

FREE AND REDUCED MEALS

Applications

The Superintendent or designee shall ensure that the district's application form for free and reduced-price meals and related materials include the statements specified in Education Code 49557 and 7 CFR 245.5. The district's application packet may include the notifications and information listed in Education Code 49557.2.

The application form and related information shall be distributed in paper form to all parents/guardians at the beginning of each school year and shall be available to students at all times during the school day. (Education Code 48980, 49520; 42 USC 1758; 7 CFR 245.5)

In addition, the district application form for free and reduced price meals shall be available online. The online application form shall require completion of only those questions necessary for determining eligibility, contain clear instructions for families that are homeless or migrant, and comply with other requirements specified in Education Code 49557.

An application form and related information shall also be provided whenever a new student is enrolled.

At the beginning of each school year, the Superintendent or designee shall send a public release, containing the same information supplied to parents/guardians and including eligibility criteria, to local media, the local unemployment office, and any major employers in the district attendance area contemplating large layoffs. Copies of the public release shall be made available upon request to any interested person. (7 CFR 245.5)

Eligibility

The Superintendent or designee shall determine students' eligibility for the free and reduced-price meals program based on the criteria specified in 42 USC 1758 and 1773 and 7 CFR 245.1-245.13 and made available by the California Department of Education.

Participants in the CalFresh, California Work Opportunity and Responsibility to Kids (CalWORKS), and Medi-Cal programs shall be directly certified for enrollment in the free and reduced-price meal program without further application. Participants in other state or federal programs may be directly certified when authorized by law. (Education Code 49561, 49562; 42 USC 1758; 7 CFR 245.6)

Verification of Eligibility

Not later than November 15 of each year, the Superintendent or designee shall verify the eligibility of a sample of household applications approved for the school year in accordance with

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the sample sizes and procedures specified in 42 USC 1758 and 7 CFR 245.6a. (42 USC 1758; 7 CFR 245.6a)

If the review indicates that the initial eligibility determination is correct, the Superintendent or designee shall verify the approved household application. If the review indicates that the initial eligibility determination is incorrect, the Superintendent or designee shall: (42 USC 1758; 7 CFR 245.6a)

1. If the eligibility status changes from reduced price to free, make the increased benefits immediately available and notify the household of the change in benefits
2. If the eligibility status changes from free to reduced price, first verify the application, then notify the household of the correct eligibility status, and, when required by law, send a notice of adverse action as described below
3. If the eligibility status changes from free or reduced price to paid, send the household a notice of adverse action as described below

If as a result of verification activities, the eligibility of a household that is receiving free or reduced-price benefits cannot be confirmed, or if the household fails to cooperate with verification efforts, the Superintendent or designee shall reduce or terminate benefits, as applicable, and shall properly document and retain on file in the district the reasons for the household's ineligibility. At least 10 days prior to the actual reduction or termination, the Superintendent or designee shall send a notice of adverse action to the household. The notice shall advise the household of: (7 CFR 245.6a)

1. The change and the reasons for the change
2. The right to appeal, when the appeal must be filed to ensure continued benefits while awaiting a hearing and decision, and instructions on how to appeal
3. The right to reapply at any time during the school year

Confidentiality/Release of Records

The Superintendent designates the following district employee(s) to disclose a student's name and eligibility status from individual meal records only for the purpose of disaggregation of academic achievement data and/or the provision of services under the federal Elementary and Secondary Education Act pursuant to 20 USC 6301-6576.

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Assistant Superintendent of Educational Services In permitting the disclosure of student records for such purposes, the Superintendent or designee shall ensure that: (Education Code 49558)

1. No individual indicators of participation in the free and reduced-price meals program shall be maintained in the permanent records of any student if not otherwise allowed by law.
2. Information regarding individual student participation in the free and reduced-price meals program shall not be publicly released.
3. All other confidentiality provisions required by law shall be met.
4. Information collected regarding individual students certified to participate in the free and reduced-price meals program shall be destroyed when no longer needed for its intended purpose.

Nondiscrimination Plan

In implementing the district's food service programs for students who are eligible to receive free or reduced-price meals, the district shall ensure the following: (Education Code 49557; 42 USC 1758)

1. The names of the students shall not be published, posted, or announced in any manner, or used for any purpose other than the National School Lunch and School Breakfast Programs, unless otherwise provided by law.
2. There shall be no overt identification of any of the students by the use of special tokens or tickets or by any other means.
3. The students shall not be required to work for their meals or for milk.
4. The students shall not be required to use a separate dining area, go through a separate serving line or entrance, or consume their meals or milk at a different time.

State

5 CCR 15510 Mandatory meals for needy students
5 CCR 15530-15535 Nutrition education
5 CCR 15550-15565 School lunch and breakfast programs
Ed. Code 48980: Parent/Guardian notifications
Ed. Code 49430-49436: Pupil Nutrition, Health, and Achievement Act of 2001
Ed. Code 49490-49494: School breakfast and lunch programs
Ed. Code 49500-49505: School meals
Ed. Code 49501.5: California Universal Meals Program

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Ed. Code 49510-49520: Nutrition

Ed. Code 49530-49536: Child Nutrition Act of 1974

Ed. Code 49547-49548.3: Comprehensive nutrition service

Ed. Code 49550-49562: Meals for needy students

Ed. Code 49564.3: High poverty schools; universal meal service

Federal

20 USC 1232g: Family Educational Rights and Privacy Act (FERRPA) of 1974

20 USC 6301-6576: Title I Improving the Academic Achievement of the Disadvantaged

42 USC 1751-1769j: School lunch program

42 USC 1771-1791: Child nutrition

42 USC 1773: School breakfast program

7 CFR 210.1-210.31: National School Lunch Program

7 CFR 20.10-220.21: National School Breakfast Program

7 CFR 245.1-245.13: Eligibility for free and reduced-price meals and free milk

Management Resources

California Department of Education Publication: Monitoring for Success: A Guide for Assessing and Strengthening Student Wellness Policies, rev. 2012

CSBA Publication: Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, 2012

CSBA Publication: Monitoring for Success: A Guide for assessing and strengthening Student Wellness Policies, rev. 2012

U.S. Department of Agriculture Publication: Provision 2 Guidance: National School Lunch and School Breakfast Programs, Summer 2002

U.S. Department of Agriculture Publication: Eligibility Manual for School Meals: Determining and Verifying Eligibility, July 2017

Website: U.S. Department of Agriculture, Food and Nutrition Service

Website: Nourish California

Website: California Project LEAN (Leaders Encouraging Activity and Nutrition)

Website: CSBA

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ORCUTT UNION SCHOOL DISTRICT
Orcutt, California