

THE UNIVERSITY OF THE STATE OF NEW YORK
THE STATE EDUCATION DEPARTMENT

To: School Food Authorities **Date:** July 19, 2004
From: Fran O'Donnell
Subject: Change in Eligibility based on Reauthorization 2004

The Child Nutrition and WIC Reauthorization Act of 2004 specifies that, effective July 1, 2004, households' eligibility for free and reduced price meals shall remain in effect for the full school year beginning on the date of eligibility for the current school year. This provision does not apply when the initial eligibility determination was incorrect or when verification of household eligibility does not support the level of benefits for which the household was approved. In those instances, officials must make appropriate changes in eligibility. Additionally, this provision does not apply when a household is given temporary approval.

Beginning school year 2004-2005 and until issuance of a final regulation, school officials will determine household eligibility for free and reduced price meals in the traditional manner, at or about the beginning of the school year. Once approved for free or reduced price benefits, a household will remain eligible for those benefits through September 30 of the next school year or when a new eligibility determination is made in the new school year, whichever comes first. The household is no longer required to report changes in circumstances, such as an increase in income of \$50 per month (\$600 annually), a decrease in household size or when the household is no longer certified eligible for food stamps or Temporary Assistance for Needy Families (TANF).

The current free and reduced price application package includes instructions for households to report the changes in household income and household size mentioned above. We do not expect school food authorities (SFAs) to make changes in their free and reduced price application materials for this school year because the enactment of this legislation is so late in the year. Any changes to the application materials now would be very burdensome to most school districts. However, school food authorities may use other means to notify households that they do not have to report changes. For example, households may be notified via the annual media/public release or notified in their notice of approval for free and reduced price school meals. See revised Attachment VII which could be used for the 2004-05 school year.

Households may continue to apply for benefits any time during the school year. As noted above, this provision does not apply to households who are provided "temporary" approvals. We continue to encourage reviewing officials to approve households on a temporary basis when their need for assistance appears to be short-term, such as when the household reports zero income or a temporary reduction in income. The time period for temporary approvals is 45 days. At the end of the temporary approval, reviewing officials must re-evaluate and document the household's income situation.

If you have any questions, please contact your Child Nutrition team at (518) 473-8781.