



**Department of
Education**

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**TO: ISC EXECUTIVE DIRECTORS
 COMMUNITY AND HIGH SCHOOL SUPERINTENDENTS
 PRINCIPALS OF ALL PUBLIC SCHOOLS
 PRINCIPALS OF SELECT CHARTER SCHOOLS
 PRINCIPALS OF SELECT NON-PUBLIC SCHOOLS
 SCHOOLFOOD REGIONAL DIRECTORS
 SCHOOLFOOD DISTRICT SUPERVISORS
 SCHOOLFOOD MANAGERS**

FROM: Eric Goldstein 

SUBJECT: 2009-2010 Eligibility Guidelines for Free and Reduced-Price Student Meals – Distribution, Review and Certification of the Application for Free and Reduced Price Meals (SD1041)

DATE: August 2009

As the new school year gets underway we are all mindful of the state of the economy and how it has affected households. Many more students may now be eligible for free and reduced-price meals and we encourage schools to increase outreach strategies and work diligently with households to complete the Application for Free and Reduced Price Meals. Only one paper application needs to be filed per household for all children attending the same school. If there are children in multiple schools living in the household, an application must be filed with each school.

Student eligibility for school meals is determined by the “Application for Free and Reduced Price Meals” (the 1041 form). At school opening, all students will maintain their eligibility status from the prior year until the student has submitted a meal application and a new status is determined. Students who were in the paid status must pay \$1.50 for lunch and students in reduced price status must pay \$0.25. Cash collection for meals begins immediately but a grace period until September 18 has been implemented for those students and families who are new to the City’s schools, have had a change in the economic situation, or failed to submit a form last year. Beginning September 21, all students with paid or reduced-price status will be expected to pay the appropriate amount for lunch.

Accountability for meals begins on the first day of school and will continue through the last day of service. You should select an approved method of accountability (rosters, key tags, or POS) to track students on the “report of meals served” (MIE), which is submitted on a weekly basis to SchoolFood. ATS and NPSIS rosters should be printed or manual class/grade rosters developed and utilized to ensure proper accountability. Additionally, please note the following:

- Breakfast is served free of charge to all students throughout the year.

- Beginning September 21, all high school students—including incoming freshman who may not yet be accustomed to this policy—must make the appropriate payment before receiving lunch. High schools should use the time between now and September 21 to make sure students and their families understand this policy.

If elementary and middle school students do not make the appropriate payment for lunch, their parents or guardians should receive a request for payment in writing. These requests should be student-specific and include the cumulative amount owed. If your school has a negative balance, SchoolFood will report it to you each month

Last school year SchoolFood went live with the centralized application scanning and eligibility determination process for a select group of schools from each region. This school year the focus group will be all non-USM schools in districts 3, 11, 15, 24 and 31, all schools in the base year of the Universal School Meals (USM) program, and all charter and non-public schools that participate in the DOE food service program.

SchoolFood will scan the applications, electronically capture the information reported by households and determine if the child is eligible for free, reduce or full-price meals. The SchoolFood Help Desk will contact households to verify or obtain information when necessary. Once eligibility is determined, meal codes will be posted in ATS and NPSIS within 3 -5 business days of the application being scanned. Each day, as new meal codes are posted to ATS and NPSIS, student specific letters will be automatically generated to schools which must be sent to households informing them of their child's eligibility status.

The Department of Education is continuing with their partnership with [ACCESS NYC](#) New York City's free online public screening tool, in promoting the [Online School Meals Application](#). Beginning September 3, 2009 families can apply electronically for free or reduced-price school meals for their children by going to www.nyc.gov/accessnyc and complete the Online School Meals Application. Families need to complete only one application for all of their children, even if they attend different schools. Once the online application is submitted successfully households will receive a confirmation number which they can print and submit to their child's school as proof. The online application is available in English, Spanish, Chinese, Russian, Korean, Haitian Creole, and Arabic. Families that would like to apply in a language that is not available on ACCESS NYC (for example Bengali, French, Greek, Hebrew, Italian, Hindi, Polish or Urdu) must use the paper application. Each online application will be sent electronically to SchoolFood and the eligibility will be determined and posted onto student records in ATS and NPSIS.

DIIT will remove last year's meal eligibility codes from ATS and NPSIS student records after close of business on September 11. They will perform the direct certification match from the HRA file with ATS and NPSIS records and then post Meal Code A to indicate the students that are eligible for free meals. On September 13, only Meal Code A and Meal Code 5 will be displayed in ATS and NPSIS. It is not necessary to process a paper application for a child with "Meal Code A". A notification letter to the household informing them of their child's eligibility status will be sent to the ATS printers and should be sent home with the child. Non-public schools will receive the letter from the Office of SchoolFood.

Please review the attached guidelines that cover all of the eligibility, reporting and record keeping requirements associated with participation in the Child Nutrition Programs. Questions from schools or households pertaining on any of the topics covered in this memo or the attached guidelines should be directed to the SchoolFood Compliance Help Desk.

SCHOOLFOOD HELP DESK

Telephone: 718) 707-4400

Email: OSFCompliance@schools.nyc.gov.

Extended Hours: 8:00 a.m. – 7:00 p.m. (September 21 – Dec 23, 2009)

Regular Hours: 8:00 a.m. – 4:00 p.m. (January 4 – June 30, 2010)



2009-2010 ELIGIBILITY GUIDELINES FOR FREE AND REDUCED-PRICE STUDENT MEALS

DISTRIBUTION, REVIEW AND CERTIFICATION OF THE SCHOOL MEALS APPLICATION (SD1041)

A. PURPOSE

For the purpose of this instructions the Application for Free and Reduced Price meals will be referred to as the School Meals Application

1. For students whose eligibility has not been determined through the computer match with HRA files or through direct certification, the [School Meals Application](#) (*Attachment 1*) is the document by which a student's eligibility to receive free, reduced-price or full price meals is determined. These guidelines discuss how the paper form is to be distributed, reviewed and certified at the school level as well as several related issues. The same procedures outlined below will be used to electronically process applications through the scanning and online systems.
2. [Online applications](#) submitted through [ACCESS NYC](#) and [paper applications](#) received from schools selected for application scanning will be processed by SchoolFood using the same reviewing and certification procedures outlined in these guidelines. For both these instances, SchoolFood will determine eligibility and post the corresponding meal codes to student records in ATS and NPSIS. School level personnel will not be able to enter or change meal codes for these students.
3. The [School Meals Application](#) is usually completed by a member of the child's household. However, direct certification is an alternative method that can be used to determine eligibility. Direct certification letters distributed by the New York State Office of Temporary and Disability Assistance (OTADA) and NYC Human Resource Administration (HRA) allow children in households receiving food stamps or TANF benefits (but not matched with the HRA file) to receive free meals without having to complete an application. Additionally, the director of a homeless shelter at which a child resides can complete and submit an application for the child. These alternative methods are explained in more detail later in these instructions. Such applications, direct certification letters, and documentation of action taken, will be maintained for three years plus the current year after the end of the school year to which they pertain.
4. The distribution and review of the [School Meals Application](#) at the beginning of each school year is required by the United States Department of Agriculture (USDA) in order for the Department of Education to receive federal and state reimbursement and is essential for the smooth operation of the School Meals Program. Therefore, we are providing you with these guidelines governing the school foodservice program for the 2009-2010 school year. We appreciate your help in assuring that the Department remains eligible for the reimbursement funding that pays for the vast majority of the program in New York City.

B. RECENT UPDATES

1. **Rebates from the Economic Stimulus Act:** Rebate checks issued to families under this act are to be treated as other one-time, lump sum payments, i.e., and they are to be excluded from income when determining eligibility.
2. **Homeless Children – McKinney-Vento Act:** All public school districts are required to have a homeless liaison. Children identified as homeless by the liaison are eligible for free meals. Documentation of eligibility must be kept in the form of a list from the liaison consisting of the list of names, the effective date, and the signature of the liaison. Homeless families may reside with another household and still be considered homeless. The homeless family does not need to complete an application. The host family may include the homeless family as household members on their application, and they must also include any income from the homeless family. Eligibility of the host family must be determined by household size and income. For more information, visit www.nysteachs.org and click on the link for the McKinney-Vento Act.
3. **Head Start:** All children enrolled in Head Start and participating in child nutrition programs are automatically eligible for free meals without further application or eligibility determination if the following criteria are met:

- i. The Head Start program must be located in and operated by the school/district.
- ii. The school/district must maintain administrative control over the program
- iii. In the case where the Head Start program does not meet the criteria, the school/district may vend meals to the Head Start program. The Head Start program may receive reimbursement for those meals through the Child and Adult Care Food Program (CACFP).

4. **Universal Pre-K (UPK):** Students enrolled in Universal Pre-K programs are not automatically eligible for free meal benefits. These students are not necessarily from economically disadvantaged backgrounds. The classes are filled on a first-come first-served basis. Children with direct certification letters or approved income applications on file would be eligible for free or reduced price benefits.

C. OVERVIEW

1. The [School Meals Application](#) to participate in the National School Lunch and Breakfast Programs should be distributed to all students on your school's register on the first day of school to be taken home to their parents or guardians.
 - 1.1 Only [School Meals Application](#) dated for the 2009-2010 school year are to be distributed.
 - 1.2 Only one application is required, or a valid direct certification or food stamp letter for all children in the household attending the same school.
2. At non-scanning schools, the principal or his or her designee must determine and post on ATS or NPSIS the eligibility for each student. New eligibility determinations must be completed by **October 21, 2009**. This is the absolute latest day schools may use the previous year's benefits. Any student who has not submitted a current, complete form by then must be considered a paid student and no meal code should be entered into ATS or NPSIS.
 - 2.1 The 2009-2010 Income Eligibility Guidelines (EIG) for Free and Reduced-Price Meals are included in these guidelines (*see Attachment No. 2*).
 - 2.2 As noted earlier, DIIT will conduct a computer match with files obtained from the Human Resources Administration of students whose families are receiving TANF/FDPIR or Food Stamp benefits and enter a code onto the students' ATS and NPSIS records to indicate their eligibility for school meals. The results of those matches will be available on ATS and NPSIS as of **September 14**, and letters notifying the households of eligibility will be routed to each school's ATS printer.
 - 2.3 Children from households receiving TANF/FDPIR or food stamp benefits but who were not identified through the match with the HRA file are still categorically eligible to receive free meals. The parent or guardian must complete **Parts 2, 3 and 5** of the application or return a direct certification letter.
 - 2.4 Approved applications on file from the previous school year are valid only until **October 21, 2009** or when this year's new certification is completed, whichever comes first.
 - 2.5 As soon as the child's 2009-2010 [School Meals Application](#) form or direct certification letter has been completed and processed, the determination from the previous year will no longer be in effect.

D. CONFIDENTIALITY

The USDA has approved the release of students' names, addresses and eligibility statuses to school officials collecting data to be used for the Title 1 and the National Assessment of Educational Progress (NAEP) programs. Title 1 and NAEP are United States Department of Education programs used to allocate funds to schools, to evaluate the socioeconomic status of the school's attendance area, and to assess educational progress. Schools may not release the names and the eligibility status of students for any purpose other than Title 1 and NAEP without the consent of the child's parents or guardian.

E. SPECIAL CONCERNS and PROVISIONS

1. Direct Certification

- 1.1 Direct certification is the process that enables children from families receiving food stamps or Temporary Assistance to Needy Families (TANF) to receive free meals or milk at school **without having to complete an application**. In New York State, TANF is the program used to disseminate Temporary Assistance to Needy Families (TANF) funds. In conjunction with the State Education Department, the New York State Office of Temporary and Disability Assistance (OTADA) will send a letter to all families with school-age children (ages 4 -18) who currently receive food stamps or TANF benefits.
- 1.2 Public and non-public schools participating in the School Breakfast, Lunch or Special Milk Programs with children in attendance originating from either the St. Regis Mohawk Tribe or the Seneca Nations of Indians may accept insertion of a Food Distribution Program on Indian Reservation (FDPIR) case number in lieu of household income, food stamp number, or TANF number.
- 1.3 Reviewing officials must familiarize themselves with valid food stamp and TANF case numbers before beginning the application approval process. **In NYC the case number will be a nine digit number followed by a letter (123456789A).** If families do not know their food stamp or TANF numbers, they could either (a) contact their local Department of Social Services to obtain their number, (b) complete Part 2, 4 and 5 of the application or (3) submit the direct certification letter. Applications with invalid case numbers should not be approved. Families must refer to the letter they received from their local Department of Social Services to obtain their food stamp or TANF case numbers, (*see Attachment No. 4A and 4*).
- 1.4 Although most students eligible for free meals as a result of their households receiving food stamps or TANF/FDPIR benefits will be identified through the computer match with the HRA file. In instances where a match has not been made, the TANF or food stamp letter can be submitted to the child's school as certification of eligibility for free in lieu of the household completing an application. **Additional children cannot be written in on any of the letters.**
- 1.5 The reviewing official must obtain a [School Meals Application](#) for those children whose names are not indicated on the letter. Under federal regulations, every household with school-age children must be provided with the Free and Reduced-Price Application. Families must provide both the cover letter (which has the family name and address) and the page that validates that the child or children named are eligible for free meals.
- 1.6 Special education, foreign exchange, immigrant and refugee students are not automatically eligible for free meals. These students qualify for free, reduced price and paid meals by using the same income guidelines or categorical criteria used for all students. These students may claim these students for free or reduced-price reimbursements only if a correctly approved application is on file.
- 1.7 Record keeping and reporting requirements for determinations made based on direct certification letters are the same as for those based on a completed [School Meals Application](#). They must be: (a) retrievable by building where the child is fed; and (b) maintained for three years plus the current year, regardless of the child's actual attendance during this period.
- 1.8 Schools participating under Provision 2 (Universal School Meals program) must retain their records from their base year for three years plus the current year beyond the end of the USM cycle initiated by that base year.
- 1.9 The official reviewing free and reduced-price applications must be aware of this direct certification process for free meals. Parents or guardians have the right to decline the meal benefits and must be informed of this right and the process to do so.

2. **Modifications to Completed School Meals Applications by School Personnel**

- 2.1 Any and all contact with families regarding eligibility should be documented on the applications. Modifications to completed [School Meals Application](#) should be made by school staff only in the most exceptional circumstances (e.g., on account of illiteracy) and only when based on information supplied by an authorized household member.
- 2.2 The principal or his or her designee must initial each change and include a written explanation (on the application or an attached memorandum) of the reason and basis for the change. The original information must remain clearly visible and “white out” must not be used and figures may not be altered. Please see *Chancellor’s Regulation: A-810* for more detailed instructions

3. **Free Meal Eligibility for Homeless and Runaway Children**

Recognizing that the number of homeless children has risen considerably in the last few years, that parents or guardians who are homeless often fail to return a free meal application and that homeless children are often not included in the Direct certification process, the USDA has established the following procedures for all Child Nutrition Programs when an application is not submitted by the household or it is not anticipated that an application will be submitted.

- 3.1 A child is considered homeless if he/she is identified as lacking a fixed, regular and adequate nighttime residence under the McKinney-Vento Homeless Assistance Act. This determination can be made by the DOE Student in Temporary Housing liaison or the director of a homeless shelter.
- 3.2 The STH homeless liaison may provide the school with a list of eligible children. The list must be dated and signed by the STH liaison. These children are then directly certified for free meals for the school year and no other documentation is needed. This is the preferred option. Please contact the STH liaison in your Integrated Service Center (ISC) for assistance in this area
- 3.3 Local school administrators may complete an application for a child and approve the child for free meals based solely on their knowledge that the child’s address is a homeless shelter, living doubled up or that the child is sleeping in public places, has no known address and is indeed homeless.
- 3.4 The director of the homeless shelter at which the child resides can complete and submit an application for the child.
- 3.5 If large numbers of homeless children make it impractical for homeless shelters or school officials to complete individual applications, the school administrator may establish a list of eligible students based on his/her knowledge of the family’s residence (shelter, car, etc.). The documentation necessary to substantiate free meal eligibility for a list of children must contain at a minimum the following information:
 - i. Child’s name;
 - ii. Effective date of eligibility determination;
 - iii. Name of the shelter, etc. where the child resides;
 - iv. Signature of the determining official; and
 - v. Date of withdrawal from the shelter, school, or program.
- 3.6 These lists should be kept current by adding new names and removing the names of children who may have left the school.

4. **Meal Service to Children with Disabilities**

Federal Regulations require schools and institutions to serve meals at no extra charge to those children whose disability restricts their diet in such a way that they cannot fully participate in the food service program without some modification to the foods offered on the scheduled menu (e.g., chopping or pureeing for some special education students). The parent or guardian may request special preparation

from the school, if the need is documented by medical certification from a physician. **Children with disabilities are not automatically eligible for free meal benefits.** Parents must adhere to the same income eligibility criteria and procedures used for all children.

5. **Delivery of 2009-2010 School Meals Applications Forms to the Schools**

All schools are scheduled to receive their applications on or before September 8, 2009. The [School Meals Application](#) has been printed in fifteen languages. The languages are English, Chinese, Spanish, Russian, French, Hebrew, Italian, Greek, Korean, Polish, Hindi, Arabic, Urdu, Haitian Creole and Bengali. The language in which application is printed is identified on the first page of the form in the top right hand corner.

F. **SPECIFIC APPLICATION INSTRUCTIONS**

1. **School Meals Application Definition of Terms**

- 1.1. **“Current Income”** is all money received at the present time before taxes or other deductions. If the amount received most recently is higher or lower than usual, write instead that person’s usual weekly, bi-weekly, monthly, twice per month or yearly income
- 1.2. **“Household”** means a group of related or non-related people who are living in one home and share income and expenses. This includes spouse, all children, grandparents, etc.
- 1.3. **“Adult Household Member”** refers to all related and non-related individuals 21 years of age and over who live in the home.
- 1.4. **“Gross Income”** is money earned or received by each member of the household before deductions. Examples of deductions are federal tax, state tax, and Social Security deductions. Examples of gross income are: wages, salaries, tips, commissions, or income from self-employment; net farm income; pensions, annuities, or other retirement income including Social Security retirement benefits; unemployment compensation; welfare payments (does not include value of food stamps); Public Assistance payments; adoption assistance; strike benefits; supplemental Security Income (SSI) or Social Security Survivor's Benefits; alimony or child support payments; disability benefits, including workman's compensation; veteran's subsistence benefits; interest or dividend income; cash withdrawn from savings, investments, trusts, and other resources which would be available to pay for a child's meals and other cash income.
- 1.5. **Financially Independent:** A person who is financially independent and a separate economic unit/household when his or her earnings and expenses are not shared by the family/household

2. **When a Parent or Guardian Provides Income Information**

- 2.1. All persons, related and non-related, who live in the household and share living expenses must be listed on the [School Meals Application](#) form in **Part 4** along with their usual income and the frequency with which it is received (e.g., weekly, monthly, etc.). If frequency is not indicated the income is to be evaluated as a weekly figure.
- 2.2. Only one social security number (**Part 5**) needs to be reported regardless of the number of adult household members. The social security number must belong to the adult household member who signs the application. If the adult household member who signs the application does not have a social security number, he or she must write the word “NONE”. Failure to include the social security number or the word “none” is cause for non-approval of the application. The social security number may be used to verify information stated on the application.
- 2.3. Households are not required to calculate the total household income (**Part 4**) on the Application. The principal or his or her designee is required by federal regulations to calculate the total household income based upon the current income information submitted by the household. The certification (**Part 5**) must be signed and dated by the parent or guardian.

- 2.4. Free or reduced-price meals will be provided for those eligible students if the total current household income falls within the income limits stated in the Income Eligibility Guidelines For Free or Reduced-Price Meals (see *Attachment No. 2*).

3. **When a Parent or Guardian Provides a Zero Income or does Not Provide Income Information**

- 3.1 Other than those for foster children, applications with a **zero income** can only be approved temporarily for a maximum of 45 calendar days. After 45 calendar days, families must provide an update of income status for their children to continue to receive free meal benefits. If the application is not updated within 45 calendar days, the child will no longer be eligible to receive free meal benefits.
- 3.2 If applications do not contain an income in the “**Current Income and Pay Period**” section (**Part 4**), the application is considered incomplete. An incomplete application cannot be temporarily approved to receive free meal benefits. Failure to include an income or a numeric value of “zero” is cause for non-approval of the application.

4. **When a Parent or Guardian Provides a Food Stamp or TANF/FDPIR Case Number in Part 3**

- 4.1 A child is automatically eligible for free meals when a valid Food Stamp or TANF/FDPIR number is provided. **Part 4** does not need to be completed. No Social Security Number is needed. The certification (**Part 5**) must be signed and dated by the parent or guardian.
- 4.2 Information from the parent or guardian relative to Food Stamp or TANF/FDPIR case number or Direct certification is optional and voluntary.
- 4.3 Should the parent or guardian record an income (**Part 4**) as well as a Food Stamp or TANF/FDPIR case number (**Part 3**) the income is to be disregarded; because the child is eligible for free meals based upon the household receiving Food Stamps or TANF/FDPIR benefits

5. **Foster Children**

- 5.1 A foster child is a child who is living in a household but who is under the legal care of a welfare agency or court. For the purpose of determining eligibility, only the child’s “personal use income” need be listed. This includes only those funds provided by the agency that are identified for the personal use of the child such as personal spending allowances, money received from his or her family or from a job. Funds provided for housing, food, care, and medical and therapeutic needs are not considered income for the foster child. The foster parent/guardian should write “0” if the child has no personal use income.
- 5.2 A separate application must be filed for each foster child. The guardian does not need to list any other children, household members, their income or a social security number. The application, however, must be signed by an adult household member.

6. **Children in Residential Institutions**

The administrator of the institution or house-parents may complete and sign [School Meals Application](#) forms on behalf of children in their care in order for those children to be eligible for free or reduced-price meals at the school. Children in residential institutions are considered families of one, and only the income that is actually available to that child is considered income. Money paid by state, county or other governmental organizations to the residential institution for the care of the child is not considered part of the child’s income.

7. The Principal or His/Her Designee's Role in Determining Student Free or Reduced-Price Meal Eligibility

- 7.1 Applications are processed based on the information provided by the parent or guardian (Food Stamp or TANF/FDPIR case number, valid direct certification letter, or completion of the applicable parts of the [School Meals Application](#)). The principal or his or her designee may verify the source and amount of income as well as the household composition only after the eligibility status has been determined and the application processed.
- 7.2 For the 2009-2010 school year and in accordance with federal law, parents or guardians will be given only the Income Eligibility Guidelines for Reduced-Price Meals to be used to determine eligibility. The Income Eligibility Guidelines for Free Meals are not included in the [School Meals Application](#) but are attached to these guidelines as **Attachment No.2** to these guidelines.
- 7.3 Only the principal or his/her designee will have a copy of the income eligibility guidelines for both free and reduced-price meals. The Income Eligibility Guidelines for Free Meals may be made available for inspection by the parent upon request only after the parent has submitted an application and have received notification of their child's eligibility. The school authority may not in any way distribute the free meal eligibility scales to students, parents or guardians.
- 7.4 If the parent or guardian has provided income information, compare the total number of members in the household and the total current household income with the "Income Eligibility Guidelines for Free and Reduced-Price Meals" for 2009-2010.

8. Income Conversion for Multiple Frequencies of Incomes

- 8.1 Many households have different sources of income at different frequencies, such as weekly or bi-weekly wages and monthly social security benefits. Past practice was to convert all income to a monthly amount; USDA established a conversion factor for weekly income and bi-weekly income. However, use of these conversion factors has resulted in some perceived inconsistencies in the relationship between converted amounts and the weekly, bi-weekly, bi-monthly and monthly income limits shown in the published Income Eligibility Guidelines (IEG). These guidelines are established by dividing annual income limits by the annual income frequency and rounding up to the next whole dollar.

To avoid these problems, use the following procedures:

- 8.1.1. **If households report only one income source, or if all sources are the same frequency, do not convert.** Compare the income or the sum of the incomes to the Free and Reduced Income Eligibility Guidelines (**Attachment 2**) sent only to non-scanning schools for the appropriate frequency and household size to make the eligibility determination.
- 8.1.2. If households report income sources at more than one frequency, the acceptable method is to convert all income to annual by multiplying weekly income by **52**, income received every two weeks by **26**, income received twice per month by **24** and income received monthly by **12**. **Do not round up the values resulting from each conversion.** Add all the un-rounded converted values and compare the un-rounded total to the attached Income Eligibility Guidelines (**Attachment 2**) for annual income for the appropriate household size.
- 8.1.3. If an application lacks how frequently income is received, e.g. weekly, monthly, etc., the reviewing official will process the income as weekly **or** place a call to the family before approving since income information is not complete.
- 8.1.4. The application for 2009-2010 reflects this information.
- 8.2 School districts must ensure that software they are using does not convert all income to monthly. It should only convert to annual income when there are multiple income frequencies. The software should also not round up each frequency's calculation before totaling.

9. Documenting Eligibility in ATS or NPSIS (DOE public and non-public student databases)

All students must have their eligibility status documented in ATS, NPSIS or as a manual master listing based on a computer match, a correctly certified [School Meals Application](#) or direct certification letter on file as outlined in *Chancellor's Regulations: A-810*.

The following meal codes designations will be entered in ATS, NPSIS or as a manual master listing to represent the eligibility status for each child except for meal code "A" which shall only be entered by a computer match.

- **Meal Code A** – Free status by way of automatic computer match for households receiving cash assistance or food stamps – no application is required.
- **Meal Code 1** – Free status determined by a completed application with household income within the income scale for free meals. In addition valid documents such as letters, listings or applications for enrolled students from homeless liaisons, shelters or agencies with foster child, food stamp or TANF information will receive free status.
- **Meal Code 2** – Reduced-price status determined by a completed application on file when household income does not qualify for free meals but is within the income scale for reduced-price meals.
- **Meal Code 3** – Paid (denied) status determined by a completed application when (a) household indicate they do not qualify for free and reduced-price meals or (b) household income reported exceeds the income scale for free and reduced-price meals
- **Meal Code 4** – Paid (denied) status determined by an incomplete application on file. Missing information must be attained to continue the approval process.
- **Meal Code 5** – Paid (denied) default status determined when there is no application on file.

10. Notification of Eligibility Determination to Households

- 10.1 All households that submit applications must be informed of the approved or denial of such applications. Written notifications must be provided to each family denied program benefits and a copy of such written notification must be retained on file.
- 10.2 Schools should inform households of eligibility determinations (*see Attachment 3*) and indicate the date the notification letter was sent in the section ***"For School Use Only"*** on the reverse side of the [School Meals Application](#) (SD1041). SchoolFood will generate notification letters to schools for applications that are electronically processed through the scanning and online systems.
- 10.3 Households must be notified in writing of the reason(s) for rejection of their application, notification of the right to appeal, instructions on how to appeal, and a reminder to that they may reapply for free and reduced price benefits at any time during the school year. Copies of rejection letters to households must be maintained for three years plus the current year.

11. Administrative Prerogative

- 11.1 In certain circumstances, when all other options have been exhausted and households fail to apply for free or reduced-price meals, school district officials may address the nutritional needs of students who are at an obvious economic disadvantage. The USDA Child Nutrition Regulations, Part 245.6, provide districts an option to the application process. Using the administrative prerogative option specified in that Regulation, school district officials may complete an application for a student known to be eligible if the household has not applied. This judgmental option acknowledges the various reasons that a household may fail to apply for free or reduced-price meals, such as lack of understanding, fear of authority, alien status, substance abuse, etc.

- 11.2 **To exercise this option properly, an application must be completed on behalf of the student based on the best household size and income information available. The source of this information must be noted on the application.** Prior efforts made to obtain a completed application from the parent or guardian must be documented. The names of all household members, a social security number, or an adult signature need not be secured. Instead, the name of the student, household size, estimated household income, and the administrator's signature must be provided. The word "Principal" should be written in the boxes designated for the Social Security Number. The household must be notified of the student's approval status for free or reduced-price meals. These applications must be excluded from the Verification Process.
- 11.3 This option must be used judiciously and only after repeated efforts to obtain applications from households have been unsuccessful. It is to be used on an individual basis and not to provide eligibility determinations for large numbers of students. It also may not be used when household income is above the eligibility guidelines even if the children are not coming to school with a meal or money. Household economic status must remain the criterion for administratively making the decision to certify the student as eligible for free or reduced-price meals.
- 11.3.1 A valid food stamp or TANF/FDPIR case number may be used in lieu of household income. The principal must notify the household that the child has been certified for free or reduced-price meals.
- 11.3.2 All documentation relating to the school's efforts to obtain parental compliance and relating to the certification of eligibility must be attached to the application and kept on file at the school for three years plus the current year.
- 11.3.3 Schools participating under Provision 2 (Universal School Meals) must retain their records from their base year for three years plus the current year beyond the end of the USM cycle initiated by that base year.
- 11.3.4 This alternative is provided to ensure that no child goes hungry because of a parent's or guardian's inaction or failure to follow requirements mandated by the federal government.

12. Right to a Fair Hearing Conference

- 12.1 The notification letter indicating non-approval of free or reduced price meals (*see Attachment No. 3*) advises the parent or guardian that if he or she does not agree with the determination a request may be made for a conference with the principal, if application was processed at the school level, to discuss the matter prior to advising to contact the Office of SchoolFood. A request for this meeting shall in no way prejudice the parent's or guardian's right to appeal.
- 12.2 The child should be provided a meal in accordance with his or her previous eligibility status until a final decision is made.

13. The Appeal Procedure for the Non-Approval of Eligibility

- 13.1 If after the hearing conference with the principal the parent or guardian does not agree with the determination, the Non-Approval of Eligibility Appeal Procedures is to commence. An appeal of an eligibility determination is commenced by writing to or contacting
- The New York City Department of Education
Office of SchoolFood
44-36 Vernon Boulevard
Room 403
Long Island City, New York 11101.
Telephone: (718) 707-4300**
- 13.2 Upon request, the parent or guardian may be assisted or represented by an attorney or other person of his or her choice in presenting the appeal.

- 13.3 The parent or guardian shall have an opportunity to examine, prior to and during the hearing, the documents and records presented to support the decision under appeal
- 13.4 The hearing shall be held with reasonable promptness and convenience to the parent or guardian, and adequate notice shall be given to the parent or guardian as to the time and place of the hearing.
- 13.5 The parent or guardian shall have an opportunity to present oral or documentary evidence and arguments supporting his or her position without undue interference.
- 13.6 The parent or guardian shall have an opportunity to question or refute any testimony or other evidence and to confront and cross-examine any adverse witness(es).
- 13.7 The hearing shall be conducted and the decision made by a hearing official who did not participate in making the decision under appeal.
- 13.8 The decision of the hearing official shall be based only on the oral and documentary evidence presented at the hearing and made a part of the hearing records.
- 13.9 The parent or guardian and designated representative, if any, are to be notified in writing of the decision of the hearing official.
- 13.10 A written record is to be prepared with respect to each hearing that will include: the decision under appeal; any documentary evidence; 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 parent or guardian of the decision of the hearing official.
- 13.11 The written record of each hearing is to be preserved for a period of three years plus the current year and is to be available for examination by the parent or guardian or a representative at any reasonable time and place during such period.

14. Duration of a Student's Eligibility Status

- 14.1 The reviewing official will determine household eligibility for free and reduced price meals using the information reported on the application. An eligibility determination that has been made without error will remain in effect for a maximum of 30 days after the first operating day in the subsequent school year or until a new certification is made in the next school year, whichever comes first.
- 14.2 The household is no longer required to report changes in circumstances, such as an increase in income, a decrease in household size or when the household is no longer certified eligible for food stamps or TANF.
- 14.3 After an application for a household has been certified, additional applications are not to be processed unless they are accompanied by documentation (such as that required in the verification process) supporting a change in household income or size. Families who reapply with a change in income that will increase meal benefit after receiving a reduced or denial letter are subject to income verification.
- 14.4 Changes in eligibility which result in increased benefit levels are to be made as soon as possible but no later than three operating days after the date the final decision is made on a child's eligibility status. A change in eligibility that results in decreased benefit levels is to be made within ten operating days of the date the final decision is made on a child's eligibility status.

15. Transfer of Eligibility

- 15.1 If a student transfers from a school participating in the DOE food service program to another participating school within a school year, eligibility for free or reduced-price meals is to be honored by the receiving school. A copy of the [School Meals Application](#) or valid direct certification letter must accompany all transfers, and the receiving school needs to confirm that the correct meal code is on the student's electronic record (ATS or NPSIS) or manual master listing.

- 15.2 Students who are promoted or transferred from one school level to another during the middle of the school year or at the end of a school year (e.g., from elementary to intermediate school or from junior high school to high school) should have their eligibility status honored. A copy of their [School Meals Application](#) or direct certification letter must accompany all such promotions and transfers.

16. When should an application be verified “for cause”?

If a school official is informed, even anonymously, that an applicant may not be eligible, the school **must** report that accusation to the Office of SchoolFood which has an obligation to verify all questionable applications (those applications that are reported to be fraudulent or suspicious). Any verification that is done for cause is in addition to the sample required for either random or focused sampling. Verification must take place after the application has been approved based on the face value of the application

17. Retention of Records

- 17.1 All [School Meals Application](#) forms and direct certification letters must be retained by the principal and must be available for inspection for a period of three years plus the current year after the end of the fiscal year to which they pertain: In addition, the principal of the school must keep on file for this same period all records, including:
- All applications and direct certification letters returned and documentation of action taken. Applications for students who are discharged from the school should be pulled from the active records and placed in a separate file;
 - Records of all appeals and challenges and their disposition;
 - All notifications of eligibility determinations, including benefit denial letters;
 - Records of all verification efforts and resulting eligibility changes; and
 - Data supporting monthly claim forms for reimbursement.
- 17.2 Schools participating in Provision 2 (Universal School Meals program) **must** keep all base year documents (e.g., certified School Meals Application, rosters, stubs, weekly MIE 1 and MIE 2 reports, master listings, etc.) on file for three years plus the current year beyond the end of the USM cycle initiated by that base year.

G. Providing Assistance To Schools

- Schools may request and obtain additional 2009-2010 [School Meals Applications](#) throughout the school year from the SchoolFood district field offices in their region or by contacting the **SchoolFood Help Desk**
- The **SchoolFood Help Desk** will provide technical guidance to school officials on processing applications and assistance to parents and guardians on filling out the form.

SCHOOLFOOD HELP DESK

Telephone: 718) 707-4400

Email: OSFCompliance@schools.nyc.gov.

Extended Hours: 8:00 a.m. – 7:00 p.m. (September 21 – Dec 23, 2009)

Regular Hours: 8:00 a.m. – 4:00 p.m. (January 4 – June 30, 2010)

The funding of the school meals program is under intense scrutiny in Congress and the USDA. The changes in effect are designed to make better use of the available technology and the time of school staff. They are also aimed at trying to make the funding for the program more secure over the long term. Your cooperation and support are critical in realizing those goals. We very much appreciate your efforts and look forward to working with you to assure the future success of the School Meals Program and the educational enterprises that it helps to support.

New York City Department of Education

2009-2010 Application for Free and Reduced-Priced Meals

F ☐ R ☐ D ☐

Use BLACK INK, PRINT NEATLY, COMPLETE ONE APPLICATION FOR ALL CHILDREN ATTENDING THE SAME SCHOOL. RETURN APPLICATION TO YOUR CHILD'S SCHOOL.

☐ **I DO NOT QUALIFY FOR FREE OR REDUCED-PRICED MEALS.** Complete Part 2 and School Information. Sign and date form then return to school.

HOUSEHOLDS WITH FOSTER CHILDREN: You must complete a separate application for each foster child. Check box if this application is for a foster child ☐

List the child's monthly personal use income. Write "0" if the child does not receive personal use income. \$ / Monthly

LIST ONLY THE CHILDREN ATTENDING THIS SCHOOL

Enter School Information

* Birthdate			Print Legal Name of Students Attending This School (*Optional Information)		*Gender *Grade *OSIS # (School ID Number)	
MM	DD	YY	First Name	MI	Last Name	
1.	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
2.	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
3.	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
4.	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
5.	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

School Name

School #

Check Box for School Borough

M ☐ BX ☐ Q ☐ BK ☐ SI ☐

3 Write the Food Stamp or TANF case number as shown on your benefit letter. Do not use number on your benefit card. Sign the application in Part 6. You must complete a separate application for children with a difference case number or no case number.

FOOD STAMP Case #

TANF/FDPIR Case #

4 LIST THE NAMES OF ALL OTHER MEMBERS IN YOUR HOUSEHOLD. DO NOT INCLUDE CHILDREN ALREADY LISTED IN PART 2.

PRINT FIRST AND LAST NAME

1.	<input type="text"/>
2.	<input type="text"/>
3.	<input type="text"/>
4.	<input type="text"/>
5.	<input type="text"/>
6.	<input type="text"/>
7.	<input type="text"/>

LIST ALL CURRENT INCOME AND PAY PERIOD

Current income is your income at the present time before taxes and other deductions. If pay period is not noted, the reported income will be processed as WEEKLY. Use these letters to indicate how often income is received. W=Weekly; B=Bi-Weekly; M=Monthly; T=Twice a month; Y=Yearly

Gross Earnings from Work (Before Deductions): ALL JOBS	How Often?	Child Support/Alimony Payments	How Often?	Pay from Pension, Retirement/Social Security	How Often?	Any Other Income	How Often?
\$ <input type="text"/>	<input type="text"/>	\$ <input type="text"/>	<input type="text"/>	\$ <input type="text"/>	<input type="text"/>	\$ <input type="text"/>	<input type="text"/>
\$ <input type="text"/>	<input type="text"/>	\$ <input type="text"/>	<input type="text"/>	\$ <input type="text"/>	<input type="text"/>	\$ <input type="text"/>	<input type="text"/>
\$ <input type="text"/>	<input type="text"/>	\$ <input type="text"/>	<input type="text"/>	\$ <input type="text"/>	<input type="text"/>	\$ <input type="text"/>	<input type="text"/>
\$ <input type="text"/>	<input type="text"/>	\$ <input type="text"/>	<input type="text"/>	\$ <input type="text"/>	<input type="text"/>	\$ <input type="text"/>	<input type="text"/>
\$ <input type="text"/>	<input type="text"/>	\$ <input type="text"/>	<input type="text"/>	\$ <input type="text"/>	<input type="text"/>	\$ <input type="text"/>	<input type="text"/>
\$ <input type="text"/>	<input type="text"/>	\$ <input type="text"/>	<input type="text"/>	\$ <input type="text"/>	<input type="text"/>	\$ <input type="text"/>	<input type="text"/>
\$ <input type="text"/>	<input type="text"/>	\$ <input type="text"/>	<input type="text"/>	\$ <input type="text"/>	<input type="text"/>	\$ <input type="text"/>	<input type="text"/>

TOTAL HOUSEHOLD MEMBERS. Add the names listed in Parts 2 and 4 (enter 1 if Foster Child)

SIGNATURE: An adult household member MUST sign the application before it can be approved.

I certify that all of the information is true and that all income is reported. I understand that the information is being given for the school to receive federal funds; that school officials may verify the information and that deliberate misrepresentation of the information may subject me to prosecution under applicable state and federal laws, and my children may lose meal benefits.

5 ☒ Signature of adult household member completing this form

☐ Print name of adult household member completing this form

Today's Date

MM DD YY

Adult Household Member Social Security #

- -

If you do not have a Social Security Number you must write the word "NONE"

Address

Apt#

City

NY

Zip

Home Phone

Daytime Phone

Cell Phone

Best Time To Call:

☐ 8 am - 11 am

☐ 11 am - 2 pm

☐ 2 pm - 6 pm

☐ 6 pm - 8 pm



2009-2010 INCOME ELIGIBILITY GUIDELINES FOR REDUCED PRICE MEALS / MILK

2009-2010 STUDENT MEAL AND MILK PRICES			
	BREAKFAST	LUNCH	MILK
REDUCED PRICE	\$0.00	\$0.25	\$0.25
FULL PRICE		\$1.50	

INCOME ELIGIBILITY GUIDELINES FOR **REDUCED PRICE MEALS**

Number In Household	Yearly Income Not More Than (Y)	Monthly Income Not More Than (M)	Twice per Month Income Not More Than (T)	Bi-Weekly Income Not More Than (B)	Weekly Income Not More Than (W)
1	\$ 20,036	\$ 1,670	\$ 835	\$ 771	\$ 386
2	26,955	2,247	1,124	1,037	519
3	33,874	2,823	1,412	1,303	652
4	40,793	3,400	1,700	1,569	785
5	47,712	3,976	1,988	1,836	918
6	54,631	4,553	2,277	2,102	1,051
7	61,550	5,130	2,565	2,368	1,184
8	68,469	5,706	2,853	2,634	1,317
For Each Additional Household Member Add →	+ \$ 6,919	+ \$ 577	+ \$ 289	+ \$ 267	+ \$ 134

The Free Income Chart may not be intentionally distributed or displayed to anyone other than the school official who will certify the applications.

The Free Income Chart is available for review upon request after an household as submitted an application and received notification of eligibility status.

ATTACHMENT 3

(Insert School Letterhead)

NOTIFICATION LETTER FOR SCHOOL MEALS

Date: ____/____/____

Dear _____:
(Parent/Guardian Name)Your application for free and reduced meals for _____ has been:
(Indicate Child's Name)

- ☐ **Approved for FREE meals** – your child will receive free breakfast and lunch.
- ☐ **Approved for REDUCED-PRICE meals** - You will be required to pay **\$.25 cents for lunch**; no money is required for breakfast.
- ☐ **Temporarily Approved for FREE meals.** The School Meals Program regulations states applications with **no income** can only be approved temporarily **for a maximum of 45 days**. After ____/____/____, you must provide an update of income status for their children to continue to receive free meal benefits. You may either call our office with the current income information or complete the enclosed application. If we do not receive the updated information by the specified date, your child will no longer be eligible to receive free meal benefits, and you will be required to pay **\$1.50 for lunch**; no money is required for breakfast.
- ☐ **Denied for the following reason(s) below** and you will be required to pay **\$1.50 for lunch**; no money is required for breakfast.
- ☐ **Income over the allowable amount** – total household income and family size reported does not qualify you for free or reduced-price meals.
- ☐ **Incomplete Application** - the following information below is missing, incomplete or unclear. Contact the school with this information to continue the approval process.
- ☐ Household Income
- ☐ Social Security Number
- ☐ Adult Household Member Signature

If you do not agree with the decision, you **must** first call the school and discuss it with the person who processed your application.

SCHOOL OFFICIAL NAME: _____ **SCHOOL TITLE:** _____

If you are not satisfied with the school's response you also have a right to a fair hearing. This can be done by calling or writing the following official:

Name: Office of SchoolFood – Compliance and Monitoring Unit
Address: 44-36 Vernon Blvd., Long Island City, NY 11101
Phone: (718) 707-4471

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 household size, you may fill out another application at that time.

Non-discrimination Statement: This explains what to do if you believe you have been treated unfairly. In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability. To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410 or call (800) 795-3272 or (202) 720-6382 (TTY). USDA is an equal opportunity provider and employer.

SAMPLE

OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE
40 NORTH PEARL STREET
ALBANY, NEW YORK 12243-0001

**PLEASE COMPLETE AND SEND OR TAKE THIS DIRECT
CERTIFICATION LETTER TO THE SCHOOL YOUR CHILD ATTENDS**

August 2009

Dear Parent/Guardian:

The child listed below **is approved** to receive free lunch and/or breakfast if he or she attends a school that participates in the National School Lunch and/or School Breakfast Programs. **TO RECEIVE THIS BENEFIT, COMPLETE AND TAKE OR SEND THIS LETTER TO THE SCHOOL YOUR CHILD ATTENDS OR COMPLETE THE "FREE AND REDUCED PRICED MEAL" APPLICATION WHICH WILL BE SENT TO YOU BY THE SCHOOL.**

This letter also entitles your child to free meals if they attend a program such as a school, club or camp that participates in the Summer Food Service Program. Make a copy for your records so you can provide it to the sponsor.

If you have any questions, please review the attached page, or call your child's school **or** call the toll free hotline number **1-800-342-3009**.

Commissioner
NYS Education Department

Commissioner
NYS Office of Temporary and Disability Assistance

NAME

DATE OF BIRTH

SCHOOL

GRADE

(Please put the name of your child's school and grade here.)

ATTACHMENT 4B

ADDITIONAL ACCEPTABLE FORM OF DIRECT CERTIFICATION

When families receive approval for food stamps or TANF after the direct certification letters are sent, or they are re-certified for benefits, they receive an alternate direct certification letter that can and should be used to automatically qualify the children listed for free meals/milk. The notice should contain the following information:

- Family name and address
- Date of notice
- Names of eligible children

Be sure to obtain a copy of the first page of the letter, which lists the family's name and address. As well as the date they were eligible for food stamps. This is needed to ensure the integrity of the direct certification process. The letter is transmitted when families are accepted for Food Stamps or TANF or are renewed.

Notice Number: 1243456789A

FOOD STAMPS

National School Lunch and/or Breakfast Programs

The children listed below are approved to receive free lunch and/or breakfast if they attend a school that participates in the National School Lunch and/or Breakfast Programs. To receive this benefit, you must take or send a copy of this notice to the school that your child attends.

Child's name/Children's names

This notice also entitles your child/children to free meals if they attend a program such as school, club or camp that participates in the Summer Food Service Program. Make a copy for your records so you can provide it to the sponsor.

REFERENCES AND LINKS

1. [Link to 2009-2019 School Meals Application and 2009-2010 Application Instructions](#)
2. [Link to 2009-2010 Eligibility Guidelines for Free and Reduced Price Meals \(web version\)](#)
3. [Link to Household Notification Letter – English \(print version.doc\)](#)
4. [Link to Household Notification Letter – English \(electronic version.doc\)](#)
5. [Link to Chancellor’s Regulations: A-810 - Free and Reduced Price Meals Eligibility](#)
6. [Link to Chancellor’s Regulations: A-812 – Competitive Foods](#)
7. [Link to Chancellor’s Regulations: A-815 - Administration and Accountability in the School Foodservice Program](#)
8. [Link to Chancellor’s Regulations: A-816- After School Meals Program](#)