

## FREE AND REDUCED PRICE MEALS REGULATION

In order to implement the Board's policy regarding free and reduced price meals, the District shall follow the guidelines set forth below.

1. Free Meals  
To serve meals at no charge to children from families approved by the school district and whose income is at or below the income levels for free meals listed on the annual income eligibility guidelines, or to children from SNAP households, Aid to Families with Dependent Children Assistance units, or Aid to Dependent Children households that provide a case number.
2. Reduced Price Meals  
To serve breakfast or lunch at a reduced charge, to children from families approved by the school district and whose income is within the range of the annual income eligibility guidelines for reduced price meals.
3. Special Conditions  
To serve free or reduced price meals 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 to those children whose parents or guardians have become unemployed, provided: the loss of income causes the family during the period of unemployment to be within the eligibility criteria.
4. Non-Discrimination
  - a) That there will be no physical segregation of, or any other discrimination against, any child because of his inability to pay the full price of the meal. The names of children eligible to receive free or reduced price meals shall not be published, posted or announced in any manner and there shall be no overt identification of any such children by use of special tokens or tickets, or by any other means.
  - b) 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 disability.
5. 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. During appeal, hearing and disposition of the case, the child will receive free or reduced price meals.

**Free and Reduce Price Meals Regulation (Continued)**  
**Hearing Procedures (Continued)**

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:

- a) a simple publicly announced method for making an oral or written request for a hearing;
- b) an opportunity to be assisted or represented by an attorney or other person on presenting its appeal;
- c) an opportunity to examine, prior to and during the hearing, the documents and records presented to support the decision under appeal;
- d) that the hearing shall be held with reasonable promptness and convenience to the family and that adequate notice shall be given to the family as to the time and place of the hearing;
- e) an opportunity for the family to present oral or documentary evidence and arguments supporting its position without undue interference;
- f) an opportunity for the family to question or refute any testimony or other evidence and to confront and cross-examine any adverse witnesses;
- g) 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;
- h) that the decision of the hearing official shall be based on the oral and documentary evidence presented at the hearing and made a part of the hearing record;
- i) that the parties concerned and their designated representative shall be notified in writing of the decision of the hearing official;
- j) 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
- k) that such written record of each hearing shall be preserved for a period of three (3) 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.

**Free and Reduce Price Meals Regulation (Continued)**6. Reviewing Official

A reviewing official(s) 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. The official should sign, date and indicate eligibility, determination on each application.

7. 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, including a form on which to make application for free or reduced price meals.

8. Applications

To advise parents to complete the application and return it to the reviewing official for eligibility determination.

Such applications 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 school district. Copies of the application and eligibility dates should be retained with the records of both schools.

To 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.

9. Verification of Applications

Verify the eligibility of applicant households by *November 15* in accordance with program regulations and annually maintain records as follows: (a) a summary of the verification efforts; (b) the total number of applications on file by *October 1*; (c) the percentage or number of applications verified; and (d) the total number of children represented on those applications selected for verification.

10. Anonymity and Accountability

To establish a procedure to collect money from children who pay for their meals which prevents overt identification, and to account for the number of free and reduced price and full price meals 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 identify of the children receiving reduced price meals, free meals.

**Free and Reduce Price Meals Regulation (Continued)**11. Amendments to Policies

To submit to the State Education Department any alterations or amendments to the governing policy or this regulation, including eligibility criteria, applications, public announcements, etc., for approval prior to implementation. Such changes will be effective following approval by the local 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.

12. 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.

- a) all applications returned and documentation of action taken;
- b) records of all appeals and challenges and their disposition;
- c) all notifications of eligibility determinations; and
- d) records of all verification efforts and resulting eligibility changes.

13. 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.

14. Special Assistance Provisions

Annually, 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 recordkeeping requirements as mandated by program regulations for this alternate system.

Adult meals may not be subsidized to any degree from child nutrition funds.

15. 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.

**Free and Reduce Price Meals Regulation (Continued)**  
**Administrative Prerogative (Continued)**

To exercise this option properly, an application must be completed on behalf of the student, based on the best family size 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.

16. Meal Eligibility for Homeless/Migrant/Runaway Children

The United States Department of Agriculture (USDA) has acknowledged that the number of homeless, migrant, and runaway children has risen considerably in the last few years, and that parents/guardians who are homeless or migrant often fail to return a free meal application, and these children are often not included in the direct certification process. 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:

1. The migrant coordinator, homeless liaison, or runaway provider may provide you with a list of eligible children. The list must be dated and signed by the coordinator, liaison, or provider. These children are then directly certified for free meals for the school year. No other documentation is needed. This is the preferred option.
2. The director of the homeless shelter at which the child resides can complete and submit an application for the child.
3. 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.

## Free and Reduce Price Meals Regulation (Continued)

### 17. 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 the 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.

Accordingly, meal substitutions must be made for children with disabilities and must be supported by a statement signed by physician licensed health care provider 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.

#### Attachments:

- Parent Letter (English)
- Household Application (English)
- Parent Letter (Spanish)
- Household Application (Spanish)

Revised:

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**Free and Reduce Price Meals Regulation (Continued)**

Revised:  
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