



**Department of
Education**

Dennis M. Walcott, *Chancellor*

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**TO: 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: 2011-2012 Eligibility Guidelines for Free and Reduced-Price Student Meals – Distribution, Review and Certification of the School Meals Application (SD1041)

DATE: August 30, 2011

There are many students that may be eligible for free or reduced-price meals and we encourage schools to increase outreach strategies and encourage households to complete the [School Meals Application](#). A completed application enables households to determine if their child is eligible to eat lunch for free or for 25¢. Students who are not free or reduced-eligible or who do not return an application will pay \$1.50 for lunch. Every school should aim for 100% collection!

Meals served for the breakfast and lunch programs during September may not all be claimed as free but instead must be reported by properly determined eligibility categories – free, reduced-price and paid. All new students must be claimed as paid until an application has been received and processed. Last year's eligibility determinations are valid only until October 21, or, when a new application has been certified, whichever occurs first. You should be aware that on October 24 the eligibility status will become paid (full price) for all students for whom an application or new information has not been processed and Meal Code 5 will be displayed in ATS and NPSIS student databases.

As you know, the current economic climate continues to have a challenging impact on our Department's budget and we cannot afford expenses associated with unpaid lunch fees. You must make a critical effort to collect meal fees and continue to work toward eliminating outstanding balances through the school year. Households must be notified of you must use effective practices to collect and remit meal fees to SchoolFood.

The schools that will be required to send the applications to SchoolFood for centralized application scanning and eligibility determination are: all new schools, all non-USM schools in districts 3, 4, 7, 8, 11, 14, 15, 16, 18, 19, 21, 23, 24, 30 and 31, all district 75 and 79 non-USM locations, all former USM schools that are transitioning to traditional meal accountability procedures, and all charter and non-public schools that participate in the DOE foodservice program. Additionally, schools that were previously audited for by SchoolFood, the Office of the Auditor General or the State Education Department will send forms their forms to SchoolFood

SchoolFood will scan the paper [School Meals Application](#), 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. Meal codes will be displayed in ATS and NPSIS once eligibility has been determined, usually within 2 business days of the application being scanned. For schools, scanning and non-scanning, as new meal codes are posted to ATS and NPSIS each evening, student specific letters will automatically generate to ATS printers and to a NPSIS file for printing the next business day. Schools must send the letters to parents and guardians informing them of their child's eligibility status.

Beginning August 15, families can go to nyc.applyforlunch.com or www.nyc.gov/accessnyc to fill out the online application. Families will need to complete only one application for all of their children, even if they attend different schools. Households will receive a confirmation number once the online application is submitted successfully they can print and submit to their child's school as proof. Each online application will be sent electronically to SchoolFood and the eligibility will be determined and posted to student records in ATS and NPSIS within one day after receipt.

The Human Resources Administration (HRA) will provide a computer file of students eligible for free meals based on their families' receipt of Temporary Assistance to Needy Families (TANF) or food stamp (SNAP) benefits. ATS and NPSIS administrators will remove the prior year's meal eligibility codes from student records and update with the new HRA matches. Once the computerized match has been completed, the results, Meal Code "A", will be displayed in ATS and NPSIS on the first day of school, Thursday, September 8. It is not necessary to process a paper application for any household whose children displays Meal Code "A" in ATS and NPSIS. If an application is received for any of these children at the school level or SchoolFood central office, it should be discarded. The federal regulations require that eligibility determinations made through this type of computerized match also require that the household be given the opportunity to decline the benefit. To fulfill that requirement, a letter to each affected household explaining the eligibility determination and the household's right to decline the benefit will be sent to each school's ATS printer and NPSIS file to print. The letters are to be sent home with the children.

It is very important that the applications are reviewed carefully upon receipt from families and that any missing information which is required to complete the processing, such as the adult signature, is obtained as quickly as possible so that the child receives the correct benefit in a timely manner. As was the case last year, 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.) Additionally, a separate application must be filed for each foster child because they are each considered a household of one. It must be indicated on the application whether the household income being reported is received weekly, bi-weekly, twice per month, monthly, or annual.

Also, for all schools, the materials used to complete Point-of-Service accountability procedures are to be generated from ATS and NPSIS (e.g., rosters, master listings, etc.) and must utilize the meal codes maintained on those systems. The **ATS RMEA Roster** is the approved point-of-service tool for public schools not using the electronic POS systems. Non-public schools must use the **NPSIS Meal Accountability Roster**. These rosters should be printed or manual class/grade rosters developed and utilized beginning on the first day of school to ensure proper meal accountability. The instructions on how to use these rosters are posted on the

SchoolFood home page, click on link - schools.nyc.gov/schoolfood, under [Traditional Meal Accountability Training Materials](#). Click [here](#) to access the training materials.

Please review the attached guidelines that cover all of the eligibility, reporting and record keeping requirements associated with participation in the National School Lunch Program. Questions pertaining to any of the topics covered in this memo, the attached guidelines or meal accountability and cash handling procedures should be addressed to the SchoolFood Help Desk by calling (718) 707-4400. The Help Desk hours will have extended hours from 8:00 a.m. to 7:00 p.m. weekdays, beginning September 26 through to October 28. Schools that will send applications to SchoolFood for scanning schools should inform households to call SchoolFood Help Desk toll-free number, (877)363-6325, for assistance on completing the applications or questions regarding their child eligibility. Schools and households can also send email to foodcompliance@schools.nyc.gov



Dennis M. Walcott, Chancellor



2011-2012 ELIGIBILITY GUIDELINES FOR FREE AND REDUCED-PRICE STUDENT MEALS

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

SCHOOL MEALS APPLICATION (SD1041)

A. PURPOSE

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 (OTDA) 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 2011-2012 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

- New!** 1. **Privacy Protection and the Use of Social Security Numbers in Child Nutrition:** The adult household member who signs the application is now required to only report the last 4 digits of their Social Security number.
- New!** 2. **Expansion of Eligibility for Free Meals:** Local Education Agencies (LEA) may extend free meal benefits to all children living in the same household as a child receiving food stamp, TANF or FDPIR benefits. School enrollment records of children living at the same address must be shown as documentation for eligibility. The Food Stamp Program in New York State is called Supplemental Nutrition Assistance Program (SNAP) in materials from USDA
- New!** 3. **Foster Children Eligibility:** A separate application is no longer needed for foster children eliminating the need for the single child applications. They are now categorically eligible for free meals based on documentation received from an appropriate State or local agency indicating their status as a foster child. In addition, the foster family may include the foster child as a household member. The foster child's personal income must also be reported on the application. In processing the application, the foster child would be certified for free meals, and then make eligibility determinations for the remainder of the household members based on household size and income or other categorical eligibility

information reported on the application. A foster child remains eligible for free meals for the entire school year, even if he or she returns home to their family. You can contact your county Office of Children and Family Services (OCFS) for a list of foster children in your district/school.

4. **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. To find the homeless liaison for your district and for more information, visit www.nysteachs.org and click on the “Liaison List” on the toolbar to search for your district’s liaison.
5. **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

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).
6. **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 2011-2012 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 enter in ATS the eligibility for each student. New eligibility determinations must be completed by **October 21, 2011**. 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. On October 24, ATS and NPSIS will display meal code 5 for all students without new information for the current year.
 - 2.1 The 2011-2012 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 **August 29**, and letters notifying the households of eligibility will be routed to each school's ATS printer on September 6.

- 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, 2011** or when this year's new certification is completed, whichever comes first.
- 2.5 As soon as the child's 2011-2012 [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 in the household can be written in on a direct certification letter.** You must obtain school enrolment records for those children living in the same household whose names are not indicated on a direct certification letter in order to extend free meal benefits to them.

- 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 Student in Temporary Housing Liaison 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. 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.
- 3.5 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 2011-2012 School Meals Applications Forms to the Schools**

All schools are scheduled to receive their applications on or before September 8, 2011. The [School Meals Application](#) is 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.

6. **SPECIFIC APPLICATION INSTRUCTIONS**

6.1 **School Meals Application Definition of Terms**

- 6.1.1. **"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
- 6.1.2 **"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
- 6.1.3 **"Adult Household Member"** refers to all related and non-related individuals 21 years of age and over who live in the home. **"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.

- 6.1.4 **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

6.2 When a Parent or Guardian Provides Income Information

- 6.2.1 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.
- 6.2.2 Only the last 4 digits of the social security number needs to be reported regardless of the number of adult household members (**Part 5**). 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.
- 6.2.3 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.
- 6.2.4 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*).

6.3 When a Parent or Guardian Provides a Zero Income or does Not Provide Income Information

- 6.3.1 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.
- 6.3.2 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.

6.4 When a Parent or Guardian Provides a Food Stamp or TANF Case Number in Part 2

- 6.4.1 A child is automatically eligible for free meals when a valid Food Stamp or TANF 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.
- 6.4.2 Information from the parent or guardian relative to Food Stamp or TANF case number or direct certification is optional and voluntary.
- 6.4.3 Should the parent or guardian record an income (**Part 4**) as well as a Food Stamp or TANF case number (**Part 2**) the income is to be disregarded; because the child is eligible for free meals based upon the household receiving Food Stamps or TANF benefits.

6.5 Foster Children

- 6.5.1 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.
- 6.5.2 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.
- 6.5.3 **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.

6.6 Children in Residential Institutions

- 6.6.1 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.
- 6.6.2 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 2011-2012 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 2011-2012.

8. Income Conversion for Multiple Frequencies of Incomes

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 **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.
- 8.2 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.
- 8.3 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.
- 8.4 The application for 2011-2012 reflects this information.
- 8.5 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 must 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). Beginning this school year notification letters will be generated automatically to ATS printers at the close of business each day for all students who have new eligibility data. In NPSIS< the letters can be printed from the home page.
- 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

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.

- 11.1 **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.
- 11.2 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. A valid food stamp or TANF 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.
 - 11.2.1 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.
 - 11.2.2 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.

- 11.2.3 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

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.

- 12.1 The child should be provided a meal in accordance with his or her previous eligibility status until a final decision is made.

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 – Eligibility and Compliance Unit
44-36 Vernon Boulevard, Room 414
Long Island City, New York 11101.
Telephone: (718) 707-4250**

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.

- 13.2 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
- 13.3 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.
- 13.4 The parent or guardian shall have an opportunity to present oral or documentary evidence and arguments supporting his or her position without undue interference.
- 13.5 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).
- 13.6 The hearing shall be conducted and the decision made by a hearing official who did not participate in making the decision under appeal.
- 13.7 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.
- 13.8 The parent or guardian and designated representative, if any, are to be notified in writing of the decision of the hearing official.
- 13.9 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.

- 13.10 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

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.

- 14.1 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.
- 14.2 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.
- 14.3 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:

- (a) All applications and direct certification letters returned and documentation of action taken.
 - (b) Applications for students who are discharged from the school should be pulled from the active records and placed in a separate file;
 - (c) Records of all appeals and challenges and their disposition;
 - (d) All notifications of eligibility determinations, including benefit denial letters;
 - (e) Records of all verification efforts and resulting eligibility changes; and
 - (f) 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. rosters, master listings and weekly signed SchoolFood Report of Meals Served and Cash Receipts Worksheet, etc.) on file for three years plus the current year beyond the end of the USM cycle initiated by that base year. The certified School Meals Applications for this year will be scanned and kept on file at SchoolFood central office

18. Military Families and Eligibility in the Child Nutrition Programs

- 18.1 At this time, it seems to be appropriate to clarify child nutrition policy for households affected by deployments in support of Operation Enduring Freedom and possible future military contingencies. In recent years, USDA has addressed the deployment of family members for military service to accommodate free and reduced price meal eligibility determinations, tier 1 day care home determinations and meal benefits for children temporarily residing with their providers.
- 18.2 For the purpose of determining household size, deployed service members should be considered as family members living apart on a temporary basis. Instruct families to include the names and income of deployed service members on their application forms. The reviewing official should count the service member as part of the household in establishing a child's eligibility for free and reduced price meals, or a day care home provider's eligibility for tier 1 reimbursement rates.
- 18.3 Deployment of a parent or guardian may also affect the eligibility of a child, who temporarily resides with a day care home provider, to receive meals in the Child and Adult Care Food Program. Although the child may live with the provider while the service member is deployed, the child would not be considered a "provider's own" child. In this special situation, the child would continue to participate in the meal service as a nonresidential participant. To claim reimbursement for program meals, the day care home provider must have power of attorney, custody, or an agreement established by the military to provide residential care to the child.

F. PROVIDING ASSISTANCE TO SCHOOLS

1. Schools can request technical assistance to process new applications received from households by calling the SchoolFood Help Desk at 718) 707-4400.
2. Schools that will send their applications to SchoolFood should also inform households to call (877)363-6325, [877-DOE-MEAL], which is a toll-free number, if they need assistance or have questions about the applications or eligibility status of their children.
3. Schools or households can also contact the SchoolFood Help Desk by sending email to FoodCompliance@schools.nyc.gov.

SCHOOLFOOD HELP DESK

Telephone: (718) 707-4400

Email: FoodCompliance@schools.nyc.gov.

Regular Hours: 8:00 a.m. – 4:00 p.m.

Extended Hours: 8:00 a.m. – 7:00 p.m. (September 26 – October 28)

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.

DEPARTMENT OF EDUCATION OF THE CITY OF NEW YORK
NATIONAL SCHOOL FOOD PROGRAMS

ENGLISH

Dear Parent or Guardian:

School Year 2011 -2012

Children need healthy meals to learn. The Office of SchoolFood offers healthy meals every school day. Breakfast is at no charge to all students, lunch costs \$1.50. Children from households that meet Federal Income Guidelines (on reverse side) are eligible for free meals or reduced-price meals. Reduced-price meals cost each eligible student \$.25 for lunch. To apply for free or reduced-price meals, submit a **SNAP - Supplemental Nutrition Assistance Program (food stamp) letter**, or **apply online at www.ApplyForLunch.com or www.nyc.gov/accessnyc**, or **complete the enclosed application for all your children attending the same school**, sign and return it to your children's school as soon as possible. Please refer to the guidelines contained in this letter when completing the application. We cannot approve an application that is not complete, so be sure to fill out all required information.

THE FOLLOWING INFORMATION WILL HELP YOU:

1. **Do I need to fill out an application for each child?** Yes. If your children attend different schools. However only one application is needed for all children attending the same school.
2. **Who can get free meals?** Children in households getting SNAP (food stamp) or TANF and most foster children can get free meals regardless of your income. Also, your children can get free meals if your household income is within the free limits on the Federal Income Guidelines.
3. **Can homeless, runaway and migrant children get free meals?** Please contact your school or the Students in Temporary Housing (STH) Coordinator to see if your child/children qualify, if you have not been informed that they will get free meals.
4. **Who can get reduced-price meals?** Your child/children can get low cost meals if your household income is within the reduced-price limits on the Federal Income Chart, shown on this application.
5. **Should I fill out an application if I received a letter this school year saying my children are approved for free or reduced-price meals?** Please read the letter you received carefully and follow the instructions. Call your child's/children's school if you have questions.
6. **I get W.I.C. Can my child/children get free meals?** Children in households participating in W.I.C. Programs may be eligible for free or reduced-price meals. Please fill out an application.
7. **Will the information I give be checked?** The school may ask you at any time during the school year to verify your eligibility. You will be notified, in writing if you have been selected for Verification. School officials may ask you to send supporting documents showing that your child/children should receive free or reduce price meals at the time you applied.
8. **If I don't qualify now, may I apply later?** Yes. You may apply at any time during the school year if your household size goes up, income goes down, or if you start getting SNAP (food stamp), TANF or other benefits. If you lose your job, your child/children may be able to get free or reduced-price meals.
9. **What if I disagree with the school's decision about my application?** You should talk to school officials first. If you are not satisfied with the response you may ask for a hearing by calling or writing to the Chief Executive, Office of School Support Services, 44-36 Vernon Blvd., Long Island City, New York 11101, (718) 707-4300.
10. **May I apply if someone in my household is not a U.S. citizen?** Yes. You or your child/children do not have to be U.S. citizens to qualify for free or reduced-price meals.
11. **Who should I include as members of my household?** You must include all people living in your household, related or not (such as grandparents, other relatives, or friends) in Part 4. You must include yourself and all other children who live with you.
12. **What if my income is not always the same?** List the amount that you normally get. For example, if you normally get \$1000 each month, but you missed some work last month and only got \$900, put down that you get \$1000 per month. If you normally get overtime, include it, but not if you get it only sometimes.

The school district may ask you at any time during the school year to verify the information you have stated on the application. If you do not give this information, your child will not be allowed to continue to receive free or reduced-price meals. School officials use the information on the application to determine if your child should get free or reduced-price meals. Free and reduced-price data may be used to determine eligibility for Title I and the National Assessment of Educational Progress and shared with other National School Lunch Program authorized agencies.

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 or the scheduled menu. You must request the special meals from the school and provide the school with medical certification from a medical doctor. If you believe your child needs substitutions because of a disability, contact the Chief Executive, Office of School Support Services, as there is specific information that the medical certification must contain.

If you have questions or need help completing this application, please contact the principal of your child's school for assistance.

Sincerely,
Office of SchoolFood

New York City Department of Education 2011-2012 Application for Free and Reduced-Price Meals															
USE BLACK INK															
COMPLETE ONE APPLICATION FOR ALL CHILDREN ATTENDING THE SAME SCHOOL. RETURN APPLICATION TO YOUR CHILD'S SCHOOL.															
PART 1	<input type="checkbox"/> I DO NOT QUALIFY FOR FREE OR REDUCED-PRICE MEALS. Complete PART 3 with student information, and go to PART 5 to sign and date form.														
PART 2	WRITE YOUR SNAP (food stamp) or TANF CASE NUMBER HERE → 					SCHOOL MUST COMPLETE THIS SECTION IF IT IS A SCHOOL School Name 									
WRITE ONLY THE NAMES OF THE CHILDREN ATTENDING THIS SCHOOL															
PART 3	PRINT LEGAL NAME OF STUDENTS ATTENDING THIS SCHOOL (*Optional Information)														
	*BIRTH DATE MM DD YY			FIRST NAME			MI	LAST NAME			*GENDER	ENTER 'X' - IF STUDENT IS A FOSTER CHILD: Write any personal use income received		*GR	
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WRITE FIRST AND LAST NAMES OF EVERYONE LIVING IN HOUSEHOLD INCLUDING CHILDREN ATTENDING OTHER SCHOOLS															
PART 4	DO NOT WRITE NAMES LISTED IN PART 3			WRITE ALL CURRENT INCOME AND PAY PERIOD FOR ALL HOUSEHOLD Current income is ALL monies received and how often from ALL sources. If how often is not written, the income reported is monthly. Use these letters to indicate how often income is received. → W=WEEKLY; B=BI-WEEKLY; M=MONTHLY;											
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Add the names listed in Parts 3 and 4.				TOTAL NUMBER IN HOUSEHOLD → 		SOCIAL SECURITY NUMBER AND SIGNATURE REQUIRED → AN ADULT HOUSEHOLD MEMBER OVER 21 LAST 4 NUMBERS OF SOCIAL SECURITY NUMBER (SSN). SIGN AND DATE FORM PRIOR TO PROCESSING AND TRUE AND THAT ALL INCOME IS REPORTED. I UNDERSTAND THAT THE INFORMATION IS BEING GIVEN FOR THE SCHOOL TO RECEIVE FEDERAL FUNDS, THE SCHOOL OFFICIALS MAY VERIFY OF THE INFORMATION MAY SUBJECT ME TO PROSECUTION UNDER APPLICABLE STATE AND FEDERAL LAWS AND MY CHILDREN MAY LOSE MEAL BENEFITS.									
PART 5	<div style="border: 1px solid black; width: 100%; height: 1.2em; text-align: center; font-size: 2em; color: red;">X</div>			Enter Today's Date <div style="border: 1px solid black; padding: 2px;"> <div style="border: 1px solid black; width: 1.2em; height: 1.2em;"></div> <div style="border: 1px solid black; width: 1.2em; height: 1.2em;"></div> <div style="border: 1px solid black; width: 1.2em; height: 1.2em;"></div> </div>		ADULT HOUSEHOLD MEMBER Write last 4 numbers of SSN <div style="border: 1px solid black; padding: 2px;"> <div style="border: 1px solid black; width: 1.2em; height: 1.2em;"></div> <div style="border: 1px solid black; width: 1.2em; height: 1.2em;"></div> <div style="border: 1px solid black; width: 1.2em; height: 1.2em;"></div> <div style="border: 1px solid black; width: 1.2em; height: 1.2em;"></div> </div>		If you DO NOT HAVE a SSN ENTER 'X' → 							
Signature of ADULT HOUSEHOLD MEMBER completing form <div style="border: 1px solid black; width: 100%; height: 1.2em;"></div>				Address 											
Print full name of ADULT HOUSEHOLD MEMBER signing form <div style="border: 1px solid black; width: 100%; height: 1.2em;"></div>				Apt # 		City 		Zip 							

ATTACHMENT 4A

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 2011

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 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 2011-2012 School Meals Application and 2011-2012 Application Instructions](#)
2. [Link to 2011-2012 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](#)