

FREE AND REDUCED PRICE BENEFITS IN SCHOOL FOOD SERVICE PROGRAMS

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The District participates in the National School Lunch Program, the federal School Breakfast Program, and the federal Special Milk Program. In these programs, the District follows state and federal requirements regarding a child's or household's eligibility for free or reduced-price meals, including the applicable income eligibility guidelines and all applicable nondiscrimination requirements. The primary means of establishing eligibility for free or reduced-price meals are:

1. Through the annual submission of an application for the free or reduced-price benefits; or
2. Through direct certification, which is based on a match to state-provided data that confirms an individual child's status as a child in foster care or that confirms a household's participation in a qualifying means-tested benefit program, including Wisconsin's version of the Supplemental Nutrition Assistance Program (SNAP, also called FoodShare) and Wisconsin Works (also called W-2) cash assistance.

For any individual child or household whose eligibility for free or reduced-price benefits is based on the application process, the District is required to conduct a variety of verification procedures on a sub-set of all applications. The purpose of verification is to ensure overall quality control and to confirm the eligibility of specific applicants. The Food Service Director has primary administrative responsibility for ensuring that appropriate verification occurs on a timely basis.

The Food Service Director shall designate the staff positions that are authorized to make eligibility determinations and to serve as confirming and verifying officials on behalf of the District. The individuals who hold the designated positions, whether employees of the District or contracted service providers, shall have such authority.

The Director of Finance and Operations shall serve as a fair hearing official to address appeals of eligibility for, or the discontinuation of, free or reduced-price benefits.

Regarding any individual child's or any household's eligibility for free or reduced-price meals:

A household may submit an application for free and reduced-price benefits (or reapply) at any time during the school year, starting on July 1.

1. Applications are available at any school's main office. Applications can also be found on the District's website. Applications are also periodically distributed directly to school families.
2. Only a single application is needed for all children in the household who are attending schools in the District.
3. Income-based eligibility for free or reduced-price meals varies based on the size of the household (i.e., based on the number of people in the household).
4. Some children are eligible for free or reduced-price benefits based on what is known as "categorical eligibility," which includes individual students who qualify as a child in foster care, a homeless child, a migrant child, a runaway child, or a Head Start program enrollee. Children in households receiving Wisconsin Works (W-2) cash assistance, FoodShare/SNAP benefits, or Food Distribution Program on Indian Reservations (FDPIR) benefits are also categorically eligible.
 - a. Categorical eligibility may be established through the application process or through the direct certification process. If a parent, guardian, or other responsible adult believes that any child's eligibility should have been established through direct certification but the household has not received notification of eligibility, he/she should contact the Food Service Director.
 - b. When an application is submitted on the basis of categorical eligibility, it is not necessary to include household income information on the application unless the household includes additional children to whom categorical eligibility does not apply.
 - c. Households that include children who may be categorically eligible as a child in foster care, a homeless child, a migrant child, a runaway child, or a Head Start program enrollee should indicate the specific status of each such child on the application. These households are also encouraged to contact the District for assistance with the application process and in receiving benefits.
 - d. Although any child in foster care is categorically eligible for free meals, a foster care family that chooses to apply for free or reduced-price benefits may include a child who is in foster care as an additional member of the foster family household, and doing so may help other children in the household qualify for benefits (because of the larger household size). If the foster care child is included as a member of the household, any income attributable to the child must also be included on the application. The eligibility determination for the foster family household will not affect the individual eligibility of the child who is in foster care.

5. All school-aged children in income-eligible households can receive free or reduced-price benefits regardless of the immigration status of any household members.
6. The District has legal obligations to make efforts to communicate with parents, guardians, and students in a language that they can understand. The application for free and reduced price benefits is available in multiple languages, and other language assistance for persons with limited English proficiency is also available.
7. Households that have applied and initially qualified for free and reduced-price benefits may later be required to participate in a verification process regarding the information that was provided on an application. Failure to respond on a timely basis to a request for verification results in the loss of free or reduced-price benefits for the applicable children. Verification can occur at any time during the school year.
8. If the District makes a determination of ineligibility for free or reduced-price benefits, or if the District determines that either free or reduced-price benefits must be discontinued following a verification of eligibility, the affected household may appeal the decision by requesting a formal hearing using the District's fair hearing procedures. The household may also request and participate in an informal conference to further discuss the situation prior to any formal hearing.

Initial Eligibility and Carryover and Transfer Eligibility

For any child whose eligibility for benefits is not established through direct certification, the District must make an eligibility determination based on an application. Once the District makes a determination of eligibility based on an application, the effective date of the child's eligibility for free or reduced-price meals is the date the District received the completed application. A retroactive adjustment will be applied to address any payments made or charges accrued by the household for qualifying meals [or milk] after the date of submission.

If the District determines that any child is eligible for free or reduced-price meals, the determination is generally valid within the District for the entire remainder of the current school year, even if the household's circumstances change after the initial application and determination of eligibility. At the start of the subsequent school year, such children retain their previous year's eligibility status for 30 operating days or until a new determination is made, whichever comes first.

When a student transfers or transitions between two schools within the District and the previous school had determined that the student was federally-eligible for free or reduced-price meals, the District automatically transfers the prior eligibility

determination. However, students who change schools within the District are still required to re-establish their eligibility on an annual basis and when otherwise required by law.

When a student transfers into the District from a school outside the District and there is documentation that the non-district school determined that the student was federally-eligible for free or reduced-price meals, the District accepts a previous school's valid eligibility determination for the maximum period of time required or permitted under applicable federal regulations and state procedures. However, in order to avoid the expiration of such carryover/transfer eligibility, households with students who are transferring into the District should pursue a District determination of eligibility (e.g., by submitting a completed application) as soon as possible.

Legal References:

Wisconsin Statutes

Section 115.34	[school lunch program, generally]
Section 115.341	[school breakfast program, generally]
Section 115.343	[Wisconsin school day milk program, generally]
Section 115.347	[direct certification of eligibility for school nutrition programs]

Federal Law

42 U.S.C. § 1758(b)(2)(A)	[school district duty to publicly announce the income eligibility guidelines for free and reduced-price meals]
42 U.S.C. § 1758(b)(6)	[confidentiality of federal meal program application information and eligibility status; disclosure limitations]
7 C.F.R. § 210.12	[district duty to involve families in the school meal programs and to inform families about the availability of federal food programs]
7 C.F.R. Part 245	[determining eligibility for free and reduced-price meals and free milk in schools; multiple regulatory sections within this part are relevant]

Adopted: 10/18/21

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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](#), (AD-3027) found online at: http://www.ascr.usda.gov/complaint_filing_cust.html, 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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