



FREE AND REDUCED PRICE MEALS OR FREE MILK POLICY

LOCAL EDUCATION AGENCY (LEA) NAME	AGREEMENT NUMBER
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INSTRUCTIONS

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.

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.

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.

SIGNATURE OF LEA AUTHORIZED REPRESENTATIVE	TITLE	DATE
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THE POLICY STATEMENT IS PERMANENT AS APPROVED

STATE AGENCY APPROVAL SIGNATURE	TITLE	DATE
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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.

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