

## **Business/Non-Instructional Operations**

### **Free or Reduced Price Lunches**

#### **Participation in the National School Lunch Program**

Participation in the National School Lunch Program is herewith authorized. Authorization is granted to the Superintendent to act on behalf of the Board for purposes of participating in the National School Lunch Program.

Free meals will be served to children from families whose income falls within the current criteria established by the Secretary of Agriculture under the Federal Lunch Program for free lunches.

The District shall establish an appeals process under which a parent/guardian may appeal a decision regarding his/her initial application for benefits, or any subsequent reduction or termination of benefits.

The schools shall not physically segregate or discriminate against any child because of his or her inability to pay for a meal. The names of children eligible to receive free meals shall not be published, posted, or announced in any manner; and there shall be no overt identification of any such children by use of special tokens or tickets, or by any other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.

The District shall ensure that, in the operation of the free and reduced-price meals and/or free milk programs, no student shall be discriminated against because of race, color, age, creed, religion, sex, sexual orientation, gender identity or expression, ancestry, national origin, marital status, pregnancy or disability, or any other basis prohibited by law, in its implementation of such a program.

The District's NSLP and SBP shall operate to meet dietary specifications in accordance with the Healthy, Hunger-Free Kids Act of 2010 and applicable state laws and regulations.

Legal Reference: Connecticut General Statutes

10-215 Lunches, breakfasts and other feeding programs for public school children and employees.

10-216 Payment of expenses.

Title VII, Civil Rights Act, 42 U.S.C. 2000e, et seq. as amended by Title IX, Equal Employment Opportunity Act.

United States Department of Agriculture 7 C.F.R. 15, re nondiscrimination.

42 U.S.C. Sec. 1758, 7 CFR Part 145, Sec. 245.5, 245.6, 245.7, 210.9, 210.20

## **Business/Non-Instructional Operations**

### **Free or Reduced Price Lunches**

Legal Reference: Connecticut General Statutes (continued)

U.S.D.A., Eligibility Guidance for School Meals Manual

U.S.D.A., FNS Instruction 765-7 Rev. 2: Handling Lost, Stolen and Misused Meal Tickets

Healthy, Hunger-Free Kids Act of 2010, 42 U.S.C. 1751 §§203, 205

Nondiscrimination on the Basis of Handicap in Programs or Activities Receiving Federal Assistance, 7 C.F.R. Part 15b (2001)

Policy adopted: March 22, 2012  
Policy revised: June 20, 2013

MARLBOROUGH PUBLIC SCHOOLS  
Marlborough, Connecticut

## **Business and Non-Instructional Operations**

### **Free and Reduced Price Meals or Free Milk**

The Marlborough Board of Education has agreed to participate in the National School Lunch Program and accepts responsibility for providing either Free and Reduced Price Meals.

The School Food Authority assures the Connecticut State Department of Education that the School Food Authority will uniformly implement the following policy to determine children's eligibility for free and reduced price meals and free milk for kindergarten in all schools that participate in the National School Lunch Program and/or School Breakfast Program. The School Food Authority also determines children's eligibility for free milk in schools with pricing programs participating in the Special Milk Program only. In fulfilling its responsibilities, the School Food Authority agrees to all conditions outlined in this "Policy".

#### **In fulfilling its responsibilities the School Food Authority:**

- A. Agrees to serve meals (or milk in those schools which offer the free milk option under the Special Milk Program) free to children from families whose income is at or below the fee scale of the Secretary's Income Eligibility Guidelines.
- B. Agrees to serve meals at a reduced price to children from households whose income is at or below the reduced price scale of the Secretary's Income Guidelines.
- C. Agrees that there will be no physical segregation of, nor any other discrimination against, any child because of his/her inability to pay the full price of the meal or milk. The names of the children eligible to receive free or reduced price meals or free 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, tickets or any other means. Further assurance is given that children eligible for free or reduced price meals or free milk shall not be required to:
  - 1. Work for their meals or milk.
  - 2. Use a separate lunchroom or milk service area.
  - 3. Go through a separate serving line.
  - 4. Enter the lunchroom through a separate entrance.
  - 5. Eat meals or drink milk at a different time.
  - 6. Eat a meal different from the one sold to children paying the full price or drink milk different from that sold to children paying the full price.

## **Business and Non-Instructional Operations**

### **Free and Reduced Price Meals or Free Milk (continued)**

- D. Agrees to set reduced price charges for lunch and breakfast at or below the maximum reduced price allowed by regulations and below the full price of the lunch or breakfast.
- E. Agrees that, in the operation of school nutrition programs, no child shall be discriminated against because of race, religion, sex, color, national origin, age or handicap.
- F. Agrees to verify in accordance with program regulations and maintain records as follows: (1) a summary of the verification efforts; (2) the total number of applications on file by October 31; and (3) the percentage or number of applications verified. Compliance with these requirements will be monitored by the State agency as part of its supervisory assistance monitoring and verification efforts.
- G. Agrees to establish and use a fair hearing procedure under which: (1) a family can appeal a decision made by the School Food Authority with respect to the family's free milk or free and reduced price meal application; and (2) the School Food Authority can challenge the continued eligibility of any child for free or reduced price meals or free milk. During the appeal and hearing, the child who was determined to be eligible based on the face of the application submitted will continue to receive free or reduced price meals or free milk. Prior to initiating the hearing procedure, the school official, the parent(s)/guardian may request a conference to provide an opportunity for the parent(s)/guardian and school official(s) to discuss the situation, present information, obtain an explanation of data submitted in the application and the decisions rendered. Such a conference shall not in any way prejudice or diminish the right to a fair hearing.

### **The hearing procedure shall provide the following for both the family and the School Food Authority:**

1. A publicly announced, simple 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.
3. An opportunity to examine, prior to and during the hearing, the documents and records presented to support the decision under appeal.
4. Reasonable promptness and convenience in scheduling a hearing, and adequate notice as to its time and place.

## **Business and Non-Instructional Operations**

### **Free and Reduced Price Meals or Free Milk (continued)**

5. An opportunity to present oral or documentary evidence and arguments supporting a position without undue interference.
  6. An opportunity to question or refute any testimony or other evidence and to confront and cross examine any adverse witness(es).
  7. That the hearing be conducted and the decision be made by an official who did not participate in the decision under appeal or any previous conference.
  8. That the decision of the hearing official be based on the oral and documentary evidence presented at the hearing and entered into the hearing records.
  9. That the parties concerned and any designated representative thereof be notified in writing of the decisions.
  10. That for each hearing a written record be prepared, including the decision under appeal, any documentary evidence and a summary of any oral testimony presented at the hearing, the decision of the hearing official and the reasons therefore, and a copy of the notification to the parties concerned, of the hearing.
  11. That such written records must be retained for a period of three years after the close of the school year to which they pertain. These records must be made available for examination by the parties concerned or their designees at any reasonable time and place during such a period.
- H. Agrees to designate the Principal to review applications and make determinations of eligibility. Such official will use the criteria outlined in this policy to determine which individual children are eligible for free and reduced price meals or free milk.
- I. Agrees to develop and distribute to each child's parent(s) or guardian a letter as outlined. In addition, an application form for free and reduced price meals or free milk shall be distributed with the parent letter at or about the beginning of each school year or whenever there is a change in eligibility criteria. The letter to parents with the free and reduced price meal application attachment shall have only the income eligibility guidelines for reduced price meals with an explanation that households with incomes at or below the reduced price guidelines may be eligible for either free or reduced price meals. The letter to parents with the free milk application form shall list the income eligibility guidelines for free milk.

## Business and Non-Instructional Operations

### Free and Reduced Price Meals or Free Milk (continued)

Interested parents or guardians are responsible for filling out the application and returning it to the school for review. Such applications and documentation of determinations made will be maintained for a period of 3 years following the end of the school year to which they pertain.

Applications may be filed at any time during the year. Parents or guardians enrolling a child in a school for the first time shall be supplied with appropriate meal or milk application materials regardless of the time of year the child is registered. If a child transfers from one school to another under the jurisdiction of the same School Food Authority, his/her eligibility for free or reduced price meals or free milk will be transferred to and honored by the receiving school.

All children from an eligible household will receive the same benefits. Parents or guardians will be promptly notified of the acceptance or denial of their application(s). Children will be served meals or milk immediately upon the establishment of their eligibility.

It is recognized that in certain cases foster children are also eligible for these benefits. If a household has a child living with them, who is a legal ward of the State of Connecticut, that child is considered a family of one, and monthly income from the State should be listed.

When an application is rejected, parents or guardians will be provided written notification which shall include: (1) the reason for the denial of benefits, e.g., income in excess of allowable limits or incomplete application; (2) notification of the right to appeal; (3) instructions on how to appeal; and (4) a statement reminding parents that they may reapply for free and reduced price benefits or free milk at any time during the school year. The reasons for ineligibility shall be properly documented and retained on file at the School Food Authority level.

The designated hearing official is the Superintendent.

**Note: The hearing official must be someone not involved in the original eligibility determination. It is suggested that he/she hold a position at a higher administrative level than that of the determining official.**

## Business and Non-Instructional Operations

### Free and Reduced Price Meals or Free Milk (continued)

- J. Agrees to submit a public/press release containing both the free and reduced price eligibility guidelines and all other information outlined in the parent letter, to the local news media, local unemployment offices and major employers contemplating or experiencing large layoffs.
- K. Agrees to establish a procedure to collect money from children who pay for their meals and milk and to account for the number of free, reduced price and full price meals served or the number of half-pints of free and full price milk served. The procedure described in Schedule 5 will be used so that no other child in the school will consciously be made aware by such procedure of the identity of the children receiving free or reduced price meals or free milk.

**NOTE: Describe in detail in Schedule 5 the payment collection method(s) used in each school or group of schools.**

- L. Agrees to submit to the Connecticut State Department of Education any alterations, public announcements, etc., before implementation. Such changes will be effective only upon approval. All changes in eligibility criteria must be publicly announced in the same manner used at the beginning of the school year.

Legal Reference: Connecticut General Statutes

10-215 Lunches, breakfasts and other feeding programs for public school children and employees.

10-215a Non-public school participation in feeding program

10-215b Duties of State Board of Education re feeding program

10-215b-1 Competitive foods

10-216 Payment of expenses

State Board of Education Regulations

Regulation approved: April 27, 2000

MARLBOROUGH PUBLIC SCHOOLS  
Marlborough, Connecticut