

Regulation 3553: Free And Reduced Price Meals

Status: DRAFT

Original Adopted Date: 11/27/2012 | **Last Revised Date:** 08/16/2022 | **Last Reviewed Date:** 08/16/2022

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 shall 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, ~~49557~~; 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~~**experiencing homelessness** or ~~migrant~~**who are migratory** 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 meal 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 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.

Director of Nutrition 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 meal program are 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 meal program is not publicly released.
3. All other confidentiality provisions required by law are met.
4. Information collected regarding individual students certified to participate in the free and reduced-price meal program is 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.
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 at a different time.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

5 CCR 15510
 5 CCR 15530-15535
 5 CCR 15550-15565
 Ed. Code 48980
 Ed. Code 49430-49434
 Ed. Code 49490-49494
 Ed. Code 49501.5-49506
 Ed. Code 49510-49520
 Ed. Code 49530-49536

Description

[Mandatory meals for needy students](#)
[Nutrition education](#)
[School lunch and breakfast programs](#)
[Parent/Guardian notifications](#)
[Pupil Nutrition, Health, and Achievement Act of 2001](#)
[School breakfast and lunch programs](#)
[School meals](#)
[Nutrition](#)
[Child Nutrition Act](#)

Ed. Code 49547-49548.3
Ed. Code 49550.3-49562
Ed. Code 49564.3

[Comprehensive nutrition services](#)
[Meals for needy students](#)
[High-poverty schools; universal meal service](#)

Federal References

20 USC 1232g
20 USC 6301-6576
42 USC 1751-1769j
42 USC 1771-1791
42 USC 1773
7 CFR 210.1-210.33
7 CFR 220.10-220.21
7 CFR 245.1-245.13

Description

[Family Educational Rights and Privacy Act \(FERPA\) of 1974](#)
[Title I Improving the Academic Achievement of the Disadvantaged School Lunch Program](#)
[Child nutrition](#)
[School Breakfast Program](#)
[National School Lunch Program](#)
[National School Breakfast Program](#)
[Eligibility for free and reduced-price meals and free milk](#)

Management Resources References

California Department of Education Publication

California Department of Education Publication

CSBA Publication

CSBA Publication

U.S. Department of Agriculture Publication

U.S. Dept of Agriculture Publication

Website
Website
Website
Website
Website
Website
Website

Description

[Updated Guidance on Sharing of School Meal Applications and the Passing of Assembly Bill 1599, Management Bulletin SNP-12-2015, July 2015](#)
[Clarification on the Sharing of Individual Student Eligibility Information for Local Control and Accountability Plan Purposes, Management Bulletin SNP-02-2018, May 2018](#)
[Monitoring for Success: A Guide for Assessing and Strengthening Student Wellness Policies, 2012](#)
[Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, April 2006](#)
[Provision 2 Guidance: National School Lunch and School Breakfast Programs, Summer 2002](#)
[Eligibility Manual for School Meals: Determining and Verifying Eligibility, July 2017](#)
[CSBA District and County Office of Education Legal Services](#)
[U.S. Department of Agriculture, Food and Nutrition Service](#)
[Nourish California](#)
[California Project LEAN \(Leaders Encouraging Activity and Nutrition\)](#)
[California Department of Education, School Nutrition](#)
[CSBA](#)

Cross References

0200
0410
0460
0460
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1400
3100
3100

Description

[Goals For The School District](#)
[Nondiscrimination In District Programs And Activities](#)
[Local Control And Accountability Plan](#)
[Local Control And Accountability Plan](#)
[Access To District Records](#)
[Access To District Records](#)
[Relations Between Other Governmental Agencies And The Schools](#)
[Budget](#)
[Budget](#)

3250	Transportation Fees
3250	Transportation Fees
3260	Fees And Charges
3260	Fees And Charges
3550	Food Service/Child Nutrition Program
3550	Food Service/Child Nutrition Program
3551	Food Service Operations/Cafeteria Fund
3551	Food Service Operations/Cafeteria Fund
3552	Summer Meal Program
3552	Summer Meal Program
3554	Other Food Sales
3554	Other Food Sales
3555	Nutrition Program Compliance
3555-E(1)	Nutrition Program Compliance
4119.23	Unauthorized Release Of Confidential/Privileged Information
4219.23	Unauthorized Release Of Confidential/Privileged Information
4319.23	Unauthorized Release Of Confidential/Privileged Information
5030	Student Wellness
5117	Interdistrict Attendance
5117	Interdistrict Attendance
5125	Student Records
5125	Student Records
5141.6	School Health Services
5141.6	School Health Services
5145.3	Nondiscrimination/Harassment
5145.3	Nondiscrimination/Harassment
5145.6	Parent/Guardian Notifications
5145.6-E(1)	Parent/Guardian Notifications
5148	Child Care And Development
5148	Child Care And Development
6162.51	State Academic Achievement Tests
6162.51	State Academic Achievement Tests
6171	Title I Programs
6171	Title I Programs
6173	Education For Homeless Children
6173	Education For Homeless Children
6173.1	Education For Foster Youth
6173.1	Education For Foster Youth
6175	Migrant Education Program
6175	Migrant Education Program
6176	Weekend/Saturday Classes

