



Food and
Nutrition
Service

DATE: August 10, 2016

Park Office
Center

MEMO CODE: SP 43-2016 (v.2)

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SUBJECT: Ensuring Access to Free and Reduced Price School Meals for
Low-Income Students - Revised

TO: Regional Directors
Child Nutrition Programs
All Regions

State Directors
Child Nutrition Programs
All States

This memorandum outlines steps State agencies, local educational agencies (LEAs), and schools can take to improve access to the school meal programs. This memorandum highlights, in particular, ways to help ensure that children who are not currently directly certified but are eligible for free or reduced price meals are successfully connected to these programs and ways to reduce the number of eligible children who lose access to meals during the verification process.

The goal of the Federal school meal programs is to ensure that children do not go hungry and have access to nutritious meals that support healthy growth and development. The U.S. Department of Agriculture (USDA) Food and Nutrition Service (FNS) recognizes the importance of making families aware of the National School Lunch Program (NSLP) and the School Breakfast Program (SBP), minimizing barriers to participation, and ensuring timely and easy certification of children eligible for free and reduced price meals.

Though schools have made significant efforts to increase participation in the school meal programs, more can be done to improve access. In addition to benefiting families and children, increasing participation can help secure the financial stability of the school meal programs, since Federal reimbursement is provided based on the number of free, reduced price, and paid meals served. Further, improving certification rates for children eligible for free and reduced price meals can reduce unpaid school meal charges incurred by families unable to pay for school meals.

Schools are faced with several challenges to improving access to the school meal programs, including communication barriers and administrative hurdles to distributing and processing applications. FNS policy changes and flexibilities, such as maximizing use of categorical eligibility, direct certification, and the Community Eligibility Provision (CEP), have made it easier for many schools to ensure that eligible children

receive the nutritious meals they need. However, some eligible children are not identified as categorically eligible, do not attend a CEP school, or face other barriers to participation, such as limited English proficiency (LEP).

Discussed in detail below are key steps State agencies and school administrators can take to improve school meal program application, certification, and verification processes so that all children in NSLP and SBP schools have the opportunity to participate in the school meal programs and that eligible children receive free or reduced price meals.

Improving the Application Process

Simplify the Application Process and Encourage Eligible Families to Apply

Although direct certification eliminates the need for school meal program applications for more and more households, many children receiving free or reduced price meals still enroll through the application process. Schools and LEAs have made great strides in expanding access to free and reduced price school meals, but some eligible students still miss out. There are steps that LEAs can take to eliminate some of the barriers for these students. To help ensure more eligible, low-income children are certified for free and reduced price school meals, including those children applying through applications and those that become eligible later in the school year, LEAs are strongly encouraged to:

- Provide families with a school meal program application and information about the availability of school meals in routine contacts throughout the year, not only at the beginning of the school year as required;
- Post the application for free and reduced price meals on school websites and allow parents to submit a completed copy electronically;
- Accept the FNS prototype application when submitted by households, even if it is not identical to the application provided by the LEA;
 - FNS recently released an updated prototype application that can be found at: <http://www.fns.usda.gov/sites/default/files/cn/SP34-2016a2.pdf>. The revised application has been focus-group tested and includes design features and improvements that streamline and clarify the application process.
- Pre-populate applications with data other than income data from the prior year or from another school source;
- Make clear to households and schools that only a single application is needed for all students in the household attending schools in the LEA;
- Clarify to households and schools that, when an application is submitted for a child in foster care, a foster parent's indication on a signed application that the child is in foster care is a sufficient basis for certification for free meals without further documentation;
- Inform households that receive benefits through the Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance for Needy Families (TANF), or Food Distribution Program on Indian Reservations (FDPIR) and are not

directly certified, that they only need to provide a case number on their application and do not need to provide the names of the adults in the household or income information;

- Inform households that they need only provide the last four digits of an adult member's social security number and may make an indication of "none" if they do not have one; and
- Inform households of the requirement that all school-aged children in income-eligible households can receive school meal benefits regardless of the immigration status of household members, and that information provided by the household will not be used for immigration-related purposes.

Additionally, LEAs must ensure that applications request only information required to determine eligibility for all children in the household, as required by 7 CFR 245.6(a)(1).

Provide Materials in a Language and at a Level That Parents Can Understand

Providing school meal program applications and information that are easy to understand and are translated into an applicable language can increase participation and improve the accuracy of information provided by households, thus reducing certification error. As discussed above, the new FNS prototype application has been designed and tested to improve clarity with the goal of reducing errors and simplifying the application process for households.

FNS currently provides translations of its prototype application in 33 languages. Later this year, FNS will release translations of the revised prototype application in 49 languages. Under Title 6 of the Civil Rights Act of 1964, States, LEAs and schools have a responsibility to be aware of the language needs of households with LEP and take reasonable steps to ensure that these households have meaningful access to the same information other parents have in a manner they can easily understand. In general, States and LEAs can take the following steps to help ensure compliance with Title 6 and USDA requirements and improve access for LEP individuals:

- Use information from the Home Language Survey to determine the dominant language in the home for school meal communications;
- Use and accept FNS' translations of the prototype application even if they differ from the LEA's application. These translations can be found at: <http://www.fns.usda.gov/school-meals/family-friendly-application-translations>; and
- Ensure that applications are clear and simple in design.

More detailed policy guidance to assist State and LEA administrators in meeting the needs of LEP individuals is available in SP 37-2016, *Limited English Proficiency (LEP): Guidance and Q&As*, May 25, 2016, <http://www.fns.usda.gov/meaningful-access-persons-limited-english-proficiency-lep-school-meal-programs-guidance-and-qas>.

Strengthening the Direct Certification Process

Direct certification allows LEAs to enroll students for free meals using participant data from other means-tested programs, eliminating the need for an application. It is an important tool that improves program access and program integrity. State agencies and LEAs are making significant strides in improving direct data matching of children in households receiving SNAP benefits, making it easier for eligible children to receive free meals. Although students in households receiving benefits through FDPIR and TANF have been eligible for direct certification for many years, there are still opportunities for State agencies and LEAs to expand and improve their direct certification of these students. For example, efforts to directly certify children from households participating in FDPIR are vital. FDPIR households meet the same income standards as those participating in SNAP and are eligible to be directly certified through matching with FDPIR eligibility data.

The Richard B. Russell National School Lunch Act (NSLA) also ensures access to free school meals for categorically eligible students facing unique hardships. Under Section 9(b)(5) of the NSLA, 42 USC 1758(b)(5), children who are categorically eligible may be directly certified without application if their status is confirmed through documentation from an appropriate State or local agency.

To improve direct certification processes, State agencies and LEAs, as applicable, are strongly encouraged to:

- Expand direct certification systems beyond mandatory SNAP matching by incorporating new data sources to capture students in foster care or Head Start, homeless, runaway, or migrant students, and students living in households receiving FDPIR or TANF benefits;
- Form and maintain partnerships with organizations that work with categorically eligible students in foster care and Head Start, homeless and runaway students, and students who are migrants;
- Consistently check and match student records with information from these partnering organizations ensuring that privacy protections are in place as required by 7 CFR 245.6(f);
- Increase direct certification matching frequency beyond the currently required three times per school year to at least once per month to reach students who become eligible during the school year in a timelier manner;
- Ensure that the age range for SNAP records requested from the SNAP agency (or other applicable agencies) is commensurate with the student population attending NSLP-participating schools (e.g., age 3-21);
- Refine the direct certification match engine to account for errors in birthdates, spelling of names, surname format, use of nicknames, and address variations, with special attention to data associated with specific populations that may be experiencing lower match rates;

- Provide a list of potential matches to LEAs to allow for follow up with additional household eligibility information that may be available at the local level;
- Offer training to LEA staff members to ensure they understand proper procedures for their direct certification tasks;
- Ensure LEA school enrollment data is current and the status of new students, including students transferring from another LEA, is checked at enrollment to maximize direct certification data matching opportunities; and
- Ensure that if one eligible child in a household is directly certified through SNAP, TANF, or FDPIR, all children in the household are directly certified.

State agencies also are encouraged to consider applying to participate in demonstrations to evaluate direct certification using Medicaid data. Information on the demonstrations is available at SP 23-2016, *Request for Applications to Participate in New Demonstrations to Evaluate Direct Certification with Medicaid*, January 27, 2016,

<http://www.fns.usda.gov/request-applications-participate-new-demonstrations-evaluate-direct-certification-medicaid>.

Improving the Verification Process

In order to maintain and bolster the public's trust in the school meal programs, FNS has a fundamental responsibility to promote effective program management that strengthens program integrity and provides access to those truly in need. As part of this effort, LEAs are required to verify the eligibility of a selected sample of students who have submitted a free or reduced price meal application either by obtaining documentation from an appropriate third party, called direct verification, or by contacting the household to request documentation of eligibility. Please note, students who are categorically eligible for free meals and are directly certified based on a list from an appropriate official are not included in the verification sample.

FNS research shows that as many as one-third of contacted households do not respond to the verification notice, which results in the loss of free or reduced price meals for their children. [See *Analysis of Verification Summary Data*, March 2011,

http://www.fns.usda.gov/sites/default/files/VerificationSummaryReport_ExecSum.pdf.]

Additionally, research indicates that a substantial number of children who lose benefits when their household fails to respond to verification requests are eligible for free or reduced price meals. [See *NSLP Certification Accuracy Research — Summary of Preliminary Findings*, September 12, 2003,

<http://www.fns.usda.gov/sites/default/files/NSLPCertResearchPolicy.pdf>.] Therefore,

improving the verification process can help ensure eligible children do not lose access to free and reduced price meals.

Direct Verification

Using direct verification, as provided for in Section 9(b)(3)(F) of the NSLA, 42 USC 1758(b)(3)(F) and 7 CFR 245.6a(a)(1) and (g), is a reliable means of verification, relieves

families of additional paperwork, and reduces gaps in meal benefits for eligible students caused by non-response. Direct verification may be conducted at the State or local level, or through a joint effort at both levels. States and LEAs are encouraged to expand the use of direct verification by taking the following steps:

- Use records from SNAP, FDPIR, TANF, Head Start, Medicaid, the Children's Health Insurance Program (CHIP), and foster care agencies to directly verify as much of the verification sample as possible in lieu of sending documentation requests to the household;
- Directly verify applications approved for free meals on the basis of a case number or an indication of foster child status through the same means as direct certification (i.e., by obtaining the required information from the appropriate State or local agency);
- Review lists and databases from appropriate officials of categorically eligible assistance programs, such as homeless and runaway liaisons and migrant education coordinators, to determine if children selected for verification can be directly verified in lieu of sending requests for documentation to the household; and
- Ensure that if one eligible child in a household is verified with an allowable means-tested program, all children in the household are verified.

Additionally, States and LEAs are encouraged to expand the use of direct verification using Medicaid or CHIP information for applications approved for free or reduced-price meals on the basis of income [42 USC 1758(b)(3)(F); 7 CFR 245.6a(g)]. In States with income limits of 133 percent of the Federal poverty level (FPL) or less, Medicaid participation is the only information needed to verify eligibility for free meals. In States with Medicaid limits that exceed 133 percent of the FPL, which includes the majority of States, direct verification information must include either the percentage of the FPL upon which the applicant's Medicaid participation is based, or Medicaid income and Medicaid household size in order to determine that the applicant is either at or below 133 percent of the FPL (free meal eligible), or is between 133 percent and 185 percent of the FPL (reduced price eligible).

Provide Clear Instructions on the Verification Notice

The NSLP regulations provide requirements for household notification of selection for verification at 7 CFR 245.6a(f). Households selected for verification that cannot be directly verified must be notified in writing. State agencies and LEAs are expected to have a system in place to provide verification notices to each household in the parent or guardian's primary language, follow up with households that do not respond to the initial verification request, and provide oral assistance if the parent or guardian has difficulty understanding the written request. USDA translations of prototype verification materials are available on the FNS website [<http://www.fns.usda.gov/school-meals/family-friendly-application-translations>].

LEAs are encouraged to provide households with as many options for submitting documentation as possible, including mail, hand-delivery to the school, or electronic submission. The written notices must contain the following:

- Types of acceptable income information that may be provided to verify eligibility for free or reduced price meals. Acceptable written documentation for income contains the name of the household member, amount of income received, frequency received, and the date the income was received;
- The date by which the information must be provided to the LEA;
- An explanation that the household may provide proof that a child or any household member is receiving benefits under assistance programs or that the child is a foster child, homeless, migrant or runaway child, instead of providing income information;
- An explanation that documentation of income or receipt of assistance may be provided for any point in time between the month prior to submission of the application and the time the household is required to provide income documentation. LEAs are further encouraged to inform households that they should provide documentation for the timeframe during which they applied for school meal benefits, if income has since increased;
- The name of an LEA official who can answer questions and provide technical assistance; and
- A toll-free telephone number applicants can call to ask questions. LEAs are strongly encouraged to provide oral translations as needed when responding to calls.

Follow-Up

LEAs must make at least one attempt to contact any household that does not respond or provides insufficient documentation in response to a verification request, in accordance with Section 9(b)(3)(G)(iii) of the NSLA, 42 USC 1758(b)(3)(G)(iii). The follow-up attempt may be through a telephone call, text message, e-mail, mail or in person and must be documented by the LEA. Non-response for verification includes no response and incomplete or ambiguous responses that do not permit the LEA to determine whether the children are eligible for free or reduced price meals, and may result in eligibility changes, as provided for in Section 9(b)(3)(H)(ii), 42 USC 1758(b)(3)(H)(ii) and 7 CFR 245.6a(f). LEAs also must have systems in place to assist LEP households through the verification process and ensure that attempts are made to contact the household if they fail to respond via bilingual points of contact, bilingual notices, and bilingual phone contacts.

School meals are a critical support to struggling families, providing children with the nutrition they need to be healthy and successful at school. Working together to apply the strategies described in this guidance, State agencies and LEAs can ensure that more eligible children are certified for free and reduced-price meals quickly and easily and that fewer eligible children lose their eligibility during the verification process.

Regional Directors

State Directors

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State agencies are reminded to distribute this memorandum to program operators immediately. LEAs and other program operators should direct any questions concerning this guidance to their State agency. State agencies with questions should contact the appropriate FNS Regional Office.

Original Signed

Angela Kline

Director

Policy and Program Development Division

Child Nutrition Programs