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TO: District Superintendents
Superintendents of Schools
Chancellor, New York City Department of Education
Chief Administrative Officers of Nonpublic Schools Participating in the
School Lunch, Breakfast, or Special Milk Programs
Executive Directors of Residential Child Care Institutions
School Food Service Directors/Managers

FROM: Child Nutrition Program Administration

SUBJECT: 2021-2022 Free and Reduced Price Income Eligibility and Policy Information

PLEASE READ CAREFULLY

The 2021-2022 Free and Reduced Price Income Eligibility and Policy Information Booklet announces the income eligibility guidelines for the 2021-2022 school year and provides each School Food Authority (SFA) with the forms and guidance needed to process applications for free and reduced price meals and/or milk. Many of these forms are on the Child Nutrition Knowledge Center (CNKC) website in Word document format for your convenience.

This packet reiterates the most recent information needed to make eligibility determinations. Webinars are available on the CNKC website that address the application and eligibility process. These Webinars count toward annual training for Professional Standards.

SFAs should also refer to the USDA Eligibility Manual for School Meals published in July 2017 for information regarding determining and verifying eligibility. The USDA Eligibility Manual for School Meals can be found on the CNKC website.

KEEP THIS BOOKLET ON FILE: Retain with copies of the public release, application form, and parent letter(s) used by your district/school for free or reduced price meal and/or milk benefits during the 2021-2022 school year.

Foreign Language Applications and Letters

Prototype copies of applications are also available through USDA in many translated foreign languages. Each foreign language packet downloaded from USDA contains a letter to households, a free and reduced price application and instructions, a notice to households of approval/denial of benefits, a notice of Direct Certification, a waiver for information for health insurance, a verification selection letter to parents and a verification letter of results and adverse action. These can be downloaded from USDA's web site at <https://www.fns.usda.gov/school-meals/translated-applications>

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Common Errors

(use the prototype forms and letters enclosed in this booklet to avoid many of these errors)

Inappropriate outdated application forms

All SFAs should use New York State's current application. For school year 2021-2022, the applications are enclosed and can also be found at www.cn.nysed.gov. If applications are made available on the school website, be sure to update with the new applications and parent letters each year.

Inappropriate headings

The free/reduced price application must include the proper heading which indicates its purpose. It cannot be labeled as a "reduced fee" application for alternate purposes if it establishes eligibility for free/reduced price meals.

Parent letter not included or wrong income scale used

Parents must receive together, the Free and Reduced Price Meal application and the required parent letter (Attachment VII) that includes **only the reduced price income eligibility scale**. Parent letters incorrectly containing both income eligibility scales (excluding Special Milk, which requires only the free income eligibility scale), only the free income eligibility scale, or no income eligibility scale jeopardize free and reduced reimbursement to your SFA.

Public announcement errors

Many schools fail to send the public announcement each year to the informational media (local newspaper), the local unemployment office, and any major employers contemplating large layoffs in the area. The required income eligibility scales are included in the prototype public announcement (Attachment II). **Please note that this public announcement may not be published on the school's website.**

School website issues

Applications on the school website are not kept current each year. Be sure the website is updated with the current application and the current parent letter. **The public announcement which includes both the free and reduced price income eligibility scales may never be posted on the website or in the news feed.**

It is essential that you understand there will be no exceptions to these policies. SFAs that are not in compliance could find their applications for free and reduced price meals disallowed and may incur additional printing, dissemination and approval costs to bring their programs into compliance.

Ensure everyone connected with the application process for free and reduced price meals is fully aware to ensure compliance with all required policies.

Recent Updates

- **USDA Nondiscrimination Statement:** The USDA Nondiscrimination Statement was recently updated by USDA. The updated statement must be used on all Child Nutrition Program materials, including websites, pamphlets, brochures and all correspondence sent to families for program purposes and must include all spacing as it appears in the link below. Please be sure to update the USDA Nondiscrimination Statement on all your Child Nutrition Program materials.

The updated USDA Nondiscrimination Statement can be found here: [USDA Nondiscrimination Statement | Child Nutrition | NYSED](#)

- **2021-2022 School Year USDA Waiver Flexibilities:** The New York State Education Department (SED) has elected the use of the Nationwide waiver flexibilities provided by the United States Department of Agriculture (USDA) for school year 2021-2022. School Food Authorities (SFAs) may elect to use the waivers, as applicable. These waiver extensions are expected to facilitate streamlined access to nutritious meals and snacks, while minimizing potential exposure to COVID-19. You can find more information here: [SY21-22 Waiver Flexibilities](#)

Please contact your Child Nutrition representative if you have any questions. Please continue to check the CNKC website as additional USDA information and guidance is forthcoming.

- **Increase in Reimbursement for Reduced-Price Meals:** The New York State budget includes additional funding to pay the student cost of 25 cents for breakfast and lunch meals and 15 cents for snacks served in the Afterschool Snack Program that was otherwise charged to students approved eligible to receive reduced-price meals.

Beginning July 1, 2019, students approved for reduced-price meals must receive breakfast, lunch and snack meals at no charge. As stated above, New York State funding will provide an additional 25 cents in State reimbursement for each reimbursable breakfast and lunch meal served and an additional 15 cents for each reimbursable snack meal served to a reduced-price student to cover the cost previously paid by the student.

SFAs must continue to certify students as eligible for reduced-price meals and must continue to claim meals served to students approved for reduced price meals in the reduced-price category. Although these students will receive their breakfast and lunch meals at no charge, they should not be claimed in the free reimbursement category when placing claims for reimbursement. The free & reduced price policy letters and attachments have been updated to reflect this change.

SFAs should refer to the memo ["Increase in State Reimbursement for Reduced-Price Meals"](#) for additional information. Please contact the Child Nutrition Program Office at 518-473-8781 if you have any questions.

- **Direct Certification Matching Process (DCMP):** The DCMP process must now be completed through the NYSED Business Application Portal available on the NYSED website at <https://portal.nysed.gov/abp>. More information on Direct Certification can be found further in this booklet and on the Child Nutrition Knowledge Center (CNKC) website.
- **Meal Charge Policy:** Beginning with school year 2017-2018, School Food Authorities (SFAs) in New York State are required to have a written and clearly communicated policy to address student meal charges when payment cannot be collected at the point of service. Charge policies should be reasonable, well-defined and maintain the integrity and dignity of students and households to minimize harm to the student.
- **Prohibition Against Meal Shaming Plan:** Beginning with school year 2018-2019, all public, non-public, and charter School Food Authorities (SFAs) in New York State that require students to pay for a school breakfast and/or lunch meal must develop a written plan to ensure that a student whose parent or guardian has unpaid meal charges is not shamed or treated differently than a student whose parent or guardian does not have unpaid school meal charges. New York State legislation now requires SFAs to provide students with the reimbursable meal of their choice and

specifically identifies other prohibited actions to decrease student distress or the embarrassment associated with not having adequate funds to pay for a school meal. The new State plan has several of the same or similar requirements as the federal National School Lunch Program (NSLP) Unpaid Meal Charge policy that took effect July 1, 2017. SFAs may opt to amend this policy to include the new State criteria or can develop a separate State specific plan. SED has also created a template plan that SFAs can use to meet both the State and federal requirements. **SFAs should refer to the memo titled “New York State Legislation – Prohibition Against Meal Shaming” for additional information and guidance. This memo can be found on the CNKC and at the following link:** <http://www.cn.nysed.gov/content/revised-prohibition-against-meal-shaming>

- **Flexibility in Determining the Effective Date for Children receiving free or reduced price benefits-** see page 18
- **School Breakfast Program (SBP) Outreach:** SFAs participating in the School Breakfast Program must actively promote and perform outreach activities to increase awareness of the School Breakfast Program and increase participation. Efforts should be documented and kept on file with Program records for three years plus the current school year.
- **Summer Food Service Program (SFSP) Outreach:** SFAs participating in the School Breakfast Program and/or National School Lunch Programs must notify families of locations that operate the Summer Food Service Program (SFSP) prior to the end of the school year. SFAs should provide the toll free number for families to call (1-866-3-HUNGRY, 1-877-3-HAMBRE or text 'FOOD' or "COMIDA" to 877-877) to find a location that operates the SFSP and direct families to the Child Nutrition Knowledge Center (CNKC) website. Families located in NYC can also dial 211 or 311. Efforts should be documented and kept on file with Program records for three years plus the current school year.
- **Zero Income:** Applications where the family has reported zero (0) income must be given free meal benefits for the entire school year from the time the application was received and approved. Any income field left blank is a positive indication of no income and certifies there is no income to report.
- **Community Eligibility Provision (CEP):** Schools where at least 40 percent of enrolled students have been deemed free eligible through a means other than an income application (i.e., directly certified using electronic SNAP or Medicaid data, homeless, migrant, runaway, foster, and head start) as of April 1st each year may apply to participate in the Community Eligibility Provision. The schools will receive reimbursement in the free and paid category based on the percentage of directly certified students as noted above times a multiplier (as written in federal regulation, currently 1.6).

Due to the unanticipated public health emergency as a result of COVID-19, SFAs electing CEP in the 2021-2022 School Year may calculate their Identified Student Percentage (ISP) using data from July 1, 2020-June 30, 2021. Additionally, the deadline to apply to participate in the CEP has been extended to September 30, 2021. For more details about participation and how to apply, please see the CEP Memo on the CNKC website.

- **“And Justice for All” Posters:** The “And Justice for All” posters have been revised by the USDA and are available to all School Food Authorities and Summer Food Service Program Sponsors participating in the federal Child Nutrition Programs. Please replace and display this revised “And Justice for All” poster immediately.

Click here to preview the updated poster: <https://www.ascr.usda.gov/sites/default/files/JFAgreen508.pdf>

If you need to order posters to display, please complete the [Resource Order Form](#).

The “And Justice for All” posters are required to be posted in highly visible locations in all Child Nutrition Program service areas including cafeterias, classrooms and in the vicinity of or on reimbursable meal vending machines if they are placed in areas other than the cafeteria.

- **[Civil Rights Requirements and Annual Training](#)**: SFAs participating in the National School Lunch and School Breakfast Programs are required to collect data of all potential participants with regard to race and ethnicity specifically. The data already being collected as a requirement of the No Child Left Behind Act may also be used for the National School Lunch and School Breakfast Programs. The [civil rights compliance report form](#) is available on the Child Nutrition website detailing the specific annual requirements.

Annual Civil Rights training must be provided by the SFA for all staff, including front line cafeteria staff who interact directly with program applicants and participants. A [Power Point presentation](#) is available on the Child Nutrition Knowledge Center (CNKC) website for staff training. A record of the annual training, including a sign-in sheet, the date, location, and who provided the training, must be kept for three years plus the current year. LEAs must comply with all Civil Rights and non-discrimination requirements in Subpart A and FNS Instruction 113-1. Please see the memo ["Child Nutrition Program Civil Rights Requirements"](#) for more information.

- **Change in Authorizing Signature**: There is no federal requirement that describes who must sign Child Nutrition Program documents. The Child Nutrition Program regulations specify that an official of the SFA make written application to the state agency for any school in which it desires to operate the program. The SFA means the governing body responsible for the administration of one or more schools and the legal authority to operate Child Nutrition Programs.

The signature of the district clerk, as well as an officer of the board of education, such as president or vice president, is accepted for the forms.

The board of education may delegate the chief administrative officer to act as its agent with regard to entering into contracts and agreements for the Child Nutrition Programs. This policy will not permit the chief administrative officer's signature in lieu of board action, but will permit the chief administrative officer to sign, in all respects, after the board resolution.

Introduction:

All schools participating in the federally assisted National School Lunch Program and/or School Breakfast Program **must** make free and reduced price meals available to all eligible children. All schools and institutions participating in the free milk option of the Special Milk Program must make free milk available to eligible children. No person shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under the Child Nutrition Programs [7 CFR 15.1].

The State Education Department annually issues this free and reduced price policy booklet to all SFAs to assist in the correct implementation of these program requirements.

The 2021-2022 free and reduced price policy booklet consists of:

- the Policy Statement;
- information regarding the approval of household applications;
- direct certification information;
- the income eligibility guidelines as issued by the United States Department of Agriculture;
- prototype public release;
- free and reduced price meal applications and instructions;
- prototype parent letters regarding school meals, food substitutions for children with disabilities, and disclosure.

SFAs must have new certification documentation on file within the first 30 operating days of the school year. This applies to all schools, even those whose school year begins in July. Carryover of previous year's eligibility from direct certification, categorical eligible and income applications is for up to 30 operating days of the new school year.

We recommend you immediately conduct the Direct Certification Matching Process (DCMP), then begin contacting families as soon as possible to obtain current eligibility data to ensure access to all children who qualify. This would also assist you in your efforts to provide information on free and reduced price eligible students on the Basic Educational Data System (BEDS) report in early October. As you are probably aware, BEDS data is used for a variety of funding formulas that will affect your school and community.

Record Retention:

All eligibility determinations, including Direct Certification Matching Process (DCMP) lists, migrant/homeless lists, Supplemental Nutrition Assistance Program (SNAP) and household applications, must be retained for three years plus the current year. If this documentation is lost, misplaced, damaged, etc., the SFA could lose reimbursement for free and reduced price meals. In addition, **all** SFA records and Program documentation must be kept on file for a period of 3 years after submission of the final claim for reimbursement for the fiscal year to which they pertain. However, if audit findings have not been resolved the records shall be retained beyond the 3 year period as long as required for resolution of the issues raised by the audit. Please be advised that these records must be readily retrievable or immediately available upon request.

Policy Statement:

The Policy Statement sets forth the conditions that must be followed for the SFA to maintain participation in the Breakfast, Lunch, or Special Milk Programs and must be officially adopted each year. **Completion of the Certification of Acceptance (Attachments III or IV) acknowledges the SFA's adoption of this Policy Statement.** The SFA must keep this signed Policy Statement on file with all Child Nutrition Program documents. **The Policy Statement can be found in this booklet.**

SFAs operating Provision 2 and/or the Community Eligibility Provision (CEP), must amend the Policy Statement to include the requirements of operating a Special Provision Option (SPO). The amendment must be officially adopted along with the Policy Statement each year.

Certification of Acceptance:

The Certification of Acceptance form must be completed annually (Attachment III or IV) and maintained on file for three years plus the current year. The Certification of Acceptance must be completed each year on the Child Nutrition Management System (CNMS) as part of the annual renewal process. The Certification of Acceptance requires the SFA to indicate the SFA's reviewing official, verification official and hearing official. **Submission of the Certification of Acceptance through the annual renewal process acknowledges the SFA's adoption of the Policy Statement.**

Disclosure:

The information provided by families on the free and reduced price application should be used only for determining eligibility for meal or milk benefits and verification of eligibility. SFAs that plan to disclose children's eligibility status for purposes other than determining and verifying free or reduced price eligibility must inform households of this potential disclosure. In some cases, the SFA must obtain consent of a parent or guardian prior to the disclosure. SFAs should refer to the Disclosure Chart included in this booklet.

For more information on the requirements for the disclosure of confidential student eligibility information, see Section 9(b)(6) of the NSLA, 42 U.S.C.1758(b)(6), regulations found at 7 CFR Part 245.6, and also memorandum, SP 16-2016, CACFP 06-2016, SFSP 10-2016: Disclosure Requirements for the Child Nutrition Programs, <https://www.fns.usda.gov/disclosure-requirements-child-nutrition-programs-0> and guidance noted in Section 5 Confidentiality and Disclosure of the 2017 Edition of the Eligibility Manual for School Meals, Determining and Verifying Eligibility, found at <https://www.fns.usda.gov/eligibility-manual-school-meals>.

Public Outreach Requirements:

Public Announcement:

Near the beginning of each school year, the public must be notified that free and reduced price meals or free milk (if participating in the Special Milk Program) are available. This notice must include the eligibility criteria for free and reduced price meals or free milk.

The public announcement must be provided to the local news media, the unemployment office, and to any major employers who are contemplating large layoffs in the attendance area of the school. SFAs must keep a record on file for three years plus the current year identifying where the public release was sent.

The prototype public announcement that contains the required information that must be used by SFAs is included in this booklet.

*Note- the public announcement must contain both the free and reduced price income eligibility scales. The public announcement may not be sent directly to families and may not be posted on the school website.

In addition to the required notification at the beginning of the school year, SFAs are strongly encouraged to share information about the availability of school meals in routine contacts throughout the school year.

Parent Letter:

At the beginning of school, a parent letter must be distributed to the households of children attending the school. This letter informs families of the Child Nutrition Programs and that free or reduced price meals or free milk may be available to children. An application form and instructions must be included with the parent letter.

The parent letter and application must be sent to households of all school children before the beginning of the school year or as early as possible in the school year so that eligibility determinations may be made and free and reduced price benefits provided as soon as possible. SFAs should send out the letter no earlier than four calendar weeks prior to the first day of school. Normally this would be around August 1 in New York State for schools beginning in September. Letters cannot be sent home at the end of the school year (May/June) for the next year.

The letters may be distributed by the postal service, e-mailed to the parent or guardian, or included in an information packet provided to students.

The prototype parent letter that contains the required information and should be used by SFAs is included as an attachment in this booklet.

If the SFA uses a computer or web-based system to process applications, the letter must inform the household how to access the system to apply for benefits. It must also explain how the household can obtain a paper application.

Households enrolling new students in an SFA after the start of the school year must be provided an information letter, application, and materials when they enroll, and the SFA must determine eligibility promptly.

*Note- **the parent letter must only contain the reduced price income eligibility scale.** Parent letters incorrectly containing both the free and reduced price income eligibility scales (excluding Special Milk, which requires only the free eligibility scale), only the free income eligibility scale, or no income eligibility scale jeopardize free and reduced reimbursement to your SFA.

Additional Outreach Requirements:

SFAs must ensure that communication with applicants, participants, members of the public, and companions with disabilities are as effective as communications with people without disabilities through the provision of auxiliary aids and services, such as alternative formats, taped text, audio recordings, Brailled materials, large print and sign language interpreters [28 CFR 35.160].

SFAs also must take reasonable steps to ensure meaningful access to their programs and activities by persons with Limited English Proficiency.

Once a school becomes aware of a language need, the school is responsible for ensuring the individual's application and other household materials (letter, instructions, notices, and verification materials) are available in an understandable language. Simply offering the most common non-English language is not sufficient. SFAs may use the translated application materials available through FNS to ensure households comprised of SFA individuals have access to free and reduced price application materials in a language they can understand.

Additionally, in order to participate in the School Meal Programs, program operators must comply with the USDA regulation Non Discrimination on the Basis of Handicap in Programs or Activities Receiving Federal Financial Assistance [7 CFR 15b]. This includes ensuring children with disabilities have an equal opportunity to participate in and benefit from the NSLP and SBP. For more detailed guidance about accommodating disabilities, please see issued SP 26-2017: Accommodating Disabilities in the School Meal Programs: Guidance and Questions and Answers (Q&As), <https://www.fns.usda.gov/school-meals/accommodating-disabilities-school-meal-programs-guidance-and-gas> .

Carryover of Previous Year's Eligibility:

Carryover for purposes of the Child Nutrition Programs refers to a child's eligibility from the previous school year being carried over into the current or new school year. A student's eligibility from the previous school year (before July 1) carries over for up to 30 operating days into the new school year, or until a new eligibility determination is made, whichever comes first. The 30 operating days begins on the first operating day of school. Operating days are the days on which reimbursable meals or milk are provided by a school or another program sponsor [7 CFR 245.2]. Carryover applies to eligibility established through a household application or through direct certification. The SFA may not have a carryover period of less than 30 operating days.

Carryover allows students to continue receiving school meal benefits while families complete and submit, and schools process, applications. However, the carryover period is not intended to allow schools to delay processing of applications. Instead, schools must process applications as they are received and promptly notify the household of their eligibility status. Please note that eligibility determinations and household notifications must be made within 10 operating days.

Carryover Within an SFA:

Carryover of eligibility within an SFA is mandatory, whether a child is continuing in the same school or will attend a different school within the same SFA. The SFA may not have a carryover period of less than 30 operating days, unless a new eligibility determination is made. When a student moves to a new school within an SFA, the SFA must carry over eligibility for free or reduced price benefits.

Carryover Between SFAs:

When children move to a new SFA, either at the beginning of the new school year or during the summer months, the new SFA is encouraged to use the former SFA's eligibility determination from the previous school year and carry over

the child's eligibility status. SFAs opting to do this can use the former SFA's eligibility determination for up to 30 operating days, or until a new eligibility determination is made, whichever comes first.

Transfer of Eligibility:

Transfer of Eligibility within an SFA:

When a child transfers to a new school within the same SFA, the new school must accept the eligibility determination from the child's former school, if the child has an individual eligibility determination.

A child that transfers within the same SFA from a Provision 2 or Community Eligibility Provision (CEP) school to a non-Provision school must be given free reimbursable meals for up to 30 operating days or until a new eligibility determination is made, whichever comes first.

Transfer of Eligibility between SFAs:

Transferring the eligibility determination between SFAs ensures that qualifying students continue to receive school meal benefits as they transition to new schools and avoids the possibility of unpaid meal charges.

When a student transfers to a new SFA, the new SFA is permitted to accept the eligibility determination from the student's former SFA. SFAs and schools are strongly encouraged to accept the former SFA's eligibility determination to ease the new student's transition and ensure there is no break in the student's meal access. The new SFA should retain written documentation of the eligibility determination made by the former SFA. An email from the former SFA stating the eligibility status is sufficient.

While the new SFA is not liable for the accuracy of the former SFA's determination, the accepting SFA should review the application for arithmetic errors and compare the income and household size to the applicable Income Eligibility Guidelines to ensure that the correct level of benefits had been assigned. If the accepting or new SFA determines that an arithmetic error occurred, the accepting SFA must notify the household that they must submit a new application in order to determine benefits. Additionally, if the child's eligibility status is determined to be incorrect during an Administrative Review or as part of verification, the child's eligibility status would change.

A child that transfers between SFAs from a Provision 2 or Community Eligibility Provision (CEP) school to a non-Provision school must be given free reimbursable meals for up to 30 operating days or until a new eligibility determination is made, whichever comes first.

Income Eligibility Guidelines:

The current Income Eligibility Guidelines must be used for the Child Nutrition Programs (CNPs) for determining eligibility for free and reduced price meals and free milk and are based on the federal income poverty guidelines by household size. **The 2021-2022 Income Eligibility Guidelines can be found in this booklet.**

The free and reduced income eligibility scales must be used for eligibility determinations and must be included in the public release that must be sent to the local newspaper, the local unemployment office, and to any major employer contemplating large layoffs in the area.

Only the reduced price income eligibility scale may accompany the parent letter and application in those schools participating in the National School Lunch Program and/or School Breakfast Program. Including the free income eligibility scale with the parent letter and application will result in the SFA being ineligible to receive free reimbursement.

The free income eligibility scale may not be posted on the school website or printed in any school publication. SFAs in non-compliance would have to reissue the parent letter with the proper scale and application form and verify all reissued applications to receive free reimbursement for the balance of the school year.

Household Applications:

SFAs must provide household applications to families applying for free or reduced price meals or free milk benefits, unless the household has been directly certified. The prototype 2021-2022 Application for Free and Reduced Price School Meals/Milk that should be used by SFAs is included as an attachment in this booklet.

Applications must be reviewed in a timely manner. **An eligibility determination must be made, the family notified of its status, and the status implemented within 10 operating days of the receipt of the application.** Whenever possible, applications should be processed immediately, particularly for children who do not have approved applications on file from the previous year. *Please also see "Flexibility in Determining the Effective Date for Children receiving free or reduced price benefits" on Page 18 of this booklet.

Income Applications:

To establish that a household meets income eligibility requirements for benefits, reviewing officials must compare the household size and the total household income to the applicable Income Eligibility Guidelines.

Only complete applications can be approved for meal benefits. Applications missing required information must be denied if the missing information cannot be obtained. To be considered complete, an application must include the required information. The SFA should make reasonable efforts to contact the household to obtain or clarify required information. All contact with families regarding eligibility can and should be documented on the application.

A complete income application must provide:

- Names of all household members;
- Amount, source, and frequency of current income for each household member;
- Signature of an adult household member; and
- Last four digits of the social security number of the household's primary wage earner or another adult household member, or an indication that the household member does not have one

If an application lacks how frequently income is received (e.g., weekly, monthly, etc.), the reviewing official should make reasonable efforts to contact the household to clarify the frequency of income. If the SFA is unable to reach the family, the SFA will process the income as weekly.

*Note: Applications cannot be approved for temporary free or temporary reduced price benefits. There is no temporary eligibility.

Reportable Income:

Households must report current income on a free and reduced price application. See the USDA Eligibility Manual for School meals for additional information on reportable income.

- Income is any money (before deductions), received on a recurring basis, including earnings, pensions, and child or spousal support, unless an income source is specifically excluded by law for the Child Nutrition Programs.
- Gross earned income means all money earned before deductions such as income taxes, employee's Social Security taxes, insurance premiums, and bonds.

- Current income means the gross income received by a household, before deductions, for the current month, or the amount projected for the first month for which the application is filled out, or for the month prior to application. If this income is higher or lower than usual and does not fairly or accurately represent the household's actual circumstances, the household may, in conjunction with determining officials, project its annual rate of income. USDA does not set any specific requirements regarding the frequency (e.g., weekly, bi-weekly, monthly) at which household income is reported on an application. While in most cases earners report income on a more frequent basis, there is no prohibition against annual income reporting. For more information, see: SP 19-2017: Reporting Annual Income on School Meal Applications, <https://www.fns.usda.gov/school-meals/reporting-annual-income-school-meal-applications>.

Indicating Income and Income Sources:

Each household must provide the total amount of current gross income. The application must identify the source of the income earned by adults or children as applicable, and the adult or child who received it (such as wages or Social Security) [7 CFR 245.6(a)(5)(i) and 245.6(a)(5)(ii)].

Indication of No Income:

Applications where the family has reported zero (0) income must be given free meal benefits from the point of approval, through the end of the school year. These families must also be provided free benefits for the first 30 operating days of the next school year (or until a new application is received for the next school year, whichever comes first). **Any income field left blank is a positive indication of no income and certifies there is no income to report.**

Income Conversion for Multiple Frequencies of Income:

Many households have different sources of income at different frequencies, such as weekly or bi-weekly (every two weeks) wages and/or monthly social security benefits.

Use the following procedures:

- If a household has only one income source, or if all sources are the same frequency, do not use conversion factors. Compare the income or the sum of the incomes to the published Income Eligibility Guidelines for the appropriate frequency and household size to make the eligibility determination.
- If a household reports income sources at more than one frequency, the acceptable method is to convert all income to an annual amount by multiplying weekly income by 52, income received every two weeks by 26, income received twice per month by 24 and income received monthly by 12. Do not round the values resulting from each conversion. Add all the un-rounded converted values and compare the un-rounded total to the published Income Eligibility Guidelines for annual income for the appropriate household size.

*Note: School districts must ensure that software they are using does not convert all income to monthly. Software should only convert to annual income when there are multiple income frequencies. The software should not round up each frequency calculation before totaling.

Income Exclusions:

Income excluded from the determination of a household's eligibility for free and reduced price meal benefits includes the following:

- Any cash income or value of benefits excluded by statute, such as the value of benefits under SNAP or FDPIR and some Federal educational benefits;

- Payments received from a foster care agency or court for the care of foster children;
- Student financial assistance provided for the costs of attendance at an educational institution, such as grants and scholarships awarded to meet educational expenses and not available to pay for meals;
- Loans, such as bank loans, since these funds are only temporarily available and must be repaid; and
- Infrequent earnings received on an irregular basis, such as payment for occasional baby-sitting or yard work.

Also see the USDA Eligibility Manual for School Meals for additional information.

Applications for residents of Residential Child Care Institutions (RCCIs):

Each child residing in an RCCI is considered a household of one. An application is completed for each child unless the RCCI uses an eligibility documentation sheet for all children residing in the RCCI.

The RCCI eligibility documentation sheet must be signed by an appropriate official and include:

- Child's name,
- Personal income received by the child,
- Child's date of birth,
- Date of admission,
- Date of release,
- Official's title, and
- Official's contact information

Children attending but not residing in an RCCI are considered members of the household where they reside. Their eligibility is determined using a household application or through direct certification.

Applications for Categorical Eligibility:

A child who is a member of a household that receives benefits from the Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance to Needy Families (TANF), or Food Distribution Program on Indian Reservations (FDPIR) Assistance Programs is categorically eligible for free meals or milk. Households receiving benefits under Assistance Programs and submitting a free and reduced price application must list a valid case number on the application.

School officials must familiarize themselves with valid SNAP/TANF case numbers before beginning the application approval process. When you conduct the required matching through the Direct Certification Matching Process (DCMP), you will become familiar with the SNAP numbers of your locale. It is imperative that SNAP or TANF applications are correctly approved with proper numbers to prevent potential fiscal sanctions being assessed against the SFA.

If families do not know their SNAP or TANF case numbers, you should first look in the SNAP DCMP electronic file (described on page 16). If you fail to locate the child, you should advise the family to: (1) contact their local Department of Social Services to obtain their case number, then complete sections 2 and 4 of the application; or (2) complete sections 3 and 4 of the application reporting family income.

Applications with invalid case numbers should not be approved. Families receiving SNAP or TANF no longer have a benefit issuance card that contains the information identifying that the family is currently eligible for benefits or their SNAP or TANF case number. Families must refer to the letter they receive from their local Department of Social Services to obtain their SNAP or TANF case numbers.

It is important to note that even if you do not locate a student during the DCMP, if you receive an application with a SNAP or TANF case number, you must approve the application for free meals.

For applications with a case number for an Assistance Program, a complete application must provide:

- Section 1: Names of the children for whom the application is made;
- Section 2: SNAP, TANF or FDPIR case number or identifier, for the children or any household member listed on the application;
- Section 4: Signature of the adult household member completing the application

***Note: Applications that list a valid SNAP, TANF or FDPIR case number do not have to include the last four digits of the adult household member's social security number.**

Extension of Eligibility for Free Meals:

SFAs may extend free meal benefits to all children living in the same household as a child receiving SNAP, TANF or FDPIR benefits. Extension can also be provided to other household members of a student who was deemed Medicaid through the Direct Certification Matching Process (DCMP). School enrollment records of children living at the same address must be kept to document eligibility.

***Please see page 16 of this booklet for additional information regarding the DCMP.**

Other Source Categorical Eligibility:

Other Source Categorically Eligible Programs include:

- **Head Start**

All children enrolled in Head Start and participating in Child Nutrition Programs are automatically eligible for free meals without further application or eligibility determination if the following criteria are met:

- The Head Start program must be located in and operated by the school/district
- The school/district must maintain administrative control over the program

*In the case where the Head Start program does not meet the above criteria, the school/district may vend meals to the Head Start program. The Head Start program may apply to receive reimbursement for those meals through the Child and Adult Care Food Program (CACFP) administered by the NYS Department of Health.

- **Migrant Education Program (MEP)**

A child is considered categorically eligible if the child is identified as meeting the definition of migrant in section 1309 of the Elementary and Secondary Education Act of 1965, 20 U.S.C. 6399, by the State, regional, or local MEP director, coordinator, or local educational liaison. See the "acceptable methods for identifying children who are Other Source Categorically Eligible" section below for ways in which you may provide free meal benefits to students identified as Migrant.

- **Runaway and Homeless Youth**

A child is considered homeless if the child is identified as lacking a fixed, regular, and adequate nighttime residence under the McKinney-Vento Homeless Assistance Act by the SFA liaison; or residing in a homeless shelter by an official of the shelter.

- All public school districts are required to appoint a homeless liaison. Children identified as homeless by the liaison are eligible for free meals. A list or e-mail from the Homeless Liaison that includes students' names, effective date, and liaison signature must be retained on file to document eligibility for the current school year. The homeless family does not need to complete an application.
 - Homeless families may reside with another household and still be considered homeless. The host family may include the homeless family as household members on their application, but must also include any income from the homeless family. The homeless child's eligibility status cannot convey eligibility to the other children in either family. Eligibility of the host family must be determined by household size and income.
 - Due to year-long eligibility, a change in household composition will not impact the eligibility determination for either the host family's children or the homeless child. A child approved for free meal benefits and deemed homeless remains eligible for free meals for the entire school year.
 - Visit www.nysteachs.org and click "Liaison List" on the toolbar to find the homeless liaison for your district.
- **Foster Children**

A foster child is a child whose care and placement is the responsibility of a State or local welfare agency or who is placed by a court with a caretaker household. This applies only to foster children who are formally placed by the State welfare agency or court. It does not apply to informal arrangements, such as caretaker arrangements or to permanent guardianship placements, which may exist outside of or as a result of State or court based systems. A child may still be considered a foster child if placed with relatives provided the placement is made by the State or local foster care system or courts. The State must retain legal custody of the child --whether placed by a welfare agency or a court -- in order for a child to be considered categorically eligible for free meals.

- A separate application is not needed for foster children. They are categorically eligible for free meals based on documentation received from an appropriate State or local agency indicating their status as a foster child.
- The foster family may include the foster child as a household member. The foster child's personal income must be included with the family income when processing the application. The foster child would be certified for free meals, and then the remainder of the household members would be certified for benefits based on household size (including the foster children) and income or other categorical eligibility information reported on the application.
- A foster child remains eligible for free meals for the entire school year, even if he or she returns home to their family.
- You can contact your county Office of Children and Family Services (OCFS) for a list of foster children in your district/school.

Acceptable methods for identifying children who are Other Source Categorically Eligible include:

- Submission of a household application that indicates "Other Source Categorical Eligibility" for one or more children;
- A form letter from the Other Source Categorically Eligible agency to the household, which in turn, the household provides to the school;

- Submission to the determining official of a list of Other Source Categorically Eligible children compiled by the SFA

***Note- Other Source Categorical Eligibility of a child does not convey eligibility to other children in the household.** If the household of an Other Source Categorically Eligible child submits an application, the applicable programs must be indicated. With the exception of a foster child, the SFA official must contact the Other Source Categorically Eligible agency liaison to confirm that the children are eligible under one of these programs before free benefits are provided.

Direct Certification:

Direct Certification is the process that enables children from families receiving SNAP to receive free meals or free milk at school without having to complete an application. Direct Certification results in more students gaining access to the school nutrition programs because some parents do not complete application forms correctly or do not submit applications. Students found in the Direct Certification Matching Process (DCMP) that are noted as Medicaid are also to be provided free eligibility. SFAs may extend free meal benefits to all children living in the same household as a child receiving SNAP benefits. Extension can also be provided to other household members of a student who was deemed Medicaid through the DCMP. **School enrollment records of children living at the same address must be kept to document extension of eligibility.**

Direct Certification Matching Process (DCMP):

To provide increased access to free meals to children entitled to free meal benefits and allow for more accurate reporting, better policy and decision making at the local, State and federal levels, the Child Nutrition Program Administration (CNPA) has developed a new Direct Certification Matching Process (DCMP). **Direct certification (DC) data is no longer accessible through the Child Nutrition Management System (CNMS). The DCMP process must now be completed through the NYSED Business Application Portal available on the NYSED website at <https://portal.nysed.gov/abp>.**

The new State Match feature provides users with access to direct certification (DC) data (e.g., SNAP and Medicaid lists) and to DC data that has been matched to New York State student records through the New York State Student Identification System (NYSSIS).

The NYSSIS system is already in-use by school personnel responsible for assigning unique IDs to students. NYSSIS uses a sophisticated matching engine to identify duplicate student records and discourage the creation of multiple student IDs for the same child. The engine is also being used behind the scenes by the State Match system to match DC records to student records maintained in the NYSSIS system. State Matching is a USDA best practice as it relieves School Food Authorities (SFAs) from having to match at the local level. Rather than DC data alone, the State Match system will deliver to SFAs student identifiers (e.g., a local ID and a NYSSIS ID) appended to DC data for easy import into food service management or other local student information systems.

* The NYSSIS system and State Match capabilities are available on the NYSED Web site, at the NYSED Application Business Portal (<https://portal.nysed.gov/abp>). Instruction for conducting this process is provided in a separate memo on the CNKC website.

All SFAs are required to complete the online DCMP process a **minimum of three times a year**. The new system processes DC data monthly; therefore, SFAs are encouraged to access the data more frequently to ensure that children entitled to free meal benefits receive them. DCMP users are required to certify that this information will remain confidential in compliance with the disclosure statement provided. The online DCMP helps reduce the waste from paper applications and the burden on low income households to return applications. The DCMP is intended to certify all eligible students receiving SNAP and Medicaid (determined by the Medicaid Administering Agency at or below 133 percent of the Federal poverty guidelines before the application of blocks, exceptions or disregards).

SFAs must inform directly certified families that they have been approved for meal benefits through the DCMP. The family must be provided the opportunity to decline the program benefits. SFAs should use the prototype notification letter for directly certified students found in this booklet.

Direct Certification Record Keeping:

Record keeping and reporting requirements for children whose eligibility is obtained from these direct certification methods are the same as for free and reduced price application forms. Records must be maintained at the SFA level; retrievable by building; and, maintained for three years plus the current year, regardless of the child's actual attendance during this period. The number of children eligible for program benefits as a result of direct certification must be included with the count of free eligibles on reimbursement claim forms when reporting numbers of approved applicants. Schools can use students' previous year designations for the first 30 operating days of the new school year only.

Eligibility Letters:

The Eligibility Letters for School Meals/Milk have been discontinued with the start of the new Direct Certification Statewide Match System.

Application Processing:

Applications must be reviewed in a timely manner. An eligibility determination must be made, the family notified of its status, and the status implemented within 10 operating days of the receipt of the application. Whenever possible, applications should be processed immediately, particularly for children who do not have approved applications on file from the previous year. Once an eligibility determination is made, households should be notified immediately.

A new eligibility determination that reduces benefits (e.g. free to reduced price) should be implemented only after the household has been notified.

Determining officials must record the eligibility determination as follows:

- Indicate approval date;
- Indicate the level of benefit for which each child is approved (if levels are different); and
- Sign or initial and date the application.

The determining official must sign/initial and date each application, or sign/initial and date a cover sheet attached to a group of applications. A computer system can be used to capture the original date of approval, the basis for the determination (the household size and income used), and update the status of applications to account for transfers, withdrawals, terminations, and other changes. A notation should be made to an electronic file.

Duration of Eligibility:

Once an eligibility determination is made, a child's eligibility status remains in effect for one year. At the start of the subsequent school year, children retain their previous year's eligibility status for 30 operating days or until a new determination is made, whichever comes first. Also see Carryover of Previous Year's Eligibility section.

If no new application is submitted and eligibility is not established through direct certification by the end of the 30-day carryover period, eligibility for free or reduced price meals expires and the SFA must discontinue benefits for these children. The school or SFA is encouraged to provide households with a reminder notice that their free or reduced price meal benefits will end on a specified date if the household does not submit a new application or the school has not received notice that the child is eligible through Assistance Programs or is Other Source Categorically Eligible. The reminder notice also could include the cost of paid meals.

Flexibility in Determining the Effective Date for Children receiving free or reduced price benefits:

Applications

Children have generally been certified eligible for free or reduced price meal benefits on the date the household application is approved. However, SFAs have flexibility concerning the effective date of certification for Program benefits. **If the SFA chooses, it could establish the date of submission of an application as the effective date of eligibility, rather than the date the official approves it.** SFAs can use this flexibility when processing household income applications, as well as when waiting for documentation of other source categorical eligibility (e.g., for homeless or migrant children) indicated on a household application.

To use this flexibility when approving applications, SFAs must:

- Notify their Child Nutrition Program Representative in writing
- Exercise the flexibility for all students in all participating schools and Programs
- Have a method to document the date the application was submitted, such as a date stamp
- Refund any money paid by or on behalf of the child for a reimbursable meal or milk prior to the eligibility determination, including forgiving accrued debt.

Automated Data Matching Method

SFAs may consider the effective date of eligibility for free school meal or milk benefits to be the date the automated data matching file (or benefit recipient file from another agency) is made available to the SFA which first identifies the student as eligible for direct certification, rather than the date the SFA accesses and processes the automated data matching file into their local point of service (POS) system. To be used for this purpose, the data file must have been generated and received by the SFA in the current school year.

Letter Method and Lists or Other Forms of Documentation

SFAs may consider the effective date of eligibility for free school meal or milk benefits to be the date the household or appropriate State or local agency submitted the letter, list or other form of documentation to the SFA, rather than the date the school official approves the documentation.

To use this flexibility, SFAs must:

- Notify their Child Nutrition Program Representative in writing
- Do so consistently for all the direct certification methods (i.e., automated data matching, and lists or other forms of documentation)
- Apply the direct certification eligibility effective date flexibility consistently to all students directly certified across all participating schools and school meal programs within the SFA
- Document the effective date used, such as a date stamp, to document the date lists or letters from other agencies were received, or the documented and traceable run date of automated match files or recipient benefit files from another appropriate agency
- If categorical eligibility is based on SNAP, TANF or FDPIR, the extended eligibility provision in 7 CFR 245.6(b)(7) also applies

Please see the USDA Eligibility Manual for School Meals for more information.

Change in Household Circumstance:

Once an eligibility determination is made, a child's eligibility status remains in effect for one year. At the start of the subsequent school year, children retain their previous year's eligibility status for 30 operating days or until a new determination is made, whichever comes first. A new eligibility determination can be made through the approval or denial of a new application or through direct certification. Temporary approval of eligibility is not permitted because of the year-long duration of eligibility.

Households are NOT required to report changes in income, household size, or changes with regard to participation in a program that makes the children categorically eligible. Eligibility, once established, remains in effect for the entire school year.

However, households may voluntarily report a change. If a change is reported that will increase benefits, the SFA must put that change into effect.

Please see the USDA Eligibility Manual for School Meals for additional information.

Notification of Eligibility:

Households must be notified, either in writing or verbally, of their child's approved free or reduced eligibility status within 10 operating days of receipt of the application. The SFA may e-mail the notification of the household's approval for meal benefits to the adult household member who signed the application.

Notification to Households Denied Benefits

Households with children who are denied benefits must be provided with prompt written notification of the denial. The notification may be provided by mail or e-mail to the adult household member who signed the application. Posting the denial on the "notification" page of an online system does not meet this requirement. Likewise, informing the household of denial via telephone does not meet this requirement.

The denial notification must advise the household of:

- Reason for denial of benefits;
- Right to appeal;
- Instructions on how to appeal; and
- Ability to re-apply for free and reduced price benefits at any time during the school year

Notification of Eligibility Established through Direct Certification

The SFA must notify the household about eligibility established through direct certification.

The notification must include the following information:

- The child is eligible for free benefits;
- No further application is necessary;
- An explanation of extended eligibility and how to notify the SFA of any additional children in the household not listed on the notification; and
- How to notify the SFA if free benefits for directly certified children are not wanted

This notification must also be provided to households with children directly certified through the letter method or through contacts with officials, such as the SFA's homeless liaison or a foster care agency.

*Note- Prototype notification letters that include all required information and should be use are included in this booklet.

Special Situations:

Military Benefits:

For non-deployed service members, income includes benefits paid directly to the service member, such as food and clothing allowances. Income also includes housing allowances for households living off-base in the general commercial or private real estate market.

For deployed service members, income only includes the portion of a deployed service member's income made available to the household by the deployed service member, (or on their behalf). For more information, see: SP 06-2010, CACFP 03-2010, SFSP 04-2010: Exclusion of Military Combat Pay, <https://www.fns.usda.gov/cacfp-03-2010-exclusion-military-combat-pay>.

Military Compensation to be excluded as reportable income:

- Payments under the Agent Orange Compensation Exclusion Act, P.L. 101-201.
- Family Subsistence Supplemental Allowance (FSSA). See: SP 30-2006, CACFP 14-2006, SFSP 07-2006: U.S. Armed Forces Family Supplemental Subsistence Allowance – Permanently Excluded from Income Consideration for the Child Nutrition Programs, <https://www.fns.usda.gov/us-armed-forces-family-supplemental-subsistence-allowance-%E2%80%93-permanently-excluded-income-1>.
- Privatized housing allowances to service members living in housing covered under the Military Housing Privatization Initiative. (See: Department of Defense (DOD) Military Housing Privatization for a description of this type of housing, <http://www.acq.osd.mil/housing/>).

Combat Pay to be excluded as reportable income:

- Deployment Extension Incentive Pay (DEIP) given to active-duty service members who agree to extend their military service by completing deployment with their units without re-enlisting. This exemption applies only until the service members return to their home station. DEIP payments provided to service members who are not considered deployed are not exempt.
- Also exclude combat pay:
 - Received in addition to the service member's basic pay;
 - Received as a result of deployment to (or service in) an area that has been designated as a combat zone; and
 - Not received by the service member prior to deployment to or service in the designated combat zone.

Medicaid or Medicare

Medicaid or Medicare information on an application for meal benefits does not qualify students for free or reduced price meals. Only students and extension to other household members may be provided free meal benefits based on Medicaid if found during the DCMP. **The only eligible Medicaid students reside in the DCMP data.** If you find two records for a child in the DCMP data- one for SNAP and one for Medicaid, you should certify the student free eligible based on SNAP, as DCMP SNAP is the highest level of free eligibility in Child Nutrition Programs.

Special Education/Foreign Exchange/Immigrant/Refugee Students

Special education, foreign exchange, immigrant and refugee students are not automatically eligible for free meals. These students qualify for free, reduced price and paid meals by using the same income guidelines or categorical criteria used for all students. The SFA may claim these students for free or reduced price reimbursement only if a correctly approved application or other certification documentation is on file.

Universal Pre-K (UPK)

Students enrolled in Universal Pre-K programs are not automatically eligible for free meal benefits. These students are not necessarily from economically disadvantaged backgrounds. Only UPK students with direct certification eligibility or approved income applications on file would be eligible for free or reduced price benefits.

Alimony and Child Support

Any money received by a household in the form of alimony or child support is considered income to the receiving household. Money paid by a household in the form of alimony or child support is not excluded as income for that household.

Income for the Self-Employed

Self-employed persons may use their previous year's income as a basis to project their current year's net income, unless their current net income provides a more accurate measure.

Self-employed persons are credited with net income rather than gross income. Net income for self-employed farmers, for example, is figured by subtracting the farmer's operating expenses from the gross receipts. See the USDA Eligibility Manual for a listing of deductible and non-deductible business expenses, gross receipts and operating expenses.

Income from Wages and Self-Employment

For a household with income from wages and self-employment, each amount must be listed separately. When a household experiences a business loss, income from wages must not be reduced by the amount of the business loss. If income from self-employment is negative, it is listed as zero.

Projected Income for Seasonal Workers

Certain workers, such as seasonal workers, experience income fluctuations throughout the year, meaning they earn more money in some months than in other months. For these workers, reporting the previous month's income may distort the household's actual financial circumstances. In these situations, the household may project its annual rate of income, and report this amount as its current income. If the prior year's income provides an accurate reflection of the household's current annual rate of income, the prior year may be used as a basis for the projected annual rate of income.

The SFA must determine the period of time any earnings are received for seasonal workers, as well as the amount and source. Seasonal workers with annual employment contracts, such as school employees, may choose to have their salaries paid over a shorter period of time. To treat these employees in the same manner as employees who choose to have their salaries paid over the full year, the SFA must determine the full amount of income available contractually on an annual basis, and convert all income sources to annual amounts.

Eligible Households that Have Not Applied (Administrative Prerogative)

According to 7 CFR 245.6(d), local school officials may complete an application for a child known to be eligible for meal benefits if, after household applications have been disseminated, the household has not applied. **This option is intended for limited use in individual situations and must not be used to make eligibility determinations for categories or groups of children.** Documented prior efforts must be made by the SFA to obtain a completed application from the parent or guardian.

This limited use 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.

When exercising this option, the school official must complete the application on behalf of the child based on the household size and income information or Other Source Categorical Eligibility status known to the official and must notify the household that their child has been certified to receive free or reduced price benefits. The source of the information used by the school official to determine eligibility must be noted on the application. Names of household members, the last four digits of the Social Security Number, and the signature of an adult household member are not required. These applications are excluded from verification.

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 must not be used 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 coming to school without a meal or money.** Family economic status must remain the criterion for administratively making the decision to provide the student access to free or reduced price meals.

Reimbursement funds will be reclaimed for improper use of administrative prerogative.

Eligible Households that Have Not Applied- Questions and Answers:

1. Can a student be approved for free or reduced price meals without an application from the parent or guardian?

Yes. Under special circumstances, a school official may use administrative prerogative and fill out an application for a student whom they have reason to believe would be eligible if the household were to apply. However, the school must first attempt to obtain an application from the household. This prerogative should not be indiscriminately used to claim ineligible students for free meals or to generate aid for other federal programs.

2. How can a school show that attempts have been made to obtain the application from the household?

Copies of mailings to the household and documentation of conversations with the parent/guardian or a responsible adult in the household must be kept on file. An administrator cannot arbitrarily qualify students from families who did not reapply from the prior year.

3. If the parent/guardian of the student cannot be reached or communicated with due to language barriers, etc., who may be contacted for household information?

An employer, a Social Service official, immigration official, or a relative suggested by either the student or the student's teacher may be contacted to urge the household to apply.

4. Is there a specific time-period that the school must allow to pass before attempts to obtain an application are deemed unsuccessful?

No specific time-period is required. The process should be facilitated as quickly as possible so that the student is not going without meals in school.

5. Can an administrative prerogative be implemented during the period of time in which the school is attempting to obtain an application from the household?

If the school has reason to believe that the student is going without meals in school on a regular basis due to financial need, the school may implement an administrative prerogative immediately.

6. Can a school official simply write a note to the food service manager to add a student's name to the list of eligible students?

No. The school official must complete an application that contains the name of the student, the household size, an estimated family income, and a signature of the school official. The source of information must be noted on the application.

7. How should the school tell the student and the household that the student would have access to free meals in the school cafeteria?

The household must be informed of the decision via phone, correspondence, or in person. The student may be told by the teacher, school nurse, or other school official.

8. Is an application completed by a school official handled in the same way as those submitted by households?

Yes. Like other applications, it must be counted for purposes of the claim for reimbursement and retrievable by building during a review. However, the application should not be included in the verification process.

9. Can the administrative prerogative be implemented for families or groups of students who appear to be lacking proper nutrition?

No. Applications must be completed on an individual basis.

10. Can an application be completed for a student who appears to be lacking proper nourishment, if the household has indicated that it is not eligible for benefits?

No. An application can only be completed for students who appear to be missing meals for reasons of financial need. Other problems occurring in a household that may result in poor eating habits, but are not a reflection of family economic status, should not be resolved by this measure.

POLICY STATEMENT FOR FREE AND REDUCED PRICE MEALS OR FREE MILK

_____, (Local Education Agency or governing body) responsible for administration of one or more schools referred to as the school food authority (SFA), has entered into agreement to participate in the National School Lunch Program, School Breakfast Program, and/or Special Milk Program and accepts responsibility for providing free and reduced price meals and/or free milk to eligible children in the schools under its jurisdiction.

The SFA assures the State Education Department that it will uniformly implement the following policy with respect to determining the eligibility of children for free and reduced price meals in each school building under its jurisdiction that participates in the programs mentioned above.

In fulfilling its responsibilities, the SFA agrees to the following:

A. Free Meals and (For Milk Only Schools) Free Milk

To serve meals or milk at no charge to children from families whose income is at or below the income levels for free meals and milk listed on the annual income eligibility guidelines, or to children from Supplemental Nutrition Assistance Program (SNAP) households, Temporary Assistance to Needy Families (TANF) households, households participating in the Food Distribution Program on Indian Reservations (FDPIR) that provide a case number, or households that are identified through the SNAP/MEDICAID Direct Certification Matching Process.

B. Reduced Price Meals

To serve breakfast and/or lunch and/or snacks served through the Afterschool snack program at no charge to children from families whose income is within the range of the annual income eligibility guidelines for reduced price meals.

C. Special Conditions

To serve free meals/milk to foster children in cases where the court or welfare agency is legally responsible for the child. Documentation from an appropriate State or local agency supports the foster child's status. Foster children are categorically eligible for free meals and may be included as a member of the foster family if the foster family chooses to also apply for benefits for other children. 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, the foster child will still be provided free meal benefits.

To provide free or reduced price meals or free milk to children whose parents or guardians have become unemployed, provided the loss of income causes the family income during the period of unemployment to be within the eligibility criteria. These students must be approved using one of the methods noted in this eligibility guidance booklet.

D. Non-Discrimination

1. That there will be no physical segregation of, or any other discrimination against, any child because of his/her inability to pay the full price of the meal or milk. LEAs selling competitive foods during a meal service are encouraged to include in the description of how the cafeteria and meal service prevents overt identification of the children receiving free and reduced price meals or free milk. The names of 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 or tickets, or by any other means. Further assurance is given that children eligible for free or reduced price meals or free milk shall not be required to:

- Work for their meals or milk.
 - Use a separate lunchroom.
 - Go through a separate serving line.
 - Enter the lunchroom through a separate entrance.
 - Eat meals or drink milk at a different time.
 - Eat a meal different from the meal sold to children paying the full price for the same meal or drink milk different from that sold to children paying the full price.
2. That in the operation of Child Nutrition Programs, no child shall be discriminated against because of his or her race, sex, age, color, disability, national origin, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

E. 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 accuracy of information contained in an application or of the continued eligibility of any child for a free or reduced price meal or free milk. During appeal, hearing, and disposition of the case, the child will receive free or reduced price meals or free milk.

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 on 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:

1. A simple, publicly announced 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 in presenting an appeal;
3. An opportunity to examine, prior to and during the hearing, the documents and records presented to support the decision under appeal;
4. That the hearing shall be held with reasonable promptness and convenience and that adequate notice shall be given as to the time and place of the hearing;
5. An opportunity to present oral or documentary evidence and arguments supporting the position;
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 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;
8. That the decision of the hearing official, who may not be the same person as the reviewing and/or the verification official, shall 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 their designated representative shall be notified in writing of the decision of the hearing official;
10. 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
11. That such written record of each hearing shall be preserved for a period of three 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.

F. Reviewing Official

A reviewing official 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 or free milk. The official should sign, date, and indicate the eligibility determination on each application.

G. Notice to Parents

To send at the beginning of each school year, and whenever there is an increase in eligibility, to the parent or guardian of each child, a letter such as the prototypes in Attachment VII, VIII, or IX including a form on which to make application for free or reduced price meals or free milk, and a parent disclosure letter and consent statement.

H. Applications

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

To maintain applications and documentation of action taken, for three years 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 application of a child who transfers from one school to another under the jurisdiction of the SFA. Copies of the application and eligibility dates should be retained with the records of both schools. The application from the transfer student from another SFA should be reviewed to ensure that it is correctly approved.

To inform parents of eligibility determinations. Parents must be notified in writing of the reason(s) for denial 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. Copies of denial letters to parents must be maintained for three years plus the current year.

I. Verification of Applications

Verify the eligibility of applicant households **by November 15** in accordance with program regulations and annually maintain records.

J. Anonymity and Accountability

To establish a procedure to collect money from children who pay for their meals or milk which prevents overt identification, and accounts, at the point of service, for the number of free, reduced and full price meals served or the number of half-pints of free and full price milk 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 identity of the children receiving reduced price meals, free meals, or free milk. The LEA will develop measures to prevent disclosure of confidential free and reduced price eligibility information as required and include the steps with this policy statement.

K. Amendments to Policies

To submit to the State Education Department any alterations or amendments to the policy including eligibility criteria, applications, public announcements, etc., for approval prior to implementation. Such changes will be effective following approval by the NYSED Child Nutrition Program Administration office. Any and all changes in eligibility criteria shall be publicly announced in the same manner used at the beginning of the school year. Changes in content to any prototype documents from this guidance booklet require prior State Agency approval.

L. 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:

1. All eligibility determinations obtained through the Direct Certification Matching Process (DCMP) (SNAP, Medicaid, Foster)
2. All applications and documents to support homeless, migrant, head start, etc.
3. Records of all appeals and challenges and their disposition.
4. All notifications of eligibility determinations, including denial letters.
5. Records of all verification efforts and resulting eligibility changes.

M. Public Release

At 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 media (local newspaper), the local unemployment office, and any major employers contemplating large layoffs in the areas from which the school draws its attendance. Documentation must be kept on file for three years plus the current year identifying where the public release was sent.

N. Special Assistance - Provision 2 and Community Eligibility Provision

Provision 2: In schools where all enrolled children, regardless of their category of eligibility, are served meals at no charge; notify parents, distribute, and certify applications for free and reduced price students once every four consecutive school years. For three years after the base year, the school is not required to count meals served by category for claiming purposes. After the base year, the building's monthly reimbursement is based on total meal counts and monthly claim statistics from the base year. Maintain accountability and record keeping requirements as mandated by program regulations for this alternate reimbursement system.

* If your school year begins in September, you must notify your Child Nutrition representative by September 1, 2021 if you intend to participate in Provision 2 for the 2021-2022 school year. If your school year begins in July, you must notify us by July 1, 2021.

Community Eligibility Provision: Schools where at least 40 percent of enrolled students have been deemed free eligible through a means other than an income application (i.e., directly certified using electronic SNAP/Medicaid, homeless, migrant, runaway, foster, and head start) using data from anytime between July 1, 2020 to June 30, 2021, may participate in the Community Eligibility Provision for the 2021-2022 school year. The schools will receive reimbursement in the free and paid category based on the percentage of directly certified students as noted above times a multiplier (as written in federal regulation). For more details about participation and how to apply, please see the CEP Memo on the Child Nutrition Knowledge Center website.

O. 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 limited use 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.

To exercise this option properly, an application must be completed on behalf of the student, based on the best family size and income information available. The source of this information must be noted on the application. Documented prior efforts must be made by the SFA to obtain a completed application from the parent or guardian.

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 including source, 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 must not be used 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 coming to school without a meal or money. Family economic status must remain the criterion for administratively making the decision to provide the student access to free or reduced price meals.

P. Meal Eligibility for Homeless/Migrant/Runaway Children

Children who are categorically eligible under Other Source Categorically Eligible Programs should contact the school for assistance in receiving benefits and indicate the source of their status on the application.

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, 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. While administrators can exercise the administrative prerogative option for determining program eligibility, this process is only intended to be exercised on a case-by-case basis and becomes burdensome in areas where there are many homeless/runaway children residing in shelters or migrant status children. 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:

- The migrant coordinator, homeless liaison or runaway provider may provide you with a list of eligible children based on established criteria. 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.

Other options:

- The director of the homeless shelter at which the child resides can complete and submit an application for the child, or send a list of all children residing in the shelter to the school;
- 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;
- If large numbers of homeless children make it impractical for a homeless shelter or school officials to complete individual applications, the school administrator may establish a list of eligible students based on his/her

knowledge of the family's residence (shelter, address, car, etc.). The documentation necessary to substantiate free meal eligibility for a list of children must contain at a minimum the following information:

- The child's name
 - The effective date of eligibility determination
 - The name of the shelter, etc., where the child resides
 - The signature of the determining official
- Documentation of migrant status children should be maintained by the school migrant coordinator as documentation to substantiate free meal eligibility. This should include the date, the child's name, and signature of the migrant coordinator. For a list of contacts in your school, go to www.nysteaches.org.

Q. Food Distribution Program on Indian Reservation (FDPIR)

Public and nonpublic schools participating in the School Lunch, Breakfast, or Special Milk Programs may accept a Food Distribution Program on Indian Reservation (FDPIR) case number in lieu of household income, SNAP or TANF number.

R. 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 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. A student with a disability is defined in 7 CFR part 15b.3 as one who has a physical or mental impairment which substantially limits one or more major life activities of such individual, a record of such an impairment or being regarded as having such an impairment. Major life activities include but are not limited to: functions such as caring for one's self, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working.

Accordingly, meal substitutions must be made for children with disabilities and must be supported by a medical statement signed from a State licensed healthcare professional. 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.

S. Limited English Proficient (LEP) Households

LEAs will ensure there are no barriers for participation in Child Nutrition Programs for Limited English Proficient (LEP) families and must communicate with parents and guardians in a language they can understand throughout the certification and verification processes.

T. Meal Charge Policy

LEAs will establish a written and clearly communicated policy to address student meal charges when payment cannot be collected at the point of service. Charge policies will be reasonable, well-defined and maintain the integrity and dignity of students and households to minimize harm to the student.

U. Prohibition Against Meal Shaming Plan

LEAs will establish a written and clearly communicated plan that ensures a student whose parent or guardian has unpaid meal charges is not shamed or treated differently than a student whose parent or guardian does not have unpaid school meal charges. The plan will include the requirement to provide students with the reimbursable meal of their choice and identify other prohibited actions to decrease student distress or the embarrassment associated with not having adequate funds to pay for a school meal.

- V. **Program Terminations:** To provide 60 days advance written notice to parents and to immediately inform the NYSED Child Nutrition Program Administration of intent to discontinue participation in NSLP/SBP for public school districts. Non-public schools must send a letter on official letterhead notifying the Child Nutrition Office of the effective date they will no longer participate and the last month they intend to claim meals.

Disclosure Chart

The NSLA specifies that persons directly connected with the administration or enforcement of certain programs or activities are permitted to have access to children's eligibility information. The following chart shows the circumstances for disclosing eligibility information. If you have concerns or questions about disclosing children's eligibility information, refer to the USDA Eligibility Manual for School Meals or contact your Child Nutrition Program representative for further guidance. Prototype parent consent forms are included in this booklet.

Recipient of Information	What May be Disclosed	Requirements
Programs under the National School Lunch Act or Child Nutrition Act	All Eligibility information	Prior notice and consent not required
Federal/State or local means tested nutrition programs with eligibility standards comparable to the NSLP	Eligibility status only	Prior notice and consent not required
Federal education programs	Eligibility status only	Prior notice and consent not required
State education programs administered by a State agency or local education agency	Eligibility status only	Prior notice and consent not required
Local education programs	NO eligibility information, unless parental consent is obtained	Parental consent
Medicaid or the State Children's Health Insurance Programs (SCHIP), administered by a State or local agency authorized under titles XIX or XXI of the Social Security Act to identify and enroll eligible children	All Eligibility information unless parents elect not to have information disclosed	Must give prior notice to parents and opportunity for parents to decline to have their information Disclosed
State health programs other than Medicaid/SCHIP, administered by a State agency or local education agency	Eligibility status only	Prior consent not required
Federal health programs other than Medicaid/SCHIP	NO eligibility information, unless parental consent is obtained	Parental Consent
Local health program	NO eligibility information, unless parental consent is obtained	Parental Consent
Comptroller General of the United States for purposes of audit and examination	All eligibility information	Prior notice and consent not required
Federal, State, or local law enforcement of officials investigating alleged violations of any of the programs under NSLA and CAN or investigating violations of any of the programs that are authorized to have access to names and eligibility status	All eligibility information	Prior notice and consent not required

Child Nutrition Eligibility Guide

FREE ELIGIBILITY			REDUCED ELIGIBILITY
Direct Certification	Categorical Eligibility	Free Application	Reduced Application
Supplemental Nutrition Assistance Program (SNAP) - <i>Automated Data Matching Method</i>	Temporary Assistance For Needy Families (TANF) - <i>Indicated Case Number on the Free and Reduced Price Meal Application</i>	Free and Reduced price meal applicant approved to receive free school meals/milk determined by the income indicated on the application was <i>at or below 130 percent of the Federal poverty guidelines.</i>	Free and Reduced price meal applicant approved to receive reduced price school meals determined by the income indicated on the application was <i>between 130 and at or below 185 percent of the Federal poverty guidelines.</i>
Temporary Assistance for Needy Families (TANF) - <i>Automated Data Matching Method</i>	Food Distribution Program On Indian Reservations (FDPIR) - <i>Indicated Case Number on the Free and Reduced Price Meal Application</i>		
Medicaid recipients at or below 133 percent of the Federal poverty guidelines, determined by the Medicaid Program - <i>Automated Data Matching Method</i>	Supplemental Nutrition Assistance Program (SNAP) - <i>Re-certification Letter, or indicated Case Number on the Free and Reduced Price Meal Application</i>		
* Data Matching Systems indicate the corresponding Assistance Program	Homeless - <i>List obtained from the McKinney Vento liaison (visit www.nysteachs.org for a list of homeless liaisons)</i>		
EXTENSION OF CATEGORICAL ELIGIBILITY means that all children in a household with at least one child or household member who receives benefits from an Assistance Program are categorically eligible for free meals. Any one child's or household member's receipt of benefits from an Assistance Program extends free school meal eligibility to all children who are members of the household.	Runaway - <i>List obtained from the runaway provider</i>		
	Migrant - <i>List obtained from the migrant coordinator</i>		
	Foster - <i>List obtained from the Office of Children and Family Services (OCFS) or indicated on the Free and Reduced Price Meal Application</i>		
	Head Start and Even Start - <i>Enrollment records</i>		

2021-2022 FREE AND REDUCED PRICE INCOME ELIGIBILITY ATTACHMENTS

- I Income Eligibility Guidelines**
These scales are published each year by the federal government and must be used to determine eligibility for free and reduced price meals for the effective dates prescribed.
- II Annual News Release - Public Announcement**
Prior to the beginning of the school year this release, along with the income eligibility scales for both free and reduced price meals, must be provided to the local news media, the local unemployment office, and to any major employers contemplating large layoffs in the area.
- III Certification of Acceptance for Districts and Nonpublic Schools**
The Certification of Acceptance must be completed on the Child Nutrition Management System (CNMS) through the annual renewal process prior to the start of the school year.
- IV Certification of Acceptance for Residential Child Care Institutions (RCCIs)**
The Certification of Acceptance must be completed on the Child Nutrition Management System (CNMS) through the annual renewal process prior to the start of the school year.
- Va Application for Free and Reduced Price School Meals/Milk**
Along with the parent letter (Attachment VII), the Application for Free and Reduced Price School Meals/Milk must be distributed to all parents of children in attendance at school at the beginning of the school year and for new students when entering during the school year. Each family should complete only one application for their household.
- VI Free and Reduced Price Application Fact Sheet**
At the option of the SFA, this fact sheet may be sent home with the application or made available at the school.
- VII Parent Letter: School Meal Programs**
Prototype letter that must be sent to parents each year announcing the availability of the Child Nutrition Programs. **Only the Reduced Price eligibility scale from Attachment I is included in the breakfast/lunch parent letter.** The prototype parent letters included in this packet contain the appropriate scales for the 2021-2022 school year.
- IX Parent Letters: Special Milk**
Those schools which sponsor the Special (Free) Milk program may adapt the Special Milk parent letter accordingly. Include only the free income eligibility scale from Attachment I when preparing the Special Milk parent letter.
- X Notification Letter**
All parents who submit applications must be informed of the approval or denial of such applications. Written notification must be provided to each family denied program benefits in order to provide the family with the hearing and appeals process and a copy of such written notification must be retained on file.
- XI Notification Letter to Parents from Direct Certification Matching Process (DCMP)**
Notification must be provided to households with children directly certified through the DCMP, letter method or through contacts with officials, such as the SFA's homeless liaison or a foster care agency.
- XIII Parent Letter - Children with Disabilities**
- XIV Parent/Guardian Consent Letter**
- XV Parent/Guardian Consent Statement (Single Program)**
- XVI Parent/Guardian Consent Statement (Multiple Programs)**

**2021-2022 INCOME ELIGIBILITY GUIDELINES
FOR FREE AND REDUCED PRICE MEALS OR FREE MILK**

Free Eligibility Scale						Reduced Price Eligibility Scale					
Free Lunch, Breakfast, Milk						Reduced Price Lunch, Breakfast					
Household Size	Annual	Monthly	Twice per Month	Every Two Weeks	Weekly	Household Size	Annual	Monthly	Twice per Month	Every Two Weeks	Weekly
1	\$ 16,744	\$ 1,396	\$ 698	\$ 644	\$ 322	1	\$ 23,828	\$ 1,986	\$ 993	\$ 917	\$ 459
2	\$ 22,646	\$ 1,888	\$ 944	\$ 871	\$ 436	2	\$ 32,227	\$ 2,686	\$ 1,343	\$ 1,240	\$ 620
3	\$ 28,548	\$ 2,379	\$ 1,190	\$ 1,098	\$ 549	3	\$ 40,626	\$ 3,386	\$ 1,693	\$ 1,563	\$ 782
4	\$ 34,450	\$ 2,871	\$ 1,436	\$ 1,325	\$ 663	4	\$ 49,025	\$ 4,086	\$ 2,043	\$ 1,886	\$ 943
5	\$ 40,352	\$ 3,363	\$ 1,682	\$ 1,552	\$ 776	5	\$ 57,424	\$ 4,786	\$ 2,393	\$ 2,209	\$ 1,105
6	\$ 46,254	\$ 3,855	\$ 1,928	\$ 1,779	\$ 890	6	\$ 65,823	\$ 5,486	\$ 2,743	\$ 2,532	\$ 1,266
7	\$ 52,156	\$ 4,347	\$ 2,174	\$ 2,006	\$ 1,003	7	\$ 74,222	\$ 6,186	\$ 3,093	\$ 2,855	\$ 1,428
8	\$ 58,058	\$ 4,839	\$ 2,420	\$ 2,233	\$ 1,117	8	\$ 82,621	\$ 6,886	\$ 3,443	\$ 3,178	\$ 1,589
Each Add'l person add	\$ 5,902	\$ 492	\$ 246	\$ 227	\$ 114	Each Add'l person add	\$ 8,399	\$ 700	\$ 350	\$ 324	\$ 162

BOTH of the above income eligibility scales should appear in the Public Announcement/release to the media (Attachment II)

ONLY the reduced price income eligibility scale can appear in the Letter to Parents (for those schools participating in the National School Lunch or Breakfast Program). (Attachment VII)

ONLY those schools that participate in the Special Milk Program and offer Free Milk can publish the Free Eligibility Scale in both the Public Announcement and the Letter to the Parent.

Please note: *Incomes indicated on the free and reduced price eligibility scales are maximum amounts.*

ANNUAL NEWS RELEASE - PUBLIC ANNOUNCEMENT

_____ (Local School Food Authority) today announced a free and reduced price meal (Free Milk) policy for _____ area school children. Local school officials have adopted the following family eligibility criteria to assist them in determining eligibility:

2021-2022 INCOME ELIGIBILITY GUIDELINES FOR FREE AND REDUCED PRICE MEALS OR FREE MILK

Free Eligibility Scale						Reduced Price Eligibility Scale					
Free Lunch, Breakfast, Milk						Reduced Price Lunch, Breakfast					
Household Size	Annual	Monthly	Twice per Month	Every Two Weeks	Weekly	Household Size	Annual	Monthly	Twice per Month	Every Two Weeks	Weekly
1	\$ 16,744	\$ 1,396	\$ 698	\$ 644	\$ 322	1	\$ 23,828	\$ 1,986	\$ 993	\$ 917	\$ 459
2	\$ 22,646	\$ 1,888	\$ 944	\$ 871	\$ 436	2	\$ 32,227	\$ 2,686	\$ 1,343	\$ 1,240	\$ 620
3	\$ 28,548	\$ 2,379	\$ 1,190	\$ 1,098	\$ 549	3	\$ 40,626	\$ 3,386	\$ 1,693	\$ 1,563	\$ 782
4	\$ 34,450	\$ 2,871	\$ 1,436	\$ 1,325	\$ 663	4	\$ 49,025	\$ 4,086	\$ 2,043	\$ 1,886	\$ 943
5	\$ 40,352	\$ 3,363	\$ 1,682	\$ 1,552	\$ 776	5	\$ 57,424	\$ 4,786	\$ 2,393	\$ 2,209	\$ 1,105
6	\$ 46,254	\$ 3,855	\$ 1,928	\$ 1,779	\$ 890	6	\$ 65,823	\$ 5,486	\$ 2,743	\$ 2,532	\$ 1,266
7	\$ 52,156	\$ 4,347	\$ 2,174	\$ 2,006	\$ 1,003	7	\$ 74,222	\$ 6,186	\$ 3,093	\$ 2,855	\$ 1,428
8	\$ 58,058	\$ 4,839	\$ 2,420	\$ 2,233	\$ 1,117	8	\$ 82,621	\$ 6,886	\$ 3,443	\$ 3,178	\$ 1,589
Each Add'l person add	\$ 5,902	\$ 492	\$ 246	\$ 227	\$ 114	Each Add'l person add	\$ 8,399	\$ 700	\$ 350	\$ 324	\$ 162

SNAP/TANF/FDPIR Households: Households that currently include children who receive the Supplemental Nutrition Assistance Program (SNAP) but who are not found during the Direct Certification Matching Process (DCMP), or households that currently receive Temporary Assistance to Needy Families (TANF), or the Food Distribution Program on Indian Reservations (FDPIR) must complete an application listing the child's name, a valid SNAP, TANF, or FDPIR case number and the signature of an adult household member. Eligibility for free meal benefits based on participation in SNAP, TANF or FDPIR is extended to all children in the household. When known to the School Food Authority, households will be notified of their children's eligibility for free meals based on their participation in the SNAP, TANF or the FDPIR programs. No application is necessary if the household was notified by the SFA their children have been directly certified. If the household is not sure if their children have been directly certified, the household should contact the school.

Other Source Categorical Eligibility: When known to the School Food Authority, households will be notified of any child's eligibility for free meals based on the individual child's designation as Other Source Categorically Eligible, as defined by law. Children are determined Other Source Categorically Eligible if they are Homeless, Migrant, Runaway, A foster child, or Enrolled in Head Start or an eligible pre-kindergarten program.

If children or households receive benefits under Assistance Programs or Other Source Categorically Eligible Programs and are not listed on the notice of eligibility and are not notified by the School Food Authority of their free meal benefits, the parent or guardian should contact the school or should submit an income application.

Other Households: Households with income the same or below the amounts listed above for family size may be eligible for and are urged to apply for free and/or reduced price meals (or free milk). They may do so by completing the application sent home with the letter to parents. One application for all children in the household should be submitted. Additional copies are available at the principal's office in each school. Applications may be submitted any time during the school year to _____ (Title of Reviewing Official). Please contact _____ at _____ with any questions regarding the application process.

Households notified of their children's eligibility must contact the School Food Authority if they choose to decline the free meal benefits. Households may apply for benefits at any time throughout the school year. Children of parents or guardians who become unemployed or experience a financial hardship mid-year may become eligible for free and reduced price meals or free milk at any point during the school year.

For up to 30 operating days into the new school year (or until a new eligibility determination is made, whichever comes first) an individual child's free or reduced price eligibility status from the previous year will continue within the same SFA. When the carryover period ends, unless the household is notified that their children are directly certified or the household submits an application that is approved, the children's meals must be claimed at the paid rate. Though encouraged to do so, the SFA is not required to send a reminder or a notice of expired eligibility.

The information provided on the application will be confidential and will be used for determining eligibility. The names and eligibility status of participants may also be used for the allocation of funds to federal education programs such as Title I and National Assessment of Educational Progress (NAEP), State health or State education programs, provided the State agency or local education agency administers the programs, and for federal, State or local means-tested nutrition programs with eligibility standards comparable to the NSLP. Eligibility information may also be released to programs authorized under the National School Lunch Act (NSLA) or the Child Nutrition Act (CNA). The release of information to any program or entity not specifically authorized by the NSLA will require a written consent statement from the parent or guardian.

The School Food Authority does, however, have the right to verify at any time during the school year the information on the application. If a parent does not give the school this information, the child/children will no longer be able to receive free or reduced price meals (free milk).

Foster children are eligible for free meal benefits. A separate application for a foster child is no longer necessary. Foster children may be listed on the application as a member of the family where they reside. Applications must include the foster child's name and personal use income.

Under the provisions of the policy, the designated official will review applications and determine eligibility. If a parent is dissatisfied with the ruling of the designated official, he/she may make a request either orally or in writing for a hearing to appeal the decision. _____ (Title), whose address is _____ has been designated as the Hearing Official. Hearing procedures are outlined in the policy. However, prior to initiating the hearing procedure, the parent or School Food Authority may request a conference to provide an opportunity for the parent and official to discuss the situation, present information, and obtain an explanation of the data submitted in the application or the decisions rendered. The request for a conference shall not in any way prejudice or diminish the right to a fair hearing.

Only complete applications can be approved. This includes complete and accurate information regarding: the SNAP, TANF, or FDPIR case number; the names of all household members; on an income application, the last four digits of the social security number of the person who signs the form or an indication that the adult does not have one, and the amount and source of income received by each household member. In addition, the parent or guardian must sign the application form, certifying the information is true and correct.

Beginning July 1, 2019, students in New York State that are approved for reduced price meals will receive breakfast and lunch meals at no charge.

Nondiscrimination Statement: This explains what to do if you believe you have been treated unfairly.

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the [USDA Program Discrimination Complaint Form](https://www.usda.gov/oascr/how-to-file-a-program-discrimination-complaint), (AD-3027) found online at: <https://www.usda.gov/oascr/how-to-file-a-program-discrimination-complaint> and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter 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;

(2) fax: (202) 690-7442; or

(3) email: program.intake@usda.gov.

This institution is an equal opportunity provider.

KEEP THIS FORM ON FILE. DO NOT RETURN TO SED

CERTIFICATION OF ACCEPTANCE FOR DISTRICTS AND NONPUBLIC SCHOOLS

Please complete the following information during the annual renewal process on the Child Nutrition Management System and **retain on file** for examination by members of this Department or USDA during a review of your Child Nutrition Program. **Do not send the Certification of Acceptance to NYSED.**

SCHOOL FOOD AUTHORITY NAME: _____

12-Digit LEA Code: _____

The governing body of this School Food Authority accepts this Free and Reduced Price Meal or Special Milk Program Policy Statement, including the Family Income Eligibility Criteria and all required attachments and as indicated below:

Titles of Designated Officials

A. REVIEWING OFFICIAL

Address & Telephone

B. HEARING OFFICIAL

Address & Telephone

C. VERIFICATION OFFICIAL

Address & Telephone

An officer of the Board of Education or chairman of the community school board, pastor or executive director of the corporation operating a private or parochial school, or the headmaster or principal of a nonpublic school must sign this form.

ORIGINAL SIGNATURE OF SCHOOL OFFICIAL

TITLE

DATE

2021-2022

- The Reviewing and Verification Official may be the same person. The Hearing Official cannot be the Reviewing or Verification Official.

KEEP THIS FORM ON FILE. DO NOT RETURN TO SED

CERTIFICATION OF ACCEPTANCE FOR RESIDENTIAL CHILD CARE INSTITUTIONS (RCCIs)

Please complete the following information during the annual renewal process on the Child Nutrition Management System and **retain on file** for examination by members of this Department or USDA during a review of your Child Nutrition Program. **Do not send the Certification of Acceptance to NYSED.**

SCHOOL FOOD AUTHORITY NAME: _____

12-Digit LEA Code: _____

The governing body of this School Food Authority accepts this Free and Reduced Price Meal or Special Milk Program Policy Statement, including the Family Income Eligibility Criteria and all required attachments and as indicated below:

Titles of Designated Officials

A. REVIEWING OFFICIAL

Address & Telephone

(Sections B & C are only applicable to RCCIs with day treatment students)

B. HEARING OFFICIAL

Address & Telephone

C. VERIFICATION OFFICIAL

Address & Telephone

An officer of the Board of Directors or the Executive Director must sign this form.

ORIGINAL SIGNATURE OF SCHOOL OFFICIAL

TITLE

DATE

2021-2022

- The Reviewing and Verification Official may be the same person. The Hearing Official cannot be the Reviewing or Verification Official.

2021-2022 Application for Free and Reduced Price School Meals/Milk

To apply for free and reduced price meals for your children, read the instructions on the back, complete **only one** form for your household, sign your name and **return it to the address listed below**. Call **(phone number)**, if you need help. Additional names may be listed on a separate paper.

Return Completed Applications to: (School Name)
(Street Name)
(City, State , Zip Code)

1. List all children in your household who attend school:

Student Name	School	Grade/Teacher	Foster Child	Homeless Migrant, Runaway
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>

2. SNAP/TANF/FDPIR Benefits:

If anyone in your household receives either SNAP, TANF or FDPIR benefits, list their name and CASE # here. **Skip to Part 4, and sign the application.**

Name: _____ CASE #: _____

3. Report all income for ALL Household Members (Skip this step if you answered 'yes' to step 2)

All Household Members (including yourself and all children that have income).

List all Household members not listed in Step 1 (including yourself) **even if they do not receive income**. For each Household Member listed, if they do receive income, report total income for each source in whole dollars only. If they do not receive income from any other source, write '0'. If you enter '0' or leave any fields blank, you are certifying (promising) that there is no income to report.

Name of household member	Earnings from work before deductions <i>Amount / How Often</i>	Child Support, Alimony <i>Amount / How Often</i>	Pensions, Retirement Payments <i>Amount / How Often</i>	Other Income, Social Security <i>Amount / How Often</i>	No Income
	\$ _____ / _____	\$ _____ / _____	\$ _____ / _____	\$ _____ / _____	<input type="checkbox"/>
	\$ _____ / _____	\$ _____ / _____	\$ _____ / _____	\$ _____ / _____	<input type="checkbox"/>
	\$ _____ / _____	\$ _____ / _____	\$ _____ / _____	\$ _____ / _____	<input type="checkbox"/>
	\$ _____ / _____	\$ _____ / _____	\$ _____ / _____	\$ _____ / _____	<input type="checkbox"/>
	\$ _____ / _____	\$ _____ / _____	\$ _____ / _____	\$ _____ / _____	<input type="checkbox"/>

Total Household Members (Children and Adults)

*Last Four Digits of Social Security Number: XXX-XX- ____ - ____

I do not have a SS#

*When completing section 3, an adult household member must provide the last four digits of their Social Security Number (SS#), or mark the "I do not have a SS# box" before the application can be approved.

4. Signature: An adult household member must sign this application before it can be approved.

I certify (promise) that all the information on this application is true and that all income is reported. I understand that the information is being given so the school will get federal funds; the school officials may verify the information and if I purposely give false information, I may be prosecuted under applicable State and federal laws, and my children may lose meal benefits.

Signature: _____ Date: _____

Email Address: _____

Home Phone: _____ Work Phone: _____ Home Address: _____

5. Ethnicity and Race are optional; responding to this section does not affect your children's eligibility for free or reduced price meals.

Ethnicity: Hispanic or Latino Not Hispanic or Latino

Race (Check one or more) : American Indian or Alaskan Native Asian Black or African American Native Hawaiian or Other Pacific Island White

DO NOT WRITE BELOW THIS LINE – FOR SCHOOL USE ONLY

Annual Income Conversion (Only convert when multiple income frequencies are reported on application)
Weekly X 52; Every Two Weeks (bi-weekly) X 26; Twice Per Month X 24; Monthly X 12

SNAP/TANF/Foster

Income Household: Total Household Income/How Often: _____ / _____ Household Size: _____

Free Meals Reduced Price Meals Denied/Paid

Signature of Reviewing Official _____ Date Notice Sent: _____

APPLICATION INSTRUCTIONS

To apply for free and reduced price meals, complete only one application for your household using the instructions below. Sign the application and return the application to _____.

If you have a foster child in your household, you may include them on your application. A separate application is not needed. Call the school if you need help: _____. Ensure that all information is provided. Failure to do so may result in denial of benefits for your child or unnecessary delay in approving your application.

PART 1 ALL HOUSEHOLDS MUST COMPLETE STUDENT INFORMATION. DO NOT FILL OUT MORE THAN ONE APPLICATION FOR YOUR HOUSEHOLD.

- (1) Print the names of the children, including foster children, for whom you are applying on one application.
- (2) List their grade and school.
- (3) Check the box to indicate a foster child living in your household, or if you believe any child meets the description for homeless, migrant, runaway (a school staff will confirm this eligibility).

PART 2 HOUSEHOLDS GETTING SNAP, TANF OR FDPIR SHOULD COMPLETE PART 2 AND SIGN PART 4.

- (1) List a current SNAP, TANF or FDPIR (Food Distribution Program on Indian Reservations) case number of anyone living in your household. The case number is provided on your benefit letter.
- (2) An adult household member must sign the application in PART 4. SKIP PART 3. Do not list names of household members or income if you list a SNAP case number, TANF or FDPIR number.

PART 3 ALL OTHER HOUSEHOLDS MUST COMPLETE THESE PARTS AND ALL OF PART 4.

- (1) Write the names of everyone in your household, whether or not they get income. Include yourself, the children you are applying for, all other children, your spouse, grandparents, and other related and unrelated people in your household. Use another piece of paper if you need more space.
- (2) Write the amount of current income each household member receives, before taxes or anything else is taken out, and indicate where it came from, such as earnings, welfare, pensions and other income. If the current income was more or less than usual, write that person's usual income. **Specify how often this income amount is received: weekly, every other week (bi-weekly), 2 x per month, monthly. If no income, check the box.** The value of any child care provided or arranged, or any amount received as payment for such child care or reimbursement for costs incurred for such care under the Child Care and Development Block Grant, TANF and At Risk Child Care Programs should **not** be considered as income for this program.
- (3) Enter the total number of household members in the box provided. This number should include all adults and children in the household and should reflect the members listed in PART 1 and PART 3.
- (4) The application must include the last four digits only of the social security number of the adult who signs **PART 4** if Part 3 is completed. If the adult does not have a social security number, check the box. **If you listed a SNAP, TANF or FDPIR number, a social security number is not needed.**
- (5) An adult household member must sign the application in PART 4.

OTHER BENEFITS: Your child may be eligible for benefits such as Medicaid or Children's Health Insurance Program (CHIP). To determine if your child is eligible, program officials need information from your free and reduced price meal application. Your written consent is required before any information may be released. Please refer to the attached parent Disclosure Letter and Consent Statement for information about other benefits.

USE OF INFORMATION STATEMENT

Use of Information Statement: The Richard B. Russell National School Lunch Act requires the information on this application. You do not have to give the information, but if you do not submit all needed information, we cannot approve your child for free or reduced price meals. You must include the last four digits of the social security number of the primary wage earner or other adult household member who signs the application. The social security number is not required when you apply on behalf of a foster child or you list a Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance for Needy Families (TANF) Program or Food Distribution Program on Indian Reservations (FDPIR) case number or other FDPIR identifier for your child or when you indicate that the adult household member signing the application does not have a social security number. We will use your information to determine if your child is eligible for free or reduced price meals, and for administration and enforcement of the lunch and breakfast programs.

We may share your eligibility information with education, health, and nutrition programs to help them evaluate, fund, or determine benefits for their programs, auditors for program reviews, and law enforcement officials to help them look into violations of program rules.

DISCRIMINATION COMPLAINTS

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the [USDA Program Discrimination Complaint Form](https://www.usda.gov/oascr/how-to-file-a-program-discrimination-complaint), (AD-3027) found online at: <https://www.usda.gov/oascr/how-to-file-a-program-discrimination-complaint> and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter 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;
- (2) fax: (202) 690-7442; or
- (3) email: program.intake@usda.gov.

This institution is an equal opportunity provider.

FREE AND REDUCED PRICE MEAL APPLICATION FACT SHEET

When filling out the application form, please pay careful attention to these helpful hints.

SNAP/TANF/FDPIR case number: This must be the complete valid case number supplied to you by the agency including all numbers and letters, for example, E123456, or whatever combination is used in your county. Refer to a letter you received from your local Department of Social Services for your case number or contact them for your number.

Foster Child: A child who is living with a family but who is under the legal care of the welfare agency or court may be listed on your family application. List the child's "personal use" income. This includes only those funds provided by the agency which are identified for the personal use of the child, such as personal spending allowances, money received by his/her family, or from a job. Funds provided for housing, food and care, medical, and therapeutic needs are not considered income to the foster child. Write "0" if the child has no personal use income.

Household: A group of related or non-related people who are living in one house and share income and expenses.

Adult Family Members: All related and non-related people who are 21 years of age and older living in your house.

Financially Independent: A person is financially independent and a separate economic unit/household when his or her earnings and expenses are not shared by the family/household. Separate economic units in the same residence are characterized by prorating expenses and by economic independence from one another.

Current Gross Income: Money earned or received at the present time by each member of your household before deductions. Examples of deductions are federal tax, State tax, and Social Security deductions. If you have more than one job, you must list the income from all jobs. If you receive income from more than one source (wage, alimony, child support, etc.), you must list the income from all sources. Only farmers, self-employed workers, migrant workers, and other seasonal employees may use their income for the past 12 months reported from their 1040 Tax Forms.

Examples of gross income are:

- Wages, salaries, tips, commissions, or income from self-employment
- Net farm income – gross sales minus expenses only – not losses
- Pensions, annuities, or other retirement income including Social Security retirement benefits
- Unemployment compensation
- Welfare payments (does not include value of SNAP)
- Public Assistance payments
- Adoption assistance
- Supplemental Security Income (SSI) or Social Security Survivor's Benefits
- Alimony or child support payments
- Disability benefits, including workman's compensation
- Veteran's subsistence benefits
- Interest or dividend income
- Cash withdrawn from savings, investments, trusts, and other resources which would be available to pay for a child's meals
- Other cash income

Income Exclusions: The value of any child care provided or arranged, or any amount received as payment for such child care or reimbursement for costs incurred for such care under the Child Care Development (Block Grant) Fund should not be considered as income for this program.

If you have any questions or need help in filling out the application form, please contact:

Name: _____ Title: _____

Telephone Number: _____

Letter to Parents for School Meal Programs

Dear Parent/Guardian:

Children need healthy meals to learn. **[Name of School]** offers healthy meals every school day. Breakfast costs **[\$]**; lunch costs **[\$]**. Your children may qualify for free meals or for reduced price meals. Beginning July 1, 2019 students in New York State that are approved for reduced price meals will receive breakfast and lunch meals and snacks served through the Afterschool Snack Program at no charge.

1. DO I NEED TO FILL OUT AN APPLICATION FOR EACH CHILD? No. Complete the application to apply for free or reduced price meals. *Use one Free and Reduced Price School Meals Application for all students in your household.* We cannot approve an application that is not complete, so be sure to fill out all required information. Return the completed application to: **[name, address, phone number]**.
2. WHO CAN GET FREE MEALS? All children in households receiving benefits from **SNAP, the Food Distribution Program on Indian Reservations** or **TANF**, can get free meals regardless of your income. Categorical eligibility for free meal benefits is extended to all children in a household when the application lists an Assistance Program's case number for any household member. Also, your children can get free meals if your household's gross income is within the free limits on the Federal Income Eligibility Guidelines. Households with children who are categorically eligible through an Other Source Categorically Eligible designation, as defined by law, may be eligible for free benefits and should contact the SFA for assistance in receiving benefits.
3. CAN FOSTER CHILDREN GET FREE MEALS? Yes, foster children that are under the legal responsibility of a foster care agency or court, are eligible for free meals. Any foster child in the household is eligible for free meals regardless of income. Foster children may also be included as a member of the foster family if the foster family chooses to also apply for benefits for other children. Including children in foster care as household members may help other children in the household qualify for benefits. If non-foster children in a foster family are not eligible for free or reduced price meal benefits, an eligible foster child will still receive free benefits.
4. CAN HOMELESS, RUNAWAY, AND MIGRANT CHILDREN GET FREE MEALS? Yes, children who meet the definition of homeless, runaway, or migrant qualify for free meals. If you haven't been told your children will get free meals, please call or e-mail **[school, homeless liaison or migrant coordinator information]** to see if they qualify.
5. WHO CAN GET REDUCED PRICE MEALS? Your children may be approved as reduced price eligible if your household income is within the reduced-price limits on the Federal Eligibility Income Chart, shown on this letter. Beginning July 1, 2019, students in New York State that are approved for reduced price meals will receive breakfast and lunch meals and snacks served through the Afterschool Snack Program at no charge.
6. SHOULD I FILL OUT AN APPLICATION IF I RECEIVED A LETTER THIS SCHOOL YEAR SAYING MY CHILDREN ARE APPROVED FOR FREE MEALS? Please read the letter you got carefully and follow the instructions. Call the school at **[phone number]** if you have questions.
7. MY CHILD'S APPLICATION WAS APPROVED LAST YEAR. DO I NEED TO FILL OUT ANOTHER ONE? Yes. Your child's application is only good for that school year and for up to the first 30 operating days of this school year. You must send in a new application unless the school told you that your child is eligible for the new school year.
8. I GET WIC. CAN MY CHILD(REN) GET FREE MEALS? Children in households participating in WIC may be eligible for free or reduced price meals. Please fill out a FREE/REDUCED PRICE MEAL application.
9. WILL THE INFORMATION I GIVE BE CHECKED? Yes and we may also ask you to send written proof.
10. IF I DON'T QUALIFY NOW, MAY I APPLY LATER? Yes, you may apply at any time during the school year. For example, children with a parent or guardian who becomes unemployed may become eligible for free and reduced price meals if the household income drops below the income limit.
11. WHAT IF I DISAGREE WITH THE SCHOOL'S DECISION ABOUT MY APPLICATION? You should talk to school officials. You also may ask for a hearing by calling or writing to: **[name, address, phone number, e-mail]**.
12. MAY I APPLY IF SOMEONE IN MY HOUSEHOLD IS NOT A U.S. CITIZEN? Yes. You or your child(ren) do not have to be U.S. citizens to qualify for free or reduced price meals.
13. WHO SHOULD I INCLUDE AS MEMBERS OF MY HOUSEHOLD? You must include all people living in your household, related or not (such as grandparents, other relatives, or friends) who share income and expenses. You must include yourself and all children living with you. If you live with other people who are economically independent (for example, people who you do not support, who do not share income with you or your children, and who pay a pro-rated share of expenses), do not include them.
14. WHAT IF MY INCOME IS NOT ALWAYS THE SAME? List the amount that you normally receive. For example, if you normally make \$1000 each month, but you missed some work last month and only made \$900, put down that you made \$1000 per month. If you normally get overtime, include it, but do not include it if you only work overtime sometimes. If you have lost a job or had your hours or wages reduced, use your current income.
15. WE ARE IN THE MILITARY. DO WE INCLUDE OUR HOUSING ALLOWANCE AS INCOME? If you get an off-base housing allowance, it must be included as income. However, if your housing is part of the Military Housing Privatization Initiative, do not include your housing allowance as income.
16. MY SPOUSE IS DEPLOYED TO A COMBAT ZONE. IS HER COMBAT PAY COUNTED AS INCOME? No, if the combat pay is received in addition to her basic pay because of her deployment and it wasn't received before she was deployed, combat pay is not counted as income. Contact your school for more information.
17. MY FAMILY NEEDS MORE HELP. ARE THERE OTHER PROGRAMS WE MIGHT APPLY FOR? To find out how to apply for **SNAP** or other assistance benefits, contact your local assistance office or call **1-800-342-3009**.

**2021-2022 INCOME ELIGIBILITY GUIDELINES
FOR FREE AND REDUCED PRICE MEALS OR FREE MILK**

REDUCED PRICE ELIGIBILITY INCOME CHART

Total Family Size	Annual	Monthly	Twice per Month	Every Two Weeks	Weekly
1	\$ 23,828	\$ 1,986	\$ 993	\$ 917	\$ 459
2	\$ 32,227	\$ 2,686	\$ 1,343	\$ 1,240	\$ 620
3	\$ 40,626	\$ 3,386	\$ 1,693	\$ 1,563	\$ 782
4	\$ 49,025	\$ 4,086	\$ 2,043	\$ 1,886	\$ 943
5	\$ 57,424	\$ 4,786	\$ 2,393	\$ 2,209	\$ 1,105
6	\$ 65,823	\$ 5,486	\$ 2,743	\$ 2,532	\$ 1,266
7	\$ 74,222	\$ 6,186	\$ 3,093	\$ 2,855	\$ 1,428
8	\$ 82,621	\$ 6,886	\$ 3,443	\$ 3,178	\$ 1,589
*Each Add'l person add	\$ 8,399	\$ 700	\$ 350	\$ 324	\$ 162

How to Apply: To get free or reduced price meals for your children carefully complete one application following the instructions for your household and return it to the designated office listed on the application. If you now receive SNAP, Temporary Assistance to Needy Families (TANF) for any children or participate in the Food Distribution Program on Indian Reservations (FDPIR), the application must include the children's names, the household SNAP, TANF or FDPIR case number and the signature of an adult household member. All children should be listed on the same application. If you do not list a SNAP, TANF or FDPIR case number for any household member, the application must include the names of everyone in the household, the amount of income each household member, and how often it is received and where it comes from. It must include the signature of an adult household member and the last four digits of that adult's social security number or check the box if the adult does not have a social security number. **An application for free and reduced price benefits cannot be approved unless complete eligibility information is submitted, as indicated on the application and in the instructions.** Contact your local Department of Social Services for your SNAP or TANF case number or complete the income portion of the application. No application is necessary if the household was notified by the SFA their children have been directly certified. If the household is not sure if their children have been directly certified, the household should contact the school.

Reporting Changes: The benefits that you are approved for at the time of application are effective for the entire school year and up to 30 operating days into the new school year (or until a new eligibility determination is made, whichever comes first). You no longer need to report changes for an increase in income or decrease in household size, or if you no longer receive SNAP.

Income Exclusions: The value of any child care provided or arranged, or any amount received as payment for such child care or reimbursement for costs incurred for such care under the Child Care Development (Block Grant) Fund should not be considered as income for this program.

Reduced Price Eligible Students: Beginning July 1, 2019, students in New York State that are approved for reduced price meals will receive breakfast and lunch meals and snacks served through the Afterschool Snack Program at no charge.

In the operation of child feeding programs, no child will be discriminated against because of race, sex, color, national origin, age or disability

Meal Service to Children With Disabilities: Federal regulations require schools and institutions to serve meals at no extra charge to children with a disability which may restrict their diet. A student with a disability is defined in 7CFR Part 15b.3 of Federal regulations, as one who has a physical or mental impairment which substantially limits one or more major life activities of such individual, a record of such an impairment or being regarded as having such an impairment. Major life activities include but are not limited to: functions such as caring for one's self, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working. You must request meal modifications from the school and provide the school with medical statement from a State licensed healthcare professional. If you believe your child needs substitutions because of a disability, please get in touch with us for further information, as there is specific information that the medical statement must contain.

Confidentiality: The United States Department of Agriculture has approved the release of students names and eligibility status, without parent/guardian consent, to persons directly connected with the administration or enforcement of federal education programs such as Title I and the National Assessment of Educational Progress (NAEP), which are United States Department of Education programs used to determine areas such as the allocation of funds to schools, to evaluate socioeconomic status of the school's attendance area, and to assess educational progress. Information may also be released to State health or State education programs administered by the State agency or local education agency, provided the State or local education agency administers the program, and federal State or local nutrition programs similar to the National School Lunch Program. Additionally, all information contained in the free and reduced price application may be released to persons directly connected with the administration or enforcement of programs authorized under the National School Lunch Act (NSLA) or Child Nutrition Act (CNA); including the National School Lunch and School Breakfast Programs, the Special Milk Program, the Child and Adult Care Food Program, Summer Food Service Program and the Special

Supplemental Nutrition Program for Women Infants and Children (WIC); the Comptroller General of the United States for audit purposes, and federal, State or local law enforcement officials investigating alleged violation of the programs under the NSLA or CNA.

Reapplication: You may apply for benefits any time during the school year. Also, if you are not eligible now, but during the school year become unemployed, have a decrease in household income, or an increase in family size you may request and complete an application at that time.

The disclosure of eligibility information not specifically authorized by the NSLA requires a written consent statement from the parent/guardian. We will let you know when your application is approved or denied.

Sincerely,

Nondiscrimination Statement: This explains what to do if you believe you have been treated unfairly.

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotope, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the [USDA Program Discrimination Complaint Form](#), (AD-3027) found online at: <https://www.usda.gov/oascr/how-to-file-a-program-discrimination-complaint> and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter 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;

(2) fax: (202) 690-7442; or

(3) email: program.intake@usda.gov.

This institution is an equal opportunity provider.

Special Milk Program Schools
(Only for use when offering Free Special Milk)

Dear Parent/Guardian:

(School Name) believes that one of the most important ways we can help our children perform better in their classrooms is to provide them with the nutrition necessary for the healthy growth of their minds and bodies. Therefore, we provide milk in our school every day.

We invite all students to show their support for their school food service program through frequent participation. Current milk prices are \$____ per one half pint.

How to Apply: To receive free milk for your children carefully complete the application and return it to the school. If you currently receive SNAP, or TANF for any children or participate in the FDPIR, the application must include the children's names of all children living in your household, your SNAP, TANF or FDPIR number and the signature of an adult household member. If you do not list a SNAP/TANF/FDPIR number, the application must include the names of everyone in the household, the amount of income for each household member, how often this income is received and where it comes from. The application must also include the signature of an adult household member and the last four digits of that adult's social security number, or check the box if the adult does not have a social security number. An application that is not complete cannot be approved. Contact your local Department of Social Services for your SNAP or TANF number or complete the income portion of the application. No application is necessary if your household was notified by the SFA that your children have been directly certified. If you are not sure if your children have been directly certified, please contact the school.

Income Chart: The following chart lists income levels according to household size and income levels received either yearly, monthly or weekly. If your total household income is the same or less than the amounts on the Income Chart below, your children may be eligible for free milk.

2021-2022 FREE ELIGIBILITY INCOME CHART

Total Family Size	Annual	Monthly	Twice per Month	Every Two Weeks	Weekly
1	\$ 16,744	\$ 1,396	\$ 698	\$ 644	\$ 322
2	\$ 22,646	\$ 1,888	\$ 944	\$ 871	\$ 436
3	\$ 28,548	\$ 2,379	\$ 1,190	\$ 1,098	\$ 549
4	\$ 34,450	\$ 2,871	\$ 1,436	\$ 1,325	\$ 663
5	\$ 40,352	\$ 3,363	\$ 1,682	\$ 1,552	\$ 776
6	\$ 46,254	\$ 3,855	\$ 1,928	\$ 1,779	\$ 890
7	\$ 52,156	\$ 4,347	\$ 2,174	\$ 2,006	\$ 1,003
8	\$ 58,058	\$ 4,839	\$ 2,420	\$ 2,233	\$ 1,117
*Each Add'l person add	\$ 5,902	\$ 492	\$ 246	\$ 227	\$ 114

Reporting Changes: The benefits that you are approved for at the time of application are effective for the entire school year. **You no longer need to report changes for an increase in income or decrease in household size, or if you no longer receive SNAP.**

Income Exclusions: The value of any child care provided or arranged, or any amount received as payment for such child care or reimbursement for costs incurred for such care under the Child Care Development (Block Grant) Fund should not be considered as income for this program.

Foster Child: Your foster child may be eligible for free milk. Provide documentation from an appropriate State or local agency indicating the child's status as foster. If you have questions, contact the school for help with the application.

In the operation of child feeding programs, no child will be discriminated against because of race, sex, color, national origin, age or disability.

Fair Hearing: If you do not agree with the school's decision on your application or the result of verification, you may wish to discuss it with the school. You also have the right to a fair hearing. This can be done by calling or writing the following official:

(Name, Address, Telephone Number of Hearing Official)

Confidentiality: The United States Department of Agriculture has approved the release of students names and eligibility status, without parent/guardian consent, to persons directly connected with the administration or enforcement of federal education programs such as Title I and the National Assessment of Educational Progress (NAEP), which are United States Department of Education programs used to determine areas such as the allocation of funds to schools, to evaluate socioeconomic status of the school's attendance area, and to assess educational progress. Information may also be released to State health or State education programs administered by the State agency or local education agency, provided the State or local education agency administers the program, and federal State or local nutrition programs similar to the National School Lunch Program. Additionally, *all* information contained in the free and reduced price application may be released to persons directly connected with the administration or enforcement of programs authorized under the National School Lunch Act (NSLA) or Child Nutrition Act (CNA); including the National School Lunch and School Breakfast Programs, the Special Milk Program, the Child and Adult Care Food Program, Summer Food Service Program and the Special Supplemental Nutrition Program for Women Infants and Children (WIC); the Comptroller General of the United States for audit purposes, and federal, State or local law enforcement officials investigating alleged violation of the programs under the NSLA or CNA.

The disclosure of eligibility information not specifically authorized by the NSLA requires a written consent statement from the parent/guardian.

Reapplication: You may apply for benefits any time during the school year. Also, if you are not eligible now, but during the school year become unemployed, have a decrease in household income, or an increase in family size you may request and complete application at that time.

You will be notified when the application is approved or denied. The information submitted on the application may be subject to verification. Please contact [name, address, phone number] with any questions.

Sincerely,

Nondiscrimination Statement:

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the [USDA Program Discrimination Complaint Form](https://www.usda.gov/oascr/how-to-file-a-program-discrimination-complaint), (AD-3027) found online at: <https://www.usda.gov/oascr/how-to-file-a-program-discrimination-complaint> and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter 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;

(2) fax: (202) 690-7442; or

(3) email: program.intake@usda.gov.

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NOTIFICATION LETTER FOR SCHOOL MEALS

Dear _____:

Your application for free and reduced price meals for your child(ren) has been:

- _____ Approved for free meals.
- _____ Approved for reduced price meals. Your child(ren) will receive breakfast and lunch meals at no charge.
- _____ Denied for the following reason(s):
 - ___ Income over the allowable amount.
 - ___ Incomplete application. The following information is missing:
 - ___ Other:

If you do not agree with the decision, you may discuss it with a school official and you have a right to a fair hearing. This can be done by calling or writing the following official:

Name:
Address:
Phone:

You may reapply for benefits at any time during the school year. If you are not eligible now but have a decrease in household income or become unemployed, or have an increase in household size, you may fill out another application at that time.

Sincerely,

_____	_____	_____
Name	Title	Date

Nondiscrimination Statement: This explains what to do if you believe you have been treated unfairly.

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NOTIFICATION LETTER FOR DIRECTLY CERTIFIED STUDENTS

Dear Parent/Guardian:

Date: _____

Your child(ren) has been automatically **approved for free meals and/or milk** during the 2021-2022 school year. This approval is based on student/household eligibility for the Supplemental Nutrition Assistance Program (SNAP), and/or Medicaid. **ONLY RETURN THIS LETTER to your child(ren)'s school if you do not want the free school meals/milk benefits.**

Please **DO NOT** fill out an application for free or reduced price meals and/or milk for the following child(ren):

Student Name	School Name	Grade

If you have student(s) in your household that are not listed above, please contact this office at _____. Free meal benefits will be extended to all children residing in the same household.

If you DO NOT want your student to receive these school meal benefits, please check the box below, sign and return this letter.

I do not want free meals/milk benefits for my children listed above

Date

Signature of Parent or Guardian

Sincerely,

Signature

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MEAL SERVICES TO CHILDREN WITH DISABILITIES

Dear Parent/Guardian:

The National School Lunch Program (NSLP) and School Breakfast Program (SBP) aim to provide all participating children, regardless of background, with the nutritious meals they need to be healthy. This includes ensuring children with disabilities have an equal opportunity to participate in and benefit from the NSLP and SBP.

Federal regulations require schools and institutions to serve meals at no extra charge to those children whose disability restricts their diet in such a way that they cannot fully participate in the food service program without some modification to the foods offered or the scheduled menu. If you believe your child needs substitutions because of a disability, please get in touch with us for further information. You must request meal modifications from the school and provide the school with a medical statement from a State licensed healthcare professional. This medical statement must contain but is not limited to the following:

- Information about the child's physical or mental impairment that is sufficient to allow the school to understand how it restricts the child's diet,
- An explanation of what must be done to accommodate the child's special dietary need,
- The food or foods to be omitted and recommended alternatives, in the case of a modified meal

If you have questions regarding the need for meal modifications, contact _____ at _____ for further information.

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Prototype

**PARENT/GUARDIAN CONSENT TO RELEASE ELIGIBILITY INFORMATION
FOR FREE AND REDUCED PRICE MEALS OR FREE MILK**

Date

Dear Parent/Guardian:

If your child is eligible for free and reduced price meals or free milk, he/she also may be eligible for other benefits. To receive these benefits, you must provide written consent to permit school officials to give your name, address, and an indication that your household is eligible for free and reduced price meals or free milk, to representatives of certain programs. **Failure to sign a consent statement that will allow disclosure of this information will not affect your child's eligibility or participation in the school meals or milk programs.**

Some of the programs that may request names and eligibility information to be used to provide benefits, and for which parent/guardian consent is required, include: federal health insurance programs such as Medicaid or Children's Health Insurance program (CHIP), other federal programs, State programs, local health and education programs and other local activities. For example, the disclosure of children's eligibility for free and reduced price meals or free milk to determine eligibility for free text books, free band instruments, holiday baskets, school supplies, etc., or reduced fees for summer school or driver education programs, would require written consent by the child's parent/guardian.

If you wish to provide consent to release information contained in your child's free and reduced price meal application, to receive other benefits, please complete the attached consent statement.

Please call _____ at _____ if you have questions.

Sincerely,

Enclosure (consent statement)

Nondiscrimination Statement:

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Prototype Consent Statement (Single Program)

CONSENT TO RELEASE FREE OR REDUCED PRICE ELIGIBILITY INFORMATION

School officials may release information that shows that my child/children are eligible for free or reduced price meals or free milk to the following program. I understand that the information will only be provided to this program.

Name of Program (to be completed by SFA) _____

I understand that I will be releasing information that will show my child/children are eligible for free and reduced price meals or free milk. I give consent to release my confidential information for the above named program only.

Child/Children:

I certify that I am the parent/guardian of the child/children for whom the free/reduced price application was made:

Signature of Parent/Guardian: _____

Print Name: _____

Address: _____

Phone Number: _____

Date: _____

Nondiscrimination Statement:

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Prototype Consent Statement (Multiple Programs)

CONSENT TO RELEASE FREE OR REDUCED PRICE ELIGIBILITY INFORMATION

School officials may release information that shows that my child/children are eligible for free or reduced price meals or free milk to the following programs. I understand that the information will only be provided to the program(s) checked.

(Check the box next to the program area(s) you wish to release information to)

- Federal health programs such as Medicaid or Children's Health Insurance Program (CHIP).
- State or federal programs such as the Youth Summer Work program or the Educational Talent Search Program.
- Local health and education programs and other local programs that provide benefits such as free textbooks or school supplies, free band instruments, or reduced fees for summer school or driver education.
- Community programs such as holiday baskets, summer arts and playground programs.

I understand that I will be releasing information that will show that my child/children are eligible for free and reduced price meals or free milk. I give consent to release my confidential information for the above named uses.

Child/Children:

I certify that I am the child's parent/guardian for whom the application was made.

Signature of Parent/Guardian: _____

Print Name: _____

Address: _____

Phone Number: _____

Date: _____

Nondiscrimination Statement:

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