Policy Statement for Free and Reduced-price Meals in the National School Lunch Program (NSLP), School Breakfast Program (SBP), Afterschool Snack Program (ASP)or Free Milk in the Special Milk Program (SMP)

School Year 2023-24

The East Haddam Board of Education local educational agency (LEA) has entered into an agreement to participate in the National School Lunch Program (NSLP) and/or the School Breakfast Program (SBP), and/or the Afterschool Snack Program (ASP) or to provide free milk under the Special Milk Program (SMP) and accepts responsibility for providing free and reduced-price meals and/or free milk to eligible students in the schools under its jurisdiction each school day.

The LEA assures the Connecticut State Department of Education (CSDE) that the following policy with respect to determining the eligibility of children for free and reduced-price meals will be uniformly implemented in all schools under its jurisdiction participating in the NSLP, SBP, ASP as well as free milk in the SMP for SY 2023-24. Site information

I. LEA Responsibilities

In fulfilling its responsibilities, the LEA agrees to each of the conditions below.

A. The LEA will indicate on the online agreement, the name of the determining official or officials designated by the LEA to make eligibility determinations on its behalf for free and reduced-price meals or for free milk.

B. The LEA will assure that for students who are not categorically eligible for free or reduced-price meal benefits, the LEA will determine eligibility for free or reduced-price meals or free milk in accordance with the current school year's Income Eligibility Guidelines (IEG).

C. The LEA will indicate the specific procedures the LEA will use in accepting applications from households for free and reduced-price meals, or for free milk. Additionally, the LEA must include the specific procedures for obtaining documentation for determining students' eligibility through direct certification, in lieu of an application. LEAs shall also provide households that are directly certified with a notice of eligibility, as specified in the Code of Federal Regulations (CFR) 7 CFR 245.6(c)(2), and shall include this notice in their policy statement. Refer to the CSDE's form, *Meal Application and Data Management Process*.

D. The LEA will provide a description of the method or methods to be used to collect payments from those students paying the full price for meals or milk, or the reduced-price of a meal, which will prevent the overt identification of the students receiving free or reduced-price meals or free milk. Refer to the CSDE's form, *Site Information on Money Collection and Point-of-service Meal Count Systems*.

E. The LEA will provide an assurance that the school will abide by the hearing procedure set forth in 7 CFR 245.7 and the nondiscrimination practices set forth in 7 CFR 245.8.

F. The LEA will serve meals free to:

- students from families or households whose income is at or below the free income level in the current IEGs;
- students from households that provide a confirmed case number on the application; and
- students who are categorically free as indicated in 7 CFR 245.6 and the IEGs.

G. The LEA will serve meals at a reduced-price to students from families or households whose income is at or within the income level in the current IEG for reduced-price meals. The price for meals cannot be more than $.40 for lunch, more than $.30 for breakfast, or more than $.15 for afterschool snack.

H. The LEA will put procedures in place when selling competitive foods during meal service that prevent overt identification of the students receiving free or reduced-price meals or free milk.

I. The LEA will prevent disclosure of confidential free and reduced-price eligibility information as required under 7 CFR 245.6 (f-k).

II. LEA Operation of the School Food Service Program

The LEA agrees to operate its school food service programs in compliance with the requirements below.

A. Nondiscrimination

LEAs participating in the NSLP, SBP, ASP, or SMP shall not discriminate on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by the United States Department of Agriculture (USDA). The LEA shall ensure that there are no barriers for participation in the Child Nutrition Programs (CNP) for Limited English Proficient (LEP) families, and that the LEA will communicate with parents and guardians in a language they can understand through the certification and verification processes.

The LEA shall take all necessary actions to ensure compliance with the nondiscrimination practices for students eligible to receive free and reduced-price meals or free milk, as outlined below.

1. The names of the students shall not be published, posted, or announced in any manner.

2. There shall be no overt identification of any of the students by the use of special tokens or tickets or by any other means.

3. The students shall not be required to work for their meals or milk.

4. The students shall not be required to use a separate dining area, go through a separate serving line, enter the dining area through a separate entrance, or consume their meals or milk at a different time.

5. When more than one lunch or breakfast or type of milk is offered that meets the requirements prescribed in 7 CFR 210.10, 7 CFR 220.8 or the definition of "milk" in 7 CFR 215.2, the students shall have the same choice of meals or milk that is available to those students who pay the full price for their meal or milk.

6. LEAs shall use the application form and letter template to prepare the notice or cover letter sent to parents/households as provided by the CSDE. In addition, LEAs shall also use the CSDE-provided templates for notification of benefits letters and verification communications. Use of any other documents requires prior approval by the CSDE.

The LEA shall have written procedures for receiving and processing Civil Rights complaints that identify the outside agency to which complaints are forwarded (i.e., the CSDE, Northeast Regional Office in Boston, the Food and Nutrition Service, Office of Civil Rights, or the USDA Office of Civil Rights). Procedures must:

- include whether an allegation is made verbally or in person;
- have the person receiving the allegation record the complaint; and
- ensure that the procedures for receiving a complaint do not prevent a complaint from being accepted.

Additionally, the LEA's procedures cannot indicate that they attempt to resolve the complaint themselves, nor can the LEA's complaint process be a prerequisite for accepting a complaint. Refer to the CSDE Civil Rights Complaint Procedures for School Nutrition Programs template.

The LEA must include the following nondiscrimination statement on all applicable CNP materials and at the point where reimbursable meals or milk are served:

> In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity.
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> Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotape, American Sign Language), should contact the responsible state or local agency that administers the program or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.
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> To file a program discrimination complaint, a Complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form which can be obtained online at: https://www.usda.gov/sites/default/files/documents/ad-3027.pdf, from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to USDA by:

1. mail: U.S. Department of Agriculture
   Office of the Assistant Secretary for Civil Rights
   1400 Independence Avenue, SW
   Washington, D.C. 20250-9410; or
2. fax: (833) 256-1665 or (202) 690-7442; or
3. email: program.intake@usda.gov.

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B. Anonymity and Accountability

LEAs shall establish procedures to collect money from students who pay for their meals and to account for the number of free, reduced-price, and full-price meals served at the point of service or the number of cartons of free and full-price milk served. The LEA will ensure that overt identification of a student's eligibility status does not take place at the point of service. Refer to the CSDE's form, *Site Information on Money Collection and Point-of-service Meal Count Systems*.

III. LEA Administration of the Eligibility Process

The LEA agrees to administer the eligibility process in compliance with the requirements below.

A. Notice to Parents/Guardians

At the beginning of each school year, and whenever there is a change in eligibility criteria, each LEA must send to the parent/guardian in each household a letter provided by the CSDE, including the application form for free and reduced-price meals. The letter shall indicate how the household may apply for benefits. Any modifications to the CSDE letter template must receive prior authorization from the CSDE. .

B. Public Release

The LEA must distribute the Public Media Release annually, describing how households may apply for benefits and providing the current IEGs. New LEAs are required to distribute a Public Media Release announcing their sponsorship of the program.

The local unemployment office and area employers contemplating large layoffs will be told of the eligibility criteria for free and reduced-price meals and free milk, and other information supplied in the letter to parents/guardians.

C. Applications

Parents/guardians in households will be asked to submit one application per household to the approving officials. Applications may be submitted at any time during the year. Parents/guardians enrolling a new student in the school during the school year for the first time must be given an application.

A student's eligibility will transfer from one school to another. The school must collect the documentation from the previous school.

Parents/guardians must be given notification of the eligibility determination within 10 operating days of receipt of the application. The LEA must use the notification template provided by the CSDE or receive prior authorization from the CSDE to use an alternate form. The service of free or reduced-price meals or free milk will begin immediately upon determining eligibility.

Parents/guardians in households must be informed in writing of the reasons for denial of their application. They must be advised of the Hearing Official and the Hearing Process.

D. Direct Certification

LEAs must access the Direct Certification database weekly and must monitor the case management module weekly. At the beginning of each school year, the LEA must provide households with notification that their children are eligible for free or reduced-price meals through Direct Certification, and that no application for benefits is required. LEAs must extend free or reduced-priced benefits to all students in the household as applicable.

E. Categorical Eligibility

Households must also be advised that a foster child is categorically eligible for free meals and may be included as a member of the foster family if the foster family chooses to apply for benefits for other children. The LEA must explain that including children in foster care as household members can help other children in the household qualify for free or reduced-price meals. If the foster family is not eligible for free or reduced-price meal benefits, this does not prevent a foster child from receiving free meal benefits.

Households with children who are categorically eligible under "Other Source Categorically Eligible Programs," including Head Start and students who are runaway or experiencing homelessness, should contact the school for assistance in receiving benefits, and mark the application in the appropriate box.

F. Special Provisions

Special provision options are available to LEAs with prior CSDE approval and allow household applications to be collected less frequently. These two options are described below.

- Community Eligibility Provision (CEP): The CEP reduces application and meal counting burdens. Schools may participate in CEP if 40 percent or more of their enrolled students are directly certified for free school meals. Schools may not charge students for meals. Identified student percentages (ISP) are determined by April 1 of the prior year. Reimbursement is determined by the ISP and the current USDA multiplier. This program operates for a four-year period.

G. Hearing Procedure

A family may appeal a decision made by the LEA with respect to an application for free or reduced-price meals or for free milk. The hearing shall be held with reasonable promptness, and the LEA shall provide convenient and adequate notice as to the time and place of the hearing. Based on 7 CFR 245.7, the hearing shall provide for both the family and the LEA:

- a simple, publicly announced method to make an oral or written request for a hearing;
- an opportunity to be assisted or represented by an attorney or other person;
- an opportunity to examine, prior to and during the hearing, any documents and records presented to support the decision under appeal;
- an opportunity to present oral or documentary evidence and arguments supporting a position without undue interference; and
- an opportunity to question or refute any testimony or other evidence and to confront and cross-examine any adverse witnesses.

Additionally, the LEA shall ensure 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 previously held conference;

- 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;

- the parties concerned and any designated representative shall be notified in writing of the decision of the hearing official;

- a written record shall be prepared with respect to each hearing, which shall include the challenge or 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 therefor, and a copy of the notification to the parties concerned of the decision of the hearing official; and

- the written record of each hearing shall be preserved for a period of three years and shall be available for examination by the parties concerned or their representatives at any reasonable time and place during that period.

When a household disagrees with an adverse action that affects its benefits and requests a fair hearing, benefits shall be continued while the household awaits the hearing and decision.

- Households that have been approved for benefits and that are subject to a reduction or termination of benefits later in the same school year, shall receive continued benefits if they appeal the adverse action within the 10 calendar day advance notice period.

- Households that are denied benefits upon application shall not receive benefits.

H. Records

The LEA shall maintain a file of the following records for three years after the end of the fiscal year to which they pertain:

- all applications, verification records and documentation of action taken; and
- records of all appeals, and challenges, and their disposition.

I. Verification

Verification is required for participation in the NSLP and SBP. Each LEA shall designate a verification official to complete the activities for the entire LEA.

The LEA shall follow the program regulations and guidance provided by the CSDE for the verification of applications, will conduct verification in accordance with program regulations by November 15 each year, and will maintain all records documenting the verification process. The annual Verification Collection Report (FNS 742) shall be completed and submitted by **December 15**, using the CSDE's Connecticut Online Application and Claiming System for Child Nutrition Programs (CNP System).

J. Amendments to Policies

The LEA must amend its policy statement for any substantive changes to its free and reduced-price policy and include a description of the change. In all cases, the LEA must have an approved policy statement on file at the CSDE that accurately describes its current free and reduced-price policies. The amendments must be approved by the CSDE prior to implementation. The amendments must reflect:

- changes made by the LEA, e.g., changes in money collection and POS systems, designation of a new hearing officials, changes in procedures for accepting applications, revisions in the letter to households or application for free and reduced-price meals/free milk;
- changes required by laws/regulations; and
- additional information specified by the CSDE.

Attachments

Prior to submitting the completed Policy Statement and related materials below, LEAs should refer to the CSDE's document, *Overview of Meal Counting and Claiming Process*.

The LEA must upload the twelve attachments below to the CSDE's CNP System. These forms are available on the CSDE's Forms for School Nutrition Programs webpage. The verification forms are available on the CSDE's Verification Procedures for School Nutrition Programs webpage.

1. Policy Statement for School Meals and Milk
   (must be signed by an authorized representative, not the food service director)
2. Meal Application and Data Management Process
3. Site Information on Money Collection and Point-of-Service Meal Count Systems
4. Public Media Release
5. Application for Free and Reduced-price School Meals or Free Milk
6. Parent/Guardian Letter: Frequently Asked Questions (FAQs) About Free and Reduced-price School Meals **and/or** Parent/Guardian Letter: Frequently Asked Questions (FAQs) About Free School Milk
7. Parent/Guardian Notification Letter for Free/Reduced-price Eligibility
   (approving or denying meal benefits)
8. Parent/Guardian Notification Letter Version 1: Eligibility Established through Direct Certification Based on Supplemental Nutrition Assistance Program (SNAP), Temporary Family Assistance (TFA) or Medicaid Benefits
9. Parent/Guardian Notification Letter Version 2: Eligibility Established through Direct Certification Based on Foster Child, Homeless, Runaway, or Head Start Program Status
10. Parent/Guardian Notification Letter Version 3: Reduced-price Eligibility Established through Direct Certification Based on Medicaid Benefits
11. Household Letter to Verify Family Eligibility
12. Letter of Verification Results and Adverse Action for Income Households

Note for SMP sponsors: The required forms for SMP sponsors that do not also participate in NSLP and/or SBP are different. In addition, the number of forms that SMP sponsors must submit depends on the type of program. Refer to the CSDE's Updating the Sponsor Agreement for the Special Milk Program for guidance. Visit the "Documents/Forms" section of the SMP webpage to download the required forms for the SMP.

The attachments are adopted with and considered part of this policy.

Policy Statement for Free and Reduced-price Meals in the NSLP, SBP, ASP or Free Milk in the SMP

An authorized representative (not the food service director) must sign the Policy Statement. The signed Policy Statement must be scanned and returned to the CSDE using the CNP System.

Signature: _____

Name: Cindy Hughson

Title: Business Manager

Date: 8/8/2024

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