



Free and Reduced Price Policy Statement

This Policy Statement is a permanent part of your Agreement with the Idaho Department of Education to operate The National School Lunch Program (NSLP), the School Breakfast Program (SBP) and the Special Milk Program (SMP). All revisions to the administrative procedures stipulated in this Policy Statement must be submitted to SDE for review and approval before implementation.

Eligibility Official(s): The School Food Authority agrees to designate Eligibility Officials with the authority to determine eligibility of Program applicants. More than one eligibility official may be designated. The Eligibility Official(s) are recorded annually and updated as needed, in the electronic MyIdahoCNP system.

Hearing Official: The School Food Authority agrees to designate an official to have the authority to conduct hearings on appeals to eligibility determinations. This person must be a person who was not connected with the approval or verification process. The designated Hearing Official is recorded annually and updated as needed, in the electronic MyIdahoCNP system.

Instructions: Complete PART 1. Return original with your signed permanent Agreement. Keep a copy for your records.

PART 1

Emmett School District #221, Tyree E. White (School Food Authority) agrees to operate the following program(s) according to all the requirements set forth in the Agreement attached hereto.

- * National School Lunch Program (NSLP)
- * School Breakfast Program (SBP)
- Special Milk Program (SMP)

PART 2

The School Food Authority (SFA) agrees to uniformly implement the following procedures in determining participants' eligibility to receive benefits in the NSLP, SBP, or SMP specified above:

1. To serve meals free to children from families whose income is at or below the current eligibility income guidelines for free meals;
2. To serve meals at a reduced price to children from families whose income is at or below the current eligibility income guidelines for reduced price meals;
3. For Sponsors/SFA's participating in the Special Milk Program with a free milk option, to serve milk free to children from families whose income is at or below the current eligibility income guidelines for free milk;
4. To provide these benefits to foster children in certain cases;
5. To provide these benefits to children from families experiencing strikes, layoffs and unemployment that causes the family income to fall below the eligibility income scale;
6. That there shall be no overt identification of any child receiving these benefits;
7. That no child shall be discriminated against as specified in the USDA nondiscrimination policy statement;
8. To establish and follow a fair hearing procedure as described in PART 8, *Hearings Procedure/Appeal Process*;

9. To establish and follow a counting and collection procedure that will not overtly identify those students receiving free or reduced price meals or free milk; and
10. To submit to the Idaho Department of Education any proposed alterations of this policy prior to implementation; such changes to be effective only upon approval.

PART 3

Income Guidelines: In making eligibility determinations for free or reduced price meals and free milk, the SFA and all schools under its jurisdiction shall use family size income standards in accordance with Income Eligibility Guidelines published by the United States Department of Agriculture in the Federal Register each year. These guidelines will be available on the SDE website no later than July 1 each year.

PART 4

Application Forms and Parent/Guardian letters: By the end of the first week of the school year at the latest, the SFA will distribute to the household of each student attending participating schools the confidential application with a parent/guardian letter. New students enrolling in a school after the start of the school year shall be provided a parent/guardian letter and an application form when they enroll. The SFA shall use the prototype parent/guardian letter provided each year by the State Agency or the SFA may develop its own parent/guardian letter following the requirements set forth below. The SFA must submit its proposed parent/guardian letter to the State Agency for approval before distributing it. The parent/guardian letter must contain the following information:

- In schools participating in the NSLP or SBP, the eligibility criteria for reduced price benefits with an explanation that households with incomes less than or equal to the reduced price criteria would be eligible for either free or reduced price meals, or in schools participating in the SMP with a free milk option, the eligibility criteria for free milk benefits;
- Instructions on how a household may apply for free or reduced price meals or for free milk for its children;
- An explanation that an application for free or reduced price benefits cannot be approved unless it contains complete eligibility information, as specified;
- An explanation that households with children who are currently certified for Supplemental Nutrition Assistance Program (SNAP), or Food Distribution on Indian Reservations (FDPIR) benefits or TAFI benefits may submit applications with only the child(ren)'s name(s), their benefit I.D. information and the signature of an adult household member;
- An explanation that the information on the application may be verified at any time during the school year;
- A statement that WIC participants may be eligible for free or reduced price meals;
- A statement that households may apply for benefits at any time during the school year if their circumstances change;
- A statement that children whose parents or guardians become unemployed are eligible for free or reduced price meals or for free milk during the period of unemployment, provided that the loss of income causes the household income during the period of unemployment to be within the eligibility guidelines;
- A statement that in certain cases foster children are eligible for free or reduced price meals or free milk regardless of the income of the household with whom they reside and that households wishing to apply for such benefits for foster children should contact the SFA;
- The USDA nondiscrimination statement;

- An explanation that a household may appeal the decision of the SFA with respect to the application under the hearing procedure set forth in this policy statement;
- A statement that the information they provide on the confidential application will be used only for determining eligibility for meal or milk benefits and verification of eligibility;
- A statement that the information on the confidential meal application may be shared with education, health, and nutrition programs to help them evaluate, fund and determine benefits for their programs, and
- The parent/guardian letter shall be accompanied by a copy of the confidential application form.

PART 5

Processing Applications: The parent or guardian is responsible for completing and returning the confidential application to the school for eligibility determination. Incomplete applications cannot be accepted for determining eligibility. Parent(s) or guardian(s) shall be **promptly notified of acceptance or denial** of their application(s).

Completed applications should be reviewed and an eligibility determination made within 10 working days of the receipt of the application. Immediately upon the determination of eligibility, households must be notified of their eligibility status and the students shall be served free or reduced price meals or free milk.

PART 6

Denied Benefits: When eligibility for free or reduced price benefits is denied, parent(s) or guardian(s) will be provided **written notification** which shall include:

- (1) The reason for the denial of benefits, (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 parent(s) or guardian(s) that they may reapply for free and reduced price benefits or free milk at any time during the school year. The reason(s) for denial shall be properly documented and retained on file by the SFA.

PART 7

Verification Requirements: By November 15 each year, the SFA must verify the eligibility of a sample of their approved free and reduced price applications on file as of October 1. The SFA must complete the verification process for all households that have been notified of their selection for verification and have been asked to submit verification information. If verification cannot be completed by the required date, the SFA must request an extension in writing. The SFA shall maintain on file for review:

- A summary of the verification efforts including the sampling method used;
- The total number of applications on file as of October 1;
- All verified applications must be readily retrievable by school and include all documents submitted by the household in an effort to confirm eligibility, reproductions of those documents, or annotations made by the determining official which indicate which documents were submitted by the household and the date of submission;
- Documentation of any changes in eligibility and the reasons for the changes; and
- All relevant correspondence between the household selected for verification and the SFA.

When verification activities fail to confirm eligibility for free or reduced price benefits, or if the household does not respond to the request for verification information, the SFA shall reduce or terminate benefits, as applicable, as follows:

- Ten days advance written notification shall be provided to households that are to receive a reduction or termination of benefits, prior to the actual reduction or termination.
- The first day of the 10 day advance notice period shall be the day the notice is sent.
- The notice shall advise the household of (1) The change in benefits; (2) the reasons for the change; (3) notification of the right to appeal and when the appeal must be filed to ensure continued benefits while awaiting a hearing and decision; (4) instruction on how to appeal; and (5) the right to reapply at any time during the school year.

If the household does not respond to the verification request or submits insufficient or obsolete written evidence, the verifying official has the option of contacting the household to request the missing written evidence of current eligibility and advising the household that failure to comply or to designate a collateral contact will result in termination of benefits. *The SFA is required to make one follow up contact with unresponsive households.* When the SFA gives the household a second opportunity to respond to the verification notice, sufficient time must be scheduled in the verification plan for the information to be submitted by the household and reviewed before the November 15 deadline.

The annual verification requirement is considered complete on the date all households selected for verification have been notified that the verification of their application information resulted in no change of benefits, an increase in benefits, a reduction of benefits or termination of benefits and required reporting has been fulfilled. Any change in benefit level as a result of verification must be extended to all children in the household who were determined to be eligible by information on the application that was selected for verification.

PART 8

Hearing Procedure/Appeal Process: Under the hearing procedure, a family can appeal from a decision made by the SFA with respect to an application the family has made for free or reduced price meals or for free milk and the SFA can challenge the continued eligibility of any child for a free or reduced price meal or for free milk. Prior to initiating the hearing procedure, the school official or the parent(s) or guardian(s) may request a conference to provide an opportunity for the parties to discuss the situation, present information, obtain an explanation of data submitted in the application, and discuss the decisions rendered. Such a conference shall not in any way prejudice or diminish the right to a fair hearing. The SFA shall use the following fair hearing procedure:

- Households that are denied benefits upon application shall not receive benefits during the appeal and hearing;
- 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 a ten day advance notice period;
- The SFA must establish a publicly announced, simple method for making an oral or written request for a hearing;
- The family and the SFA must have the opportunity to be assisted or represented by an attorney or another person;
- The family and the SFA must have the opportunity to examine, prior to and during the hearing, the documents and records presented to support the decision under appeal;

- The hearing shall be held with reasonable promptness and convenience and adequate notice shall be given as to the time and place of the hearing;
- The family and the SFA must have the opportunity to present oral or documentary evidence and arguments supporting a position without undue interference;
- The family and the SFA must have an opportunity to question or refute any testimony or evidence and to confront and cross examine adverse witnesses;
- The hearing shall be conducted and the decision shall be made by an official who did not participate in making the decision under appeal or in any previously held conference;
- The decision shall be based on the oral and documentary evidence presented at the hearing and entered into the hearing record;
- The parties to the hearing and designated representatives thereof shall be notified in writing of the decision of the hearing official;
- A written record shall be prepared which includes the decision under appeal, any documentary evidence and a summary of 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 decision of the hearing official; and
- The written record must be retained for a period of three years after the resolution of the appeal and shall be available for examination by the parties concerned or their representatives at any reasonable time and place during that period.

PART 9:

Nondiscrimination Practices: The USDA nondiscrimination statement shall be printed in full on all materials that are produced by the SFA for public information, public education, or public distribution in the same font size as the text used in the publication. A short form of the nondiscrimination statement may be used on single page materials, spot announcements on radio and television, in newspaper ads and on the Internet.

All necessary actions shall be taken to insure compliance with the following nondiscrimination practices for students eligible to receive free and reduced price meals or free milk:

- Names of students eligible for free or reduce price benefits shall not be published, posted, or announced in any manner;
- There shall be no overt identification of any student eligible for free or reduced price benefits by the use of special tokens, tickets or other means;
- Students eligible for free or reduced price benefits shall not be required to work for their meals or milk;
- Students eligible for free or reduced price benefits 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 than students who pay full price; and
- When more than one lunch, breakfast or type of milk is offered which meets the requirements for reimbursement in the NSLP, SBP or SMP, students who are eligible for free or reduced price benefits shall have the same choice of meals or milk that is available to those students who pay full price for their meal or milk.

PART 10:

Record Retention: All records pertaining to the National School Lunch Program, the School Breakfast Program and the Special Milk Program shall be retained for a period of three (3) years after the end of the fiscal year to which they pertain, except that if review or audit or hearings findings have not been resolved, the records shall be retained beyond the 3 year period as long as they are required for resolution of issues raised.

Schools using Claiming Provision 2 for the National School Lunch Program and/or the School Breakfast Program shall retain:

- Base year records during the period the Provision is in effect, including all extensions, plus three (3) Fiscal Years (FY) after the submission of the last Claim for Reimbursement and
- Non-base year records shall be retained for a period of three (3) years after the end of the fiscal year to which they pertain, except that if review or audit or hearings findings have not been resolved, the records shall be retained beyond the 3 year period as long as they are required for resolution of issues raised.

PART 11:

Attachments: The following documents are adopted with and considered part of this policy statement:

Attachment A: Income Eligibility Guidelines

Attachment B: Confidential Application for Free and Reduced Price Meals

Attachment C: Parent/Guardian Letter for Free and Reduced Price Meals

Attachment D: Parent/Guardian Eligibility Notification Letter for Free and Reduced Price Meals

Attachment E: Notice/Letter of Selection for Verification of Eligibility

Attachment F: Notice/Letter of Verification Results and Adverse Action for Income Households

Attachment G: Notice/Letter of Verification Results and Adverse Action for SNAP/TANF/FDPIR

Attachment H: (*Special Milk Program Only*) Confidential Applications for Free Milk

Attachment I: (*Special Milk Program Only*) Parent/Guardian Letter

For Questions Contact

Child Nutrition Programs
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