

**SPECIAL MILK PROGRAM,
FREE MILK OPTION**

GUIDANCE

SCHOOL YEAR 2019-2020

MISSOURI DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION (DESE)
FOOD AND NUTRITION SERVICES SECTION (FNS)

AUGUST 2019

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Special Milk Program, Free Milk Option Guidance

School Year 2019-2020

All Local Education Agencies (LEAs) participating in the Special Milk Program that elect to serve free milk to eligible children are required by federal regulations to adopt, and have on file with the State Agency, an approved policy statement of standards and procedures for determining eligibility and extending free milk under the Special Milk Program. Provided is the Free and Reduced price meals or Free Milk Policy (Appendix A). Once approved, the policy statement (appendix A) becomes a permanent document. If substantial changes are made to the policy attachments, they must be submitted to the State Agency (SA) with an updated policy statement.

For LEAs that elect to serve free milk to eligible children, it will be necessary that the new family-size and income scale for determining eligibility for free milk (Attachment A) be adopted for the 2019-2020 school year. The letter to parents (Attachment B) along with the application instructions (Attachment C), application form (Attachment D) and public release (Attachment E) are to be used in announcing your policy.

In collecting payments for milk and in distributing tickets, tokens, etc., school officials must ensure that there is no overt identification of recipients of free milk. Care must be taken to prevent such identification at the time the ticket or token is issued as well as in the serving line. Also, your collection system must have a built-in accounting system to record the quantities of full price and free milk served daily. Keeping these daily counts is a regulatory requirement. An updated Method of Collection and Meal Counting (Attachment G) form must be submitted if your current counting and claiming procedures have changed.

Use of the new eligibility scale, a copy of the letter to parents, application instructions, the application form, a copy of the public release provided to the news media, and your Methods of Collection and meal counting form (Attachments A, B, C, D, E, and G) will place your LEA in compliance. Unless substantive changes are made to the enclosed attachments, it will not be necessary to submit copies to the SA.

If an application for free milk is denied, the parent or guardian must be notified in writing. Provided is a prototype Notice of Approval or Denial (Attachment F) that may be used to comply with this requirement.

LEAs participating in the Special Milk Program and electing not to offer free milk are not required to adopt and announce a policy statement.

Fluid milk and non-dairy fluid milk substitutes served must meet the requirements as outlined in this section.

(a) *Types of fluid milk.* All fluid milk served in the Program must be pasteurized fluid milk which meets State and local standards for such milk, have vitamins A and D at levels specified by the Food and Drug Administration, and must be consistent with State and local standards for such milk. Fluid milk must also meet the following requirements:

(1) *Children 1 year old.* Children one year of age must be served unflavored whole milk.

(2) *Children 2 through 5 years old.* Children two through five years old must be served either unflavored low-fat (1 percent) or unflavored fat-free (skim) milk. Flavored milk cannot be served.

(3) *Children 6 years old and older.* Children six years old and older must be served unflavored low-fat (1 percent), unflavored fat-free (skim), or flavored fat-free (skim) milk. An interim final rule (Child Nutrition Flexibilities for Milk, Whole Grains and Sodium Requirements) allows flavored, low-fat (1 percent fat) milk to be offered for school year 2019-2020.

(b) *Fluid milk substitutes.* Non-dairy fluid milk substitutions that provide the nutrients listed in the following table and are fortified in accordance with fortification guidelines issued by the Food and Drug Administration may be provided for non-disabled children who cannot consume fluid milk due to medical or special dietary needs when requested in writing by the child's parent or guardian. A school or day care center need only offer the non-dairy beverage that it has identified as an allowable fluid milk substitute according to the following table.

Nutrient	Per cup (8 fl oz)
Calcium	276 mg.
Protein	8 g.
Vitamin A	500 IU.
Vitamin D	100 IU.
Magnesium	24 mg.
Phosphorus	222 mg.
Potassium	349 mg.
Riboflavin	0.44 mg.
Vitamin B-12	1.1 mcg.

**ELIGIBILITY CRITERIA FOR FREE MILK
EFFECTIVE JULY 1, 2018**

Household Size	Maximum Household Income Eligible for Free Meals		
	Annually	Monthly	Weekly
1	\$16,237	\$1,354	\$313
2	21,983	1,832	423
3	27,729+	2,311	534
4	33,475	2,790	644
5	39,221	3,269	755
6	44,967	3,748	865
7	50,713	4,227	976
8	56,459	4,705	1,086
Each add'l member	+ 5,746	+ 479	+ 111

Family/Household means a group of people who may or may not be related and who do not live in an institution or a boarding house, but who are living as one economic group. Students who are temporarily away at school should be counted as members of the family; however, students who are full-time residents of an institution are considered a family of one.

Gross Income means income before deductions for income taxes, employee's social security taxes, insurance premiums, charitable contributions, bonds, etc. It includes the following:

1. Monetary compensation for services, including wages, salary, commissions, or fees;
2. Net income from non-farm self-employment;
3. Net income from farm self-employment;
4. Social security;
5. Dividends or interest on savings or bonds or income from estates or trusts;
6. Net rental income;
7. Public assistance or welfare payments;
8. Unemployment compensation;
9. Government civilian employee or military retirement, or pensions, or veterans payments;
10. Private pensions or annuities;
11. Alimony or child support payments;
12. Regular contributions from persons not living in the household;
13. Net royalties; and
14. Other cash income. Other cash income would include cash amounts received or withdrawn from any source including savings, investments, trust accounts, and other resources which would be available to pay the price of a child's milk.

Income does not include any income or benefits received under any Federal program, which are excluded from consideration as income by any legislative prohibition.

In a household where there is income from wages and self-employment and the self-employment reflects a negative net income, consider that income as zero so as not to offset the wages earned.

In applying guidelines, the family's current rate of income should be used in determining eligibility.

Current Income is defined as income received during the month prior to application if such income is representative. Where the prior month's income was much higher or lower than usual, expected income for this year (12 months starting from the prior month) may be used; for example, self-employed people, farmers, and migrant workers.

Foster Children whose care and placement is the responsibility of the State or who is placed by a court with a caretaker household is categorically eligible for free milk and may be certified without an application. Households with foster and non foster children may choose to include the foster child as a household member on the same household application that includes the non foster children. If the foster child is included as a household member, any personal income earned by the foster child must be included on the application.

Institutionalized Children are considered a one-member family and only monies the child actually receives and controls shall be considered as income for determining eligibility.

Adopted Children for whom a household has accepted legal responsibility is considered to be a member of that household. If the adoption is a "subsidized" adoption, which may include children with special needs, the subsidy is included in the total household income.

Because some adopted children were first placed in families as foster children, parents may not be aware that once the child is adopted, he/she must be determined eligible based on the economic unit and all income available to that household, including any adoption assistance.

**LETTER TO PARENTS
SPECIAL MILK PROGRAM**

Dear Parent/Guardian:

The **[Name of School]** offers milk every school day. Children may buy milk for \$**[student charge per ½ pint]**. Your child may qualify for free milk.

1. DO I NEED TO FILL OUT AN APPLICATION FOR EACH CHILD?

No. Complete the application to apply for free milk. *Use one Free Milk 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]**.

Household Size	Maximum Household Income Eligible for Free Meals		
	Annually	Monthly	Weekly
1	\$16,237	\$1,354	\$313
2	21,983	1,832	423
3	27,729+	2,311	534
4	33,475	2,790	644
5	39,221	3,269	755
6	44,967	3,748	865
7	50,713	4,227	976
8	56,459	4,705	1,086
Each add'l member	+ 5,746	+ 479	+ 111

- 2. WHO CAN GET FREE MILK?** All children in households getting Food Stamps, Temporary Assistance, or the Food Distribution Program on Indian Reservations can get free milk regardless of income. Also, your children can get free milk if your household income is within the free limits on the Federal Income Eligibility Guidelines.
- 3. CAN FOSTER CHILDREN GET FREE MILK?** Yes, foster children that are under the legal responsibility of a foster care agency or court, are eligible for free milk. Any foster child in the household is eligible for free milk regardless of income.
- 4. CAN HOMELESS, RUNAWAY AND MIGRANT CHILDREN GET FREE MILK?** Please call **[school, homeless liaison or migrant coordinator]** to see if your child(ren) qualify, if you have not been informed that they will get free milk.
- 5. 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 the first few 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.
- 6. I GET WIC. CAN MY CHILD(REN) GET FREE MILK?** Children in households participating in WIC may be eligible for free milk. Please fill out an application.
- 7. WILL THE INFORMATION I GIVE BE CHECKED?** Yes, we may ask you to send written proof.
- 8. IF I DON'T QUALIFY NOW, MAY I APPLY LATER?** Yes. You may apply at any time during the school year if your household size goes up, income goes down, or if you start receiving Food Stamps, Temporary Assistance or other benefits. If you lose your job, your child(ren) may be able to get free milk.
- 9. 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]**.

10. 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 a U.S. citizen to qualify for free milk.
11. 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). You must include yourself and all children who live with you.
12. WHAT IF MY INCOME IS NOT ALWAYS THE SAME? List the amount that you normally get. For example, if you normally get \$1,000 each month, but you missed some work last month and only got \$900, put down that you get \$1,000 per month. If you normally get overtime, include it, but not if you get it only sometimes.
13. WE ARE IN THE MILITARY; DO WE INCLUDE OUR HOUSING ALLOWANCE AS INCOME? If your housing is part of the Military Housing Privatization Initiative, do not include your housing allowance as income. Exclude military combat pay received by service members during a deployment. All other allowances must be included in your gross income.

If you have other questions or need help, call **[phone number]**.

Sincerely,
[signature]

USDA Non-discrimination 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, (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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Application Instructions - HOW TO APPLY FOR FREE MILK

Please use these instructions to help you fill out the application for free milk. You only need to submit one application per household, even if your children attend more than one school in [School District]. The application must be filled out completely to certify your children for free milk. Please follow these instructions in order! Each step of the instructions is the same as the steps on your application. If at any time you are not sure what to do next, please contact [School/school district contact here; phone and email preferred].

PLEASE USE A PEN (NOT A PENCIL) WHEN FILLING OUT THE APPLICATION AND DO YOUR BEST TO PRINT CLEARLY.

STEP 1: LIST ALL HOUSEHOLD MEMBERS WHO ARE INFANTS, CHILDREN, AND STUDENTS UP TO AND INCLUDING GRADE 12

Tell us how many infants, children, and school students live in your household. They do NOT have to be related to you to be a part of your household.

Who should I list here? When filling out this section, please include ALL members in your household who are:

- Children age 18 or under AND are supported with the household’s income;
- In your care under a foster arrangement, or qualify as homeless, migrant, or runaway youth;
- Students attending [building name/grade here], regardless of age.

<p>List each child’s name. Print each child’s name. Use one line of the application for each child. When printing names, write one letter in each box. Stop if you run out of space. If there are more children present than lines on the application, attach a second piece of paper with all required information for the additional children.</p>	<p>Building name/Grade. If child is a student, list building name and grade.</p>	<p>Do you have any foster children? If any children listed are foster children, mark the “Foster Child” box next to the child’s name. If you are ONLY applying for foster children, after finishing STEP 1, go to STEP 4. <u>Foster children who live with you may count as members of your household and should be listed on your application.</u> If you are applying for both foster and non-foster children, go to step 3.</p>	<p>Are any children homeless, migrant, or runaway? If you believe any child listed in this section meets this description, mark the “Homeless, Migrant, Runaway” box next to the child’s name and <u>complete all steps of the application.</u></p>
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STEP 2: DO ANY HOUSEHOLD MEMBERS CURRENTLY PARTICIPATE IN SNAP, TANF, OR FDPIR?

If anyone in your household (including you) currently participates in one or more of the assistance programs listed below, your children are eligible for free milk:

- The Supplemental Nutrition Assistance Program (SNAP)
- Temporary Assistance for Needy Families (TANF)
- The Food Distribution Program on Indian Reservations (FDPIR).

<p>If no one in your household participates in any of the above listed programs:</p> <ul style="list-style-type: none"> • Leave STEP 2 blank and go to STEP 3. 	<p>If anyone in your household participates in any of the above listed programs:</p> <ul style="list-style-type: none"> • Write a case number for SNAP, TANF, or FDPIR. You only need to provide one case number. If you participate in one of these programs and do not know your case number, contact: State number 1-855-373-4636 -<u>[local agency contacts here]</u>. • Go to STEP 4.
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STEP 3: REPORT INCOME FOR ALL HOUSEHOLD MEMBERS

How do I report my income?

- Use the charts titled **“Sources of Income for Adults”** and **“Sources of Income for Children,”** printed on the back side of the application form to determine if your household has income to report.
- Report all amounts in GROSS INCOME ONLY. Report all income in whole dollars. Do not include cents.
 - Gross income is the total income received before taxes
 - Many people think of income as the amount they “take home” and not the total, “gross” amount. Make sure that the income you report on this application has NOT been reduced to pay for taxes, insurance premiums, or any other amounts taken from your pay. (Information follows on the reverse side.)

- Write a “0” in any fields where there is no income to report. Any income fields left empty or blank will also be counted as a zero. If you write ‘0’ or leave any fields blank, you are certifying (promising) that there is no income to report. If local officials suspect that your household income was reported incorrectly, your application will be investigated.
- Mark how often each type of income is received using the check boxes to the right of each field.

3.A. REPORT INCOME EARNED BY CHILDREN

A) Report all income earned or received by children. Report the combined gross income for ALL children listed in STEP 1 in your household in the box marked “Child Income.” Only count foster children’s income if you are applying for them together with the rest of your household.

What is Child Income? Child income is money received from outside your household that is paid DIRECTLY to your children. Many households do not have any child income.

3.B REPORT INCOME EARNED BY ADULTS

Who should I list here?

- When filling out this section, please include ALL adult members in your household who are living with you and share income and expenses, even if they are not related and even if they do not receive income of their own.
- **Do NOT include:**
 - People who live with you but are not supported by your household’s income AND do not contribute income to your household.
 - Infants, Children and students already listed in **STEP 1.**

<p>List adult household members’ names. Print the name of each household member in the boxes marked “Names of Adult Household Members (First and Last).” <u>Do not list any household members you listed in STEP 1.</u> If a child listed in STEP 1 has income, follow the instructions in STEP 3, part A.</p>	<p>Report earnings from work. Report all total gross income from work in the “Earnings from Work” field on the application. This is usually the money received from working at jobs. If you are a self-employed business or farm owner, you will report your net income.</p> <p>What if I am self-employed? Report income from that work as a net amount. This is calculated by subtracting the total operating expenses of your business from its gross receipts or revenue.</p>	<p>Report income from public assistance/child support/alimony. Report all income that applies in the “Public Assistance/Child Support/Alimony” field on the application. <u>Do not report the cash value of any public assistance benefits NOT listed on the chart.</u> If income is received from child support or alimony, only report court-ordered payments. Informal but regular payments should be reported as “other” income in the next part.</p>
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<p>Report income from pensions/retirement/all other income. Report all income that applies in the “Pensions/Retirement/ All Other Income” field on the application.</p>	<p>Report total household size. Enter the total number of household members in the field “Total Household Members (Children and Adults).” This number MUST be equal to the number of household members listed in STEP 1 and STEP 3. If there are any members of your household that you have not listed on the application, go back and add them. It is very important to list all household members, as the size of your household affects your eligibility for free milk.</p>	<p>Provide the last four digits of your Social Security Number. An adult household member must enter the last four digits of their Social Security Number in the space provided. You are eligible to apply for benefits even if you do not have a Social Security Number. If no adult household members have a Social Security Number, leave this space blank and mark the box to the right labeled “Check if no SSN.”</p>
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STEP 4: CONTACT INFORMATION AND ADULT SIGNATURE

All applications must be signed by an adult member of the household. By signing the application, that household member is promising that all information has been truthfully and completely reported. Before completing this section, please also make sure you have read the privacy and civil rights statements on the back of the application.

<p>Provide your contact information. Write your current address in the fields provided if this information is available. If you have no permanent address, this does not make your children ineligible for free milk. Sharing a phone number, email address, or both is optional, but helps us reach you quickly if we need to contact you.</p>	<p>Print and sign your name and write today’s date. Print the name of the adult signing the application and that person signs in the box “Signature of adult.”</p>	<p>Mail Completed Form to: [Insert School/District address here]</p>	<p>Share children’s racial and ethnic identities (optional). On the back of the application, we ask you to share information about your children’s race and ethnicity. This field is optional and does not affect your children’s eligibility for free milk.</p>
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INSTRUCTIONS Sources of Income

Sources of Income for Children	
Sources of Child Income	Example(s)
- Earnings from work	- A child has a regular full or part-time job where they earn a salary or
- Social Security <ul style="list-style-type: none"> - Disability Payments - Survivor's Benefits 	- A child is blind or disabled and receives Social Security benefits - A Parent is disabled, retired, or deceased, and their child receives Social Security benefits
- Income from person outside the household	- A friend or extended family member regularly gives a child spending money
- Income from any other source	- A child receives regular income from a private pension fund, annuity, or trust

Sources of Income for Adults		
Earnings from Work	Public Assistance/ Alimony/Child Support	Pensions / Retirement / All Other Income
- Salary, wages, cash bonuses - Net income from self-employment (farm or business) If you are in the U.S. Military: - Basic pay and cash bonuses (do NOT include combat pay, FSSA or privatized housing allowances) - Allowances for off-base housing, food and clothing	- Unemployment benefits - Worker's compensation - Supplemental Security Income (SSI) - Cash assistance from State or local government - Alimony payments - Child support payments - Veteran's benefits - Strike benefits	- Social Security (including railroad retirement and black lung benefits) - Private pensions or disability benefits - Regular income from trusts or estates - Annuities - Investment income - Earned interest - Rental income - Regular cash payments from outside household

OPTIONAL Children's Racial and Ethnic Identities

We are required to ask for information about your children's race and ethnicity. This information is important and helps to make sure we are fully serving our community. Responding to this section is optional and does not affect your children's eligibility for free milk. If ethnicity/race is not selected, a visual identification will be determined.

Ethnicity (check one): 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 Islander White

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, we cannot approve your child for free milk. You must include the last four digits of the social security number of the adult household member who signs the application. The last four digits of 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 milk, 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.

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, (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.

This institution is an equal opportunity provider.

PUBLIC RELEASE**[Date]**

[Local Education Agency] announced it has revised the policy for school children unable to pay the full price of milk under the Special Milk Program.

Local education officials have adopted the following family-size income criteria for determining eligibility:

Household Size	Maximum Household Income Eligible for Free Meals		
	Annually	Monthly	Weekly
1	\$16,237	\$1,354	\$313
2	21,983	1,832	423
3	27,729+	2,311	534
4	33,475	2,790	644
5	39,221	3,269	755
6	44,967	3,748	865
7	50,713	4,227	976
8	56,459	4,705	1,086
Each add'l member	+ 5,746	+ 479	+ 111

Children from families whose current income is at or below those shown are eligible for free milk. Applications are available at the school office. To apply, fill out a Free Milk Family Application and return it to the school. The information provided on the application is confidential and will be used only for the purpose of determining eligibility. Applications may be submitted any time during the school year. A complete application is required as a condition of eligibility. A complete application includes: (1) household income from all sources or Food Stamp/Temporary Assistance case number, (2) names of all household members, and (3) the signature and last four digits of social security number of adult household member signing the application. School officials may verify current income at any time during the school year.

Foster children may be eligible regardless of the income of the household with whom they reside.

If a family member becomes unemployed or if family size changes, the family should contact the school to file a new application. Such changes may make the children of the family eligible for these benefits.

Under the provisions of the policy, the **[Title of Determining Official]** will review the applications and determine eligibility. If a parent is dissatisfied with the ruling of the determining official, they may wish to discuss the decision with the hearing official on an informal basis or he may make a request either orally or in writing to the **[Title of Hearing Official]**.

Hearing procedures are outlined in the policy. A complete copy of the policy is on file in each school and in the central office where any interested party may review it.

USDA Non-discrimination 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, (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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**NOTICE OF APPROVAL OR DENIAL
STATUS OF FREE MILK FAMILY APPLICATION**

Dear **[Name of Parent]**:

Your application has been;

- Approved for free milk
- Denied for the following reasons:
 - Income over the allowable amount
 - Incomplete application because _____
 - Other: _____

If your application has been denied because it is incomplete, it will be reevaluated when necessary information is submitted. This information can be submitted in person or by letter. If you do not agree with this denial, you may wish to discuss it with me but you still have the right to a fair hearing by calling or writing **[Name and title of Hearing Official]**. An appeal must be filed within the 10 calendar days advance notice period to ensure continued benefits while awaiting a hearing and decision.

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, become unemployed, or have an increase in family size, fill out an application at that time.

Sincerely,

[Signature, name and address of Determining Official]

Regulations require that the parent be notified in writing if the application has been denied. This form may also be used to notify parents of meal benefit approval.

USDA Non-discrimination 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, 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: 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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MISSOURI DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION
DIVISION OF FINANCIAL AND ADMINISTRATIVE SERVICES – FOOD AND NUTRITION SERVICES

METHODS OF COLLECTION AND MEAL COUNTING

LOCAL EDUCATION AGENCY (LEA):	AGREEMENT NUMBER:
LEA CONTACT:	PHONE NUMBER:
SIGNATURE OF CONTACT:	DATE:

DIRECTIONS:

Mail or email the completed form to: Food and Nutrition Services Section, Department of Elementary and Secondary Education, PO Box 480, Jefferson City, MO 65102-0480 or Email to: foodandnutritionservices@dese.mo.gov

For questions regarding this form, contact a Nutrition Program Specialist at (573) 751-3526.

All meal counting centers must have a built-in accounting system at the point of service to record numbers of free, reduced price, and full price meals actually served daily. The point of service is that point at which it can be determined that the food items served/selected constitute a reimbursable meal.

Complete all sections that apply to all buildings within the LEA. From each of the sections below, choose all methods currently used. If a different method is used or if additional information is required to explain the method used, please describe in the space provided or on a separate sheet of paper.

SECTION I

If LEA participates in Community Eligibility Provision (CEP) complete Section I (otherwise go to Section II)

- a. All buildings participate in CEP? Yes No

If **NO**, list only the buildings participating in CEP:

- b. Describe CEP counting method:

If all buildings participate in CEP – go to Section VI.

SECTION II

Fund collection for full and reduced price students (check all that apply)

- a. Students pay for meals daily weekly monthly by semester yearly

- b. Students may may not prepay meals.

- c. Students may charge their meals and pay at a later date.

- d. Students do not pay for meals.

- e. Meal payment is made in the classroom school office cafeteria another location

- f. Another method not listed above is used. Explain: _____

SECTION III

Meal cards, tickets, or tokens (check all that apply)

- a. All some schools use meal cards or tokens.
 elementary middle/junior high senior high

- b. All some students at these schools use meal cards, tokens, or tickets.

- c. Meal cards, tickets, or tokens are distributed in the classroom school office cafeteria another location

- d. Meal cards, tickets, or tokens are coded using a number code letter code date code signature code

Another code. Explain: _____

- e. Yes No All student meal cards, tickets or tokens are same size and color. If No, explain: _____

SECTION IV**Meal accountability and monitoring methods (check all that apply)**

- a. All students are listed on a roster.
- b. The roster is marked by the teacher food service employee another person
- c. The students' names are marked on the roster after a reimbursable meal is served/selected.
- d. The students' names are marked on the roster before a reimbursable meal is served/selected.
(Requires State Agency approval.)
- e. Marks on roster are counted to arrive at a total number of free, reduced price, and full price reimbursable student meals served.
- f. Each student presents their meal card, ticket or token to a teacher food service employee another person at the point of service after a reimbursable meal is served/selected.
- g. Each student presents their meal card, ticket, or token to a teacher food service employee another person before a reimbursable meal is served/selected. **(Requires State Agency approval.)**
- h. Another method is used. Explain: _____
- i. Meals are monitored for compliance to the meal pattern.
- j. All students eligible for free or reduced price meals have access to all serving areas offering a reimbursable meal.

SECTION V**Computerized point of sale systems (check all that apply)**

- a. The name(s) of the computerized system used: _____
- b. All some schools use this system.
 elementary middle/junior high senior high
- c. This is a debit system. Students deposit money into an account. Purchases are subtracted from the balance.
- d. This is a meal card card-less system.
- e. Meal cards are scanned at the point of service.
- f. Meal cards are collected at the point of service and scanned later.
- g. Students food service employee another person enters an identifying number into a keypad at the point of service.
- h. Each student presents the medium of exchange to the cashier before a reimbursable meal is served/selected.
(Requires State Agency approval.)
- i. Meals are monitored for compliance with the meal pattern.
- j. All students eligible for free or reduced price meal benefits have access to all serving areas offering a reimbursable meal.
- k. After all students are served a daily report is generated indicating the number of free, reduced price and full price reimbursable student meal served/selected.
- l. Another method is used. Explain: _____

SECTION VI**Effective Date of Free or Reduced Price Eligibility Determinations**

- a. The LEA will establish the date of submission of an application as the effective date of eligibility, rather than the date the official approves it.
- Yes No



MISSOURI DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION
DIVISION OF FINANCIAL AND ADMINISTRATIVE SERVICES – FOOD AND NUTRITION SERVICES

FREE AND REDUCED PRICE MEALS OR FREE MILK POLICY

LOCAL EDUCATION AGENCY (LEA) NAME		AGREEMENT NUMBER
INSTRUCTIONS		
<p>Each LEA must submit a policy statement to the Department of Elementary and Secondary Education (DESE), Food and Nutrition Services Section (FNS), for approval as part of the application process. The policy statement is not a single document, but a compilation of many documents. The listed responsibilities and policy attachments are all part of the policy statement. Once approved the policy statement becomes a permanent document, though it must be amended when the LEA makes a substantive change in its free and reduced price policy statement (7 CFR 245.10(a)). The policy attachments only need to be submitted if they are substantially different from the prototypes in the Free and Reduced Price Application and Direct Certification Information Procedures and Verification Guidance.</p> <p>Mail or email the completed packet to: Missouri Department of Elementary and Secondary Education, Food and Nutrition Services, PO Box 480, Jefferson City, MO 65102-0480 or foodandnutritionservices@dese.mo.gov.</p> <p>The LEA has entered into agreement to participate in the National School Lunch Program, and/or School Breakfast Program, or Special Milk Program, and accepts responsibility for providing free and reduced price meals under the National School Lunch and/or School Breakfast Programs and, if elected, free milk under the Special Milk Program to eligible children in the schools under its jurisdiction.</p>		
SIGNATURE OF LEA AUTHORIZED REPRESENTATIVE	TITLE	DATE
THE POLICY STATEMENT IS PERMANENT AS APPROVED		
STATE AGENCY APPROVAL SIGNATURE	TITLE	DATE
<p>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.</p> <p>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.</p> <p>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:</p> <p>(1) mail: U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights 1400 Independence Avenue, SW Washington, D.C. 20250-9410;</p> <p>(2) fax: (202) 690-7442; or</p> <p>(3) email: program.intake@usda.gov.</p> <p>This institution is an equal opportunity provider.</p>		

The Department of Elementary and Secondary Education does not discriminate on the basis of race, color, religion, gender, national origin, age, or disability in its programs and activities. Inquiries related to Department programs and to the location of services, activities, and facilities that are accessible by persons with disabilities may be directed to the Jefferson State Office Building, Office of the General Counsel, Coordinator – Civil Rights Compliance (Title VI/Title IX/504/ADA/Age Act), 6th Floor, 205 Jefferson Street, P.O. Box 480, Jefferson City, MO 65102-0480; telephone number 573-526-4757 or TTY 800-735-2966; email civilrights@dese.mo.gov.

ASSURANCES

In fulfilling its responsibilities the LEA agrees:

1. To serve free and reduced price meals or free milk to children from families whose income is at or below that announced annually by USDA and the State Agency or who provide current food stamp or Temporary Assistance eligibility or who are certified through the direct certification process.
2. To designate a determining official who will review applications and make determinations of eligibility, using the criteria outlined in this policy to determine which individual children are eligible. See public release for current determining official.
3. To submit a public/press release containing both the free and reduced price eligibility guidelines and all other information outlined in the parent letter, to local news media, local unemployment offices and major employers contemplating large layoffs.
4. To develop and distribute to each child's parents or guardian, a letter as outlined in the Letter to Parents. In addition, an application form for free and reduced price meals or free milk shall be distributed with the parent letter at or about the beginning of each school year or whenever there is a change in eligibility criteria. The letter to parents with the free and reduced price meal application attachment shall have only the income eligibility guidelines for reduced price meals with an explanation that households with incomes at or below the reduced price guidelines may be eligible for either free or reduced price meals. The letter to parents with the free milk application form shall list the income eligibility guidelines for free milk. Interested parents or guardians are responsible for filling out the application and returning it to the school for review. Such applications and documentation of action taken will be maintained for three years after the end of the school year to which they pertain. Applications may be filed at any time during the year and any parent enrolling a child in a school for the first time, at any time during the year, shall be supplied with such documents. If a child transfers from one school to another under the jurisdiction of the same LEA, his eligibility will be transferred to and honored by the receiving school. Parents or guardians will be notified individually within ten working days of the acceptance or denial of their applications. Children will be served immediately upon the establishment of their eligibility. In cases of the application being denied, the reason will be stated in writing. Parents or guardians will also be informed of the hearing procedure and hearing official. A hearing official will be designated who was not involved in the original determination.
5. To inform households that a foster child is categorically eligible for free meals and may be included as a member of the foster family if the foster family chooses to also apply for benefits for other children and an explanation that including children in foster care as household members can help other children in the household qualify for free or reduced price meals. If the foster family is not eligible for free or reduced price meal benefits, this does not prevent a foster child from receiving free meal benefits.
6. To ensure that households with children who are categorically eligible under Other Source Categorically Eligible Programs (ex: migrant, runaway, homeless, foster or children enrolled in Head Start) should contact the school for assistance in receiving benefits and indicate the source of their status on the application.
7. To verify current income of a sample of the approved free and reduced price meal applications on file as of October 1 and to complete such verification by November 15 of the school year.
8. To comply with the provisions of the Direct Certification process established by the Missouri Department of Elementary and Secondary Education.
9. That in the operation child nutrition programs, no child shall be discriminated against because of race, color, national origin, age, sex, or disability.
10. To establish a procedure to collect from children who pay for their meals and milk and to account for the number of free, reduced price, and full price meals served; and/or the number of half pints of free and full price milk served. The procedure used must provide that no other child in the school will consciously be made aware, by such procedure, of the identity of the children receiving free or reduced price meals or free milk. In addition, agrees to avoid any practice that has the effect of overtly identifying eligible children in the sale of competitive foods. If competitive foods are sold, the sale of competitive foods will not inadvertently result in eligible children being identified.
11. Agrees to comply with the requirements of the Special Assistance Provisions (Provisions 1, 2, and 3) or the Community Eligibility Provision (CEP), if applicable as required under 7 CFR 245.9 (g).
12. To comply with the requirements of the Community Eligibility Provision (CEP) if applicable as required under 7 CFR 245.9 (f). CEP participation is indicated by completing the appropriate section of the School Nutrition Programs (SNP) web application system. The Method of Collection and Meal Counting form must also be updated to reflect CEP participation.
13. To ensure that there are no barriers for participation in programs for Limited English Proficient (LEP) families and to communicate with parents and guardians in a language they can understand throughout the certification and verification processes.

14. To establish and use a fair hearing procedure in cases of appeal by parents of the school's decisions on applications and in cases where the school official challenges the correctness of information contained in an application or of the continued eligibility of any child. During the appeal and hearing, the child will continue to receive free or reduced price meals or free milk. A record of such appeals and challenges and their dispositions shall be retained for three years. Prior to 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 in the application and decisions rendered. Such a conference shall not in any way prejudice or diminish the right to a fair hearing.

The hearing procedure shall provide:

- a. A simple publicly-announced method for a family to make an oral or written request for a hearing;
 - b. An opportunity for the family to be assisted or represented by an attorney or other person in presenting its appeal;
 - c. An opportunity to examine, prior to and during the hearing, the documents and records presented to support the decision under appeal;
 - d. That the hearing shall be held with reasonable promptness and convenience to the family and that adequate notice shall be given to the family as to the time and place of the hearing;
 - e. An opportunity for the family to present oral or documentary evidence and arguments supporting its position without undue interference;
 - f. An opportunity for the family to question or refute any testimony or other evidence and to confront and cross-examine any adverse witnesses;
 - g. 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;
 - h. That the decision of the hearing official shall be based on the oral and documentary evidence presented at the hearing and made a part of the hearing record;
 - i. That the family concerned and any designated representative shall be notified in writing of the decision of the hearing official;
 - j. 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 family of the decision of the hearing official;
 - k. That such written record of each hearing shall be preserved for a period of three years and shall be available for examination by the family or its representative at any reasonable time and place during such period; and
 - l. That when an application is rejected, parents or guardians will be informed of the reason for denial, the hearing procedure, and the name, title, and address of the hearing official.
15. There will be no physical segregation of, nor any other discrimination against, any child because of his inability to pay the full price of the meal or milk. The names of eligible children 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 eligible children shall not be required to:
- a. Work for their meals or milk.
 - b. Use a separate serving area.
 - c. Go through a separate serving line.
 - d. Enter the serving area through a separate entrance.
 - e. Eat meals or drink milk at a different time.
 - f. Eat a different type meal from the one sold to children paying the full price or drink milk of a different type from that sold to children paying the full price.
16. To prevent disclosure of confidential free and reduced price eligibility as required under 7 CFR 246.6(f-k).
17. To submit to the State Agency any alterations or amendments to the policy including eligibility criteria, applications, public announcements, etc., for approval prior to implementation. Such changes will be effective only upon approval and all changes in eligibility criteria must be publicly announced in the same manner that was used at the beginning of the school year.

POLICY ATTACHMENTS

All schools participating in the Child Nutrition Programs are required by federal regulations to adopt an approved policy of standards and procedures for determining eligibility and extending free and reduced price meals under the National School Lunch and School Breakfast Programs. The following attachments are located in the Free and Reduced Price and Direct Certification Information Procedure booklet and the Verification Guidance booklet and are considered part of this policy.

Free and Reduced Price and Direct Certification Information Procedures:

Attachment A: Eligibility Criteria for Free and Reduced Price Meals

Attachment B: Letter to Parents

Attachment C: Direct Certification Eligibility

Attachment D: Application Instructions How to Apply for Free and Reduced Price School Meals

Attachment E: Free and Reduced Price Meals Family Application
Attachment F: Public Release
Attachment G: Notice of Approval or Denial
Attachment H: Extending Categorical Eligibility to Additional Children in a Household
Attachment I: Methods of Collection and Meal Counting

Verification Guidance:

- Letter to Households, Notification of Selection for Verification of Eligibility
- Letter of Verification Results and Adverse Action for Income Households
- Letter of Adverse Action for Food Stamp/Temporary Assistance Households

All schools participating in the Special Milk Program that elect to serve free milk to eligible children are required by federal regulations to adopt an approved policy of standards and procedures for determining eligibility and extending free milk under the Special Milk Program. The following attachments are located in the Special Milk Program, Free Milk Option Guidance and are considered part of this policy.

Special Milk Program – Free Milk Option:

Attachment A: Eligibility Criteria for Free Milk
Attachment B: Letter to Parents Special Milk Program
Attachment C: Application Instructions-How to Apply for Free Milk
Attachment D: Application for Free Milk
Attachment E: Public Release
Attachment F: Notice of Approval or Denial
Attachment G: Methods of Collection and Meal Counting