutions because of a disability, please get in touch with us for further information, as there is specific information that the medical certification must contain.

Confidentiality: The United States Department of Agriculture has approved the release of students names and eligibility status, without parent/guardian consent, to persons directly connected with the administration or enforcement of federal education programs such as Title I and the National Assessment of Educational Progress (NAEP), which are United States Department of Education programs used to determine areas such as the allocation of funds to schools, to evaluate socioeconomic status of the school's attendance area, and to assess educational progress. Information may also be released to State health or State education programs administered by the State agency or local education agency, provided the State or local education agency administers the program, and federal State or local nutrition programs similar to the National School Lunch Program. Additionally, *all* information contained in the free and reduced price application may be released to persons directly connected with the administration or enforcement of programs authorized under the National School Lunch Act (NSLA) or Child Nutrition Act (CNA); including the National School Lunch and School Breakfast Programs, the Special Milk Program, the Child and Adult Care Food Program, Summer Food Service Program and the Special Supplemental Nutrition Program for Women Infants and Children (WIC); the Comptroller General of the United States for audit purposes, and federal, State or local law enforcement officials investigating alleged violation of the programs under the NSLA or CNA.

The disclosure of eligibility information not specifically authorized by the NSLA requires a written consent statement from the parent/guardian.

Reapplication: You may apply for benefits any time during the school year. Also, if you are not eligible now, but during the school year become unemployed, have a decrease in household income, or an increase in family size you may request and complete an application at that time.

We will let you know when your application is approved or denied.

Sincerely,

PROTOTYPE

Special Milk Program Schools

(For use when offering Free Special Milk)

Dear Parent/Guardian:

(School Name) believes that one of the most important ways we can help our children perform better in their classrooms is to provide them with the nutrition necessary for the healthy growth of their minds and bodies. Therefore, we provide milk in our school everyday.

We invite all students to show their support for their school food service program through frequent participation. Current milk prices are $____ per one half pint.

Children from households that meet Federal income guidelines (outlined below) are eligible for free milk. To apply for free milk, **submit a Direct Certification letter from the NYS Office of Temporary and Disability Assistance OR complete the enclosed application** as soon as possible, sign it and return it to the school.

How to Apply: To receive free milk for your children **submit a Direct Certification letter from the NYS Office of Temporary and Disability Assistance, OR carefully complete the application** and return it to the school. If you currently receive food stamps, or ADC/TANF for any children or participate in the FDPIR, the application must include the children's names, your food stamp, ADC/TANF or FDPIR number and the signature of an adult household member. All children with the same case number may be listed on the same application. Separate applications are required for children with different case numbers. If you do not list a food stamp/ADC/TANF/FDPIR number for all of your children, the application must include the names of everyone in the household, the amount of income for each household member how often this income is received and where it comes from. The application must also include the signature of an adult household member and that adult's social security number, or the word "none" if the member does not have a social security number. An application that is not complete cannot be approved. Contact your local Department of Social Services for your food stamp or TANF number or complete the income portion of the application.

Income Chart: The following chart lists income levels according to household size and income levels received either yearly, monthly or weekly. If your total household income is the same or less than the amounts on the Income Chart below, your children may be eligible for free milk.

FREE ELIGIBILITY INCOME CHART
Effective from July 1, 2003 to June 30, 2004

Household Size	Annual	Month	Week
1.....	$11,674	$ 973	$225
2.....	15,756	1,313	303
3.....	19,838	1,654	382
4.....	23,920	1,994	460
5.....	28,002	2,334	539
6.....	32,084	2,674	617
7.....	36,166	3,014	696
8.....	40,248	3,354	774
For each additional family member add.....	+4,082	+341	+79

Reporting Changes: If you list income information and your child is approved for free milk, you must tell the school when your household income increases by $50 or more per month ($600 per year) or when your household size decreases. If you list a food stamp case number, ADC/TANF or FDPIR number, you must tell the school when you no longer receive food stamps or ADC/TANF for your child or you no longer participate in the FDPIR. You may than fill out another application giving income information.

Income Exclusions: The value of any child care provided or arranged, or any amount received as payment for such child care or reimbursement for costs incurred for such care under the Child Care Development (Block Grant) Fund should not be considered as income for this program.

Foster Child: Your foster child may be eligible for free milk. An application for a foster child must have the child's name, the child's "personal use" income and an adult signature. If you have questions contact the school for help with the application.

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 to *USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 1400 Independence Avenue, SW, Washington DC 20250-9410* or call 202-720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

Fair Hearing: If you do not agree with the school's decision on your application or the result of verification, you may wish to discuss it with the school. You also have the right to a fair hearing. This can be done by calling or writing the following official:

(Name, Address, Telephone Number of Hearing Official)

Confidentiality: The United States Department of Agriculture has approved the release of students names and eligibility status, without parent/guardian consent, to persons directly connected with the administration or enforcement of federal education programs such as Title I and the National Assessment of Educational Progress (NAEP), which are United States Department of Education programs used to determine areas such as the allocation of funds to schools, to evaluate socioeconomic status of the school's attendance area, and to assess educational progress. Information may also be released to State health or State education programs administered by the State agency or local education agency, provided the State or local education agency administers the program, and federal State or local nutrition programs similar to the National School Lunch Program. Additionally, *all* information contained in the free and reduced price application may be released to persons directly connected with the administration or enforcement of programs authorized under the National School Lunch Act (NSLA) or Child Nutrition Act (CNA); including the National School Lunch and School Breakfast Programs, the Special Milk Program, the Child and Adult Care Food Program, Summer Food Service Program and the Special Supplemental Nutrition Program for Women Infants and Children (WIC); the Comptroller General of the United States for audit purposes, and federal, State or local law enforcement officials investigating alleged violation of the programs under the NSLA or CNA.

The disclosure of eligibility information not specifically authorized by the NSLA requires a written consent statement from the parent/guardian.

Reapplication: You may apply for benefits any time during the school year. Also, if you are not eligible now, but during the school year become unemployed, have a decrease in household income, or an increase in family size you may request and complete and application at that time.

You will be notified when the application is approved or denied.

Sincerely,

Attachment VII

NOTIFICATION LETTER FOR SCHOOL MEALS

Dear _____:

Your application for free and reduced price meals for your child(ren) has been:

__ Approved for free meals.
__ Approved for reduced price meals at _____ cents for lunch and _____ cents for breakfast.
__ Temporarily approved for free meals. You will be contacted in 45 days to determine your status at that time.
__ Denied for the following reason(s):
  __ Income over the allowable amount.
  __ Incomplete application. The following information is missing:

  __ Other:

If you do not agree with the decision, you may discuss it with a school official and you have a right to a fair hearing. This can be done by calling or writing the following official:

Name:
Address:
Phone:

If your child is approved for meal benefits, you must tell the school when your household income increases by more than $50 per month ($600 per year) or when household size decreases. If your child is approved for meal benefits based on eligibility for food stamp, ADC/TANF or FDPIR, you must tell the school when you no longer receive food stamps, or ADC/TANF for your child or no longer participate in the FDPIR.

You may reapply for benefits at any time during the school year. If you are not eligible now but have a decrease in household income, become unemployed, or have an increase in household size, you may fill out another application at that time.

Sincerely,

_____	_____	_____
Name	Title	Date

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 to *USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 1400 Independence Avenue, SW, Washington DC 20250-9410* or call 202-720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

Attachment VIII

SAMPLE PARENT LETTER
(Optional)

(Letter to Parents Regarding Direct Certification Letters)

Dear _____:

If you receive food stamps or Aid to Dependent Children/Temporary Assistance to Needy Families ADC/TANF, you may receive a letter in August from the NYS Office of Temporary and Disability Assistance that will simplify the process for your child or children to receive free meals or milk at school.

If you take or send the letter to (name of reviewing official) or one of the schools your child/children attend, your children will receive free meals or milk without your having to complete an application.

You will receive only one letter. If you lose it, it will not be replaced. If you do not return the letter to the school, you must fill out the Free and Reduced Price Application in order for your children to get free meals or milk.

Call _____ if you have any questions.

Sincerely,

Attachment IX

(Sample Parent Letter)

MEAL SERVICES TO CHILDREN WITH DISABILITIES

Dear Parent/Guardian:

Most children with disabilities have no special dietary needs. They are able to participate in the Child Nutrition Programs the same as all other children in the school. In some instances, however, children with disabilities may experience difficulty when chewing and swallowing, which would require that the physical characteristics of their foods be changed. Some children with severe disabilities may need special foods or a therapeutic diet.

Federal regulations require schools and institutions to serve meals at no extra charge to those children whose disability restricts their diet in such a way that they cannot fully participate in the food service program without some modification to the foods offered or the scheduled menu. If you believe your child needs substitutions because of a disability, please get in touch with us for further information. You must request the special meals from the school and provide the school with medical certification from a medical doctor. This medical certification must contain the following:

1) Verification that the special meals are needed due to the student's disability, and

2) Recommendation/prescription for alternate foods and forms of foods needed to meet the student's special dietary needs.

If you have questions regarding the need for meal modifications, contact _____at _____for further information.

Sincerely,

Attachment X

Prototype

PARENT/GUARDIAN CONSENT TO RELEASE ELIGIBILITY INFORMATION FOR FREE AND REDUCED PRICE MEALS OR FREE MILK

Date

Dear Parent/Guardian:

If your child is eligible for free and reduced price meals or free milk, he/she also may be eligible for other benefits. In order to receive these benefits, you must provide written consent to permit school officials to give your name, address, and an indication that your household is eligible for free and reduced price meals or free milk, to representatives of certain programs. **Failure to sign a consent statement that will allow disclosure of this information will not affect your child's eligibility or participation in the school meals or milk programs.**

Some of the programs that may request names and eligibility information to be used to provide benefits, and for which parent/guardian consent is required, include: federal health insurance programs such as Medicaid or Children's Health Insurance program (CHIP), other federal programs, State programs, local health and education programs and other local activities. For example, the disclosure of children's eligibility for free and reduced price meals or free milk to determine eligibility for free text books, free band instruments, holiday baskets, school supplies, etc., or reduced fees for summer school or driver education programs, would require written consent by the child's parent/guardian.

If you wish to provide consent to release information contained in your child's free and reduced price meal application, to receive other benefits, please complete the attached consent statement.

Please call _____ at_____ if you have questions.

Sincerely,

Enclosure (consent statement)

* Personalize this letter to include programs that are actually available at your school.

Attachment XI

Prototype Consent Statement (Single Program)

CONSENT TO RELEASE FREE OR REDUCED PRICE ELIGIBILITY INFORMATION

School officials may release information that shows that my child/children are eligible for free or reduced price meals or free milk to the following program. I understand that the information will only be provided to this program.

Name of Program (to be completed by SFA) _____

I understand that I will be releasing information that will show my child/children are eligible for free and reduced price meals or free milk for my child. I give up my rights to confidentiality for this program.

Child/Children

_____

_____

_____

I certify that I am the parent/guardian of the child/children for whom the free/reduced price application was made:

Signature of Parent/Guardian:_____

Print Name:_____

Address: _____

Phone Number: _____

Date: _____

Attachment XII

Prototype Consent Statement (Program Check Off)

CONSENT TO RELEASE FREE OR REDUCED PRICE ELIGIBILITY INFORMATION

School officials may release information that shows that my child/children are eligible for free or reduced price meals or free milk to the following programs. I understand that the information will only be provided to the program(s) checked.

(Check the box next to the program area(s) you wish to release information to)

- ☐ Federal health programs such as Medicaid or Children's Health Insurance Program (CHIP).
- ☐ State or federal programs such as the Youth Summer Work program or the Educational Talent Search Program.
- ☐ Local health and education programs and other local programs that provide benefits such as free textbooks or school supplies, free band instruments, or reduced fees for summer school or driver education.
- ☐ Community programs such as holiday baskets, summer arts and playground programs.

I understand that I will be releasing information that will show that my child/children are eligible for free and reduced price meals or free milk for my child. I give up my right to confidentiality for the program(s) checked.

Child/Children

_____

_____

_____

I certify that I am the child's parent/guardian for whom the application was made.

Signature of Parent/Guardian:_____

Print Name: _____

Address: _____

Phone Number: _____

Date: _____

* Personalize your letter to only contain programs actually available at your school.

Attachment XIII

KEEP THIS FORM ON FILE. DO NOT RETURN TO SED

CERTIFICATION OF ACCEPTANCE FOR DISTRICTS AND NONPUBLIC SCHOOLS

(Residential Childcare Facilities must complete the form on Attachment XIV)

Please complete the following information and **retain on file** for examination by members of this Department or USDA during a review of your Child Nutrition Program. **Do not send the Certificate of Acceptance to your regional office.**

SCHOOL FOOD AUTHORITY NAME:_____

12-Digit LEA Code:_____

The governing body of this School Food Authority accepts this Free and Reduced Price Meal or Special Milk Program Policy Statement, including the Family Income Eligibility Criteria and all required attachments and as indicated below:

Titles of Designated Officials

A. REVIEWING OFFICIAL

ADDRESS &TELEPHONE

B. HEARING OFFICIAL

ADDRESS & TELEPHONE

C. VERIFICATION OFFICIAL

ADDRESS & TELEPHONE

An officer of the Board of Education or chairman of the community school board, pastor or executive director of the corporation operating a private or parochial school, or the headmaster or principal of a nonpublic school must sign this form.

_____

ORIGINAL SIGNATURE OF SCHOOL OFFICIAL

TITLE

_____

DATE

2003-04

Attachment XIV

KEEP THIS FORM ON FILE. DO NOT RETURN TO SED

CERTIFICATION OF ACCEPTANCE FOR RESIDENTIAL CHILDCARE INSTITUTIONS (RCCIs)

Please complete the following information and **retain on file** for examination by members of this Department or USDA during a review of your Child Nutrition Program. **Do not send the Certificate of Acceptance to your regional office.**

SCHOOL FOOD AUTHORITY NAME:_____

12-Digit LEA Code:_____

The governing body of this School Food Authority accepts this Free and Reduced Price Meal or Special Milk Program Policy Statement, including the Family Income Eligibility Criteria and all required attachments and as indicated below:

Titles of Designated Officials

A. REVIEWING OFFICIAL

ADDRESS &TELEPHONE

(Sections B & C are only applicable to RCCIs with day treatment students)

B. HEARING OFFICIAL

ADDRESS & TELEPHONE

C. VERIFICATION OFFICIAL

ADDRESS & TELEPHONE

An officer of the Board of Directors or the Executive Director must sign this form.

_____

ORIGINAL SIGNATURE OF SCHOOL OFFICIAL

TITLE

_____

DATE

2003-04

Attachment XV

Prototype

TEMPORARILY APPROVED APPLICATION

Date

Dear _____:

Your application for free and reduced meals for your child(ren) has been temporarily approved for free meals. Under the program regulations, applications with **income listed as "zero" or "none"** can only be approved *temporarily for a maximum of 45 days.*

After 45 days, families must provide an update of income status for their children to continue to receive free meal benefits. You may either call our office at ( ) with the current income information or complete the enclosed application.

If we do not receive the updated information by _____, your child(ren) will no longer be eligible to receive free meal benefits, and you will need to send your child(ren) to school with breakfast and/or lunch money.

Thank you for your prompt attention to this matter.

Sincerely,

Attachment XVI