

**POLICY STATEMENT FOR FREE AND REDUCED PRICE MEALS
2002-2003 SCHOOL YEAR**

The _____ has entered into this
(School Division)

agreement to participate in the following School Nutrition Program(s) and accepts the responsibility for providing free and reduced price meals ¹ to eligible children in the schools under its jurisdiction: (Check programs, which are applicable for your division)

- National School Lunch Program**
- National School Breakfast Program**
- Special Milk Program**
- Afterschool Snack Program**

The _____ assures the U. S. Department
(School Division)

of Agriculture and the Virginia Department of Education that the school system will uniformly implement the following policy to determine children's eligibility for free or reduced price meals in the school under its jurisdiction participating in the National School Lunch Program, School Breakfast Program, Special Milk and Afterschool Snack, if applicable.

In fulfilling its responsibilities, the School Division:

- A. Agrees to serve meals free to children from households whose income is at or below the free limit of the USDA Income Eligibility Guidelines listed; or to children from food stamp households that provide a case number; or to children from Virginia Temporary Assistance for Needy Families households that submit TANF case number.
- B. Agrees to serve meals at a reduced price to children from households whose income is within the reduced price scale of the USDA Income Eligibility Guidelines.
- C. Agrees to provide these benefits to foster children where the foster care payment is not more than the income eligibility standards for a household size of one.
- D. 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. The names and social security numbers of the children eligible to receive free or reduced price meals shall not be published, posted, announced, or shared in any

¹ "Meals" means lunches in schools participating in the National School Lunch Program and breakfasts in schools participating in the National School Breakfast Program, snacks in schools participating in the Afterschool Snack Program, and milk in schools participating in the Special Milk Program.

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manner, except as authorized and agrees to have a written agreement between the determining agency and the requesting entity prior to disclosure (Attachment I – MOU). Agrees there shall be no overt identification of any such child by use of special tokens, tickets or any other means. Parental permission will be sought before information is used for any other purpose. Further assurance is given that children eligible for free or reduced price meals shall not be required to:

1. Work for their meals.
 2. Use a separate lunchroom.
 3. Go through a separate line.
 4. Enter the lunchroom through a separate entrance.
 5. Eat meals at a different time.
 6. Eat a meal different from the one sold to children paying the full price.
- E. Agrees to set reduced price charges for lunch, breakfast, and afterschool snack (if applicable) at or below maximum reduced price allowed by regulations (\$.40, \$.30 and \$.15 respectively) and below the full price of the lunch, breakfast, or snack.
- F. Agrees that, in the operation of school nutrition programs, no child shall be discriminated against because of race, sex, color, national origin, age, or disability.
- G. Agrees to verify eligibility of applicant households in accordance with program regulations and maintain records as follows: (1) a summary of verification efforts; (2) the total number, by category, of applications on file as of October 31; (3) the number of applications verified; and (4) the number of recipients in each of the specified ethnic groups.
- H. Agrees to establish and use a fair hearing procedure for parents' appeals of the school's/school division's decision on applications and for school officials' challenges to the correctness of information contained in an application or continued eligibility of any child for free or reduced price meals. Households appealing a reduction or termination of benefits as a result of verification of eligibility will continue to receive benefits if they appeal within the 10-day advance notice period. During the appeal and hearing, the child will continue to receive free or reduced price meals. If a child is denied benefits upon initial application, no benefits are available if an appeal is filed. A record of all such appeals and challenges and their disposition shall be retained for three years after the current year.

Prior to initiating the hearing procedures, 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.

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The hearing procedure shall provide the following:

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 the time and place of the hearing.
 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 witnesses.
 7. That the hearing be conducted and the decision made by a hearing official who did not participate in the decision under appeal or in any previous conference. It is recommended that the hearing official hold a position at a higher administrative level than the determining official do.
 8. That the decision of the hearing official be based on the oral and documentary evidence presented at the hearing and made a part of the hearing record.
 9. That the parties concerned and any designated representative thereof be notified in writing of the decision of the hearing official.
 10. That for each hearing a written record be prepared, including that 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 official's decision.
 11. That such written record must be retained for a period of three years and must be available for examination by the parties concerned or their representatives at any reasonable time and place during such period.
- I. Agrees to designate an appropriate school division or school official to review applications and make determinations of eligibility. The official will use the criteria outlined in this policy to determine which individual children are eligible for free or reduced price meals.
- J. Agrees to develop and send to each child's parent or guardian a letter as outlined in Attachments C1 and C2, and an application for free or reduced price meals (Attachment D) at the beginning of each school year and whenever there is a change in eligibility criteria. The letter to parents with the free or reduced price meal application attachment will 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.

Parents or guardians are responsible for filling out the application and returning it to the school for review. All applications and supporting documentation will be

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maintained for a period of three (3) years following the end of the school year to which they pertain. If the school is operating under Provision 2 and the applications are for the base year, all applications and documentation must be maintained for as long as school remains under Provision 2 or three years beyond the establishment of a new base year.

Applications may be filed at any time during the year. Any parent enrolling a child in a school for the first time, at any time during the year, shall be supplied with such documents. If a child transfers from one school to another under the jurisdiction of the same school division, his eligibility for free or reduced price meals will be transferred to and honored by the receiving school. The original application will be maintained at the originating school with a copy sent to the receiving school. The date of transfer will be recorded on the roster when a child leaves and enters a school.

All children from an eligible household will receive the same benefits. (Eligibility determined with Virginia Temporary Assistance for Needy Families (TANF) number is for that child only.) Parents or guardians will be promptly notified of the approval or denial of their applications (Attachments E1 and E2). Children will be served meals or milk immediately upon the establishment of their eligibility.

When an application is denied, parents or guardians will be provided written notification (Attachment E) which shall include: (1) the reason for the denial of benefits, e.g., income in excess of allowable limits or incomplete applications; (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 or reduced price benefits at any time during the school year. The reasons for ineligibility will be properly documented and retained on file.

- K. Agrees to submit a public/press release (Attachment F) containing both 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.
- L. Agrees that, if directly certifying children for free meal benefits from Food Stamps or Virginia Temporary Assistance for Needy Families (TANF) only official written documentation provided to the school division by the Department of Education will be used. Direct certification documents will only be used to certify free meal benefits through October 31.
- M. Agrees to establish a procedure to collect money from children who pay for their meals, and to account for the number of free, reduced price and paid meals served. The procedure described in Attachment G must be used to prevent overt identification of children receiving free or reduced price meals by this procedure.
- N. Agrees to submit to the Virginia Department of Education for approval any alterations to the approved Uniform Policy Statement and attachments, any

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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 at the beginning of the school year.

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

- Attachment A** Designation of Eligibility Determination, Hearing and Verification Officials
- Attachment A-1** Amendment Attachment A (used only when there is a change)
- Attachment B** Eligibility criteria for free and reduced price meals
- Attachment C1 & C2** Letter to Parents
- Attachment D** Application Form
- Attachment E1 & E2** Notification of Eligibility Determination
- Attachment F1 & F2** Public Release - Application/Direct Certification
- Attachment G1 & G2** Collection Procedure(s)
- Attachment H** Direct Certification
- Attachment I** Memorandum of Understanding (MOU) for Disclosure of Free/Reduced Eligibility

APPROVED BY SCHOOL DIVISION:

Signature of Division Superintendent

(Date)

Please print/type name of Division Superintendent

APPROVED BY VIRGINIA DEPARTMENT OF EDUCATION:

Catherine Digilio Grimes
Director, School Nutrition Programs

(Date)