

FINANCIAL SERVICES

Food Services

Free and Reduced-Price Meals

This regulation supersedes Regulation 7202.3.

I. PURPOSE

To outline procedures to be followed in establishing a free and reduced-price meal program for eligible school children.

II. SUMMARY OF CHANGES SINCE LAST PUBLICATION

- A. Section III. contains an added link to indicate where additional information can be found.
- B. Section V. changed the name of the manual and its originating department.

III. ANNUAL PARTICIPATION

Fairfax County Public Schools annually enters into agreement to participate in the National School Lunch and School Breakfast programs and accepts the responsibility for providing free and reduced-price meals to eligible children in the schools under its jurisdiction. The Superintendent's letter to parents explaining the programs, the preprinted application for free and reduced-price meals, and the income scale are sent annually to each household. Blank and translated applications are sent to each school, and the application is available on the web site at [http://www.fcps.edu/fs/food/food at school/free_reduced/index.htm](http://www.fcps.edu/fs/food/food_at_school/free_reduced/index.htm).

IV. PROCEDURES FOR FREE AND REDUCED-PRICE MEALS

A. Requirement

The Virginia Department of Education requires that the annual Policy Statement for Free and Reduced-Price Meals be filed in the office of each school principal and be available for audit purposes. The Uniform Policy Statement is permanent, and only certain attachments are revised annually.

B. Procedures Stated in Agreement

Fairfax County Public Schools assures the United States Department of Agriculture and the Virginia Department of Education School Nutrition programs that the school system will uniformly implement the following policy to determine children's eligibility for free and reduced-price meals in the schools under its jurisdiction participating in the National School Lunch and School Breakfast programs. In fulfilling its responsibilities, the school division shall:

1. Serve meals free to children from families whose incomes are at or below those of the USDA Income Eligibility Guidelines.
2. Serve meals at a reduced price to children from families whose incomes are within the reduced-price scale of the USDA Income Eligibility Guidelines.
3. Provide these benefits to any child whose family receives food stamps or Virginia Temporary Assistance to Needy Families (TANF) or whose income falls within the established criteria; agree to provide these benefits to children from families who are homeless, experiencing strikes, layoffs, and unemployment that causes the family income to fall within the criteria set forth in the income scale; and, in addition, agree to provide these benefits to foster children whose foster-care payments are not more than the income eligibility standards for a family size of one.
4. Assure that there will be no physical segregation of, or any other discrimination against, any child because of his or her inability to pay the full price of the meal. The names and Social Security numbers of the children eligible to receive free or reduced-price meals shall not be published, posted, or announced in any manner, except as authorized. The school system shall also agree to have a written agreement between the determining agency and the requesting entity prior to disclosure and shall agree to not provide overt identification of any such children by use of special tokens or tickets or any other means. Further assurance is given that children eligible for free or reduced-price meals shall not be required to:
 - a. Work for their meals.
 - b. Use a separate lunchroom.
 - c. Go through a separate serving line.
 - d. Enter the lunchroom through a separate entrance.
 - e. Eat meals at a different time.
 - f. Eat a meal different from the one sold to children paying the full price.
5. Agree to set reduced-price charges for lunch and breakfast at or below the maximum reduced price allowed by regulations (\$.40 and \$.30) and below the full price of the lunch or breakfast.

6. Assure that, in the operation of child-feeding programs, no child shall be discriminated against because of race, color, national origin, sex, age, or disability.
7. Establish and use a fair hearing procedure for parents' appeals of the school division's decisions on applications and for school division officials' challenges of the correctness of information contained in an application or of the continued eligibility of any child for free or reduced-price meals. Households appealing a reduction or termination of benefits as a result of verification of eligibility will continue to receive benefits if they appeal within the ten-day advance notice period. During the appeal and hearing, the child will continue to receive free or reduced-price meals. If a child is denied benefits upon initial application, no benefits are available if an appeal is filed. A record of all such appeals and challenges and their dispositions shall be retained for three years.

Prior to initiating the hearing procedure, the parent or school division official may request a conference to provide an opportunity for the parent and school official to discuss the situation, present information, and obtain an explanation of data submitted on the application and decisions rendered. Such a conference shall not in any way prejudice or diminish the right to a fair hearing.

The hearing procedure shall provide the following:

- a. A publicly announced simple method for making an oral or written request for a hearing.
- b. An opportunity to be helped or represented by an attorney or other person.
- c. An opportunity to examine, prior to and during the hearing, the documents and records presented to support the decision under appeal.
- d. Reasonable promptness and convenience in scheduling a hearing and adequate notice as to the time and place of the hearing.
- e. An opportunity to present oral or documentary evidence and arguments supporting a position without undue interference.
- f. An opportunity to question or refute any testimony or other evidence and to confront and cross-examine any adverse witnesses.
- g. Assurance that the hearing be conducted and the decision be made by a hearing official who did not participate in the decision under appeal or in any previous conference.

- h. Assurance that the decision of the hearing official will be based on the oral and documentary evidence presented at the hearing and made a part of the hearing record.
 - i. Assurance that the parties concerned and any designated representative thereof will be notified, in writing, of the decisions of the hearing official.
 - j. Assurance that, for each hearing, a written record will be prepared, including the decision under appeal, any documentary evidence, and a summary of any oral testimony presented at the hearing; the decision of the hearing official and the reasons therefore; and a copy of the notification to the parties concerned of the hearing official's decision.
 - k. Assurance that such written record will be preserved for a period of three years and be available for examination by the parties concerned or their representatives at any reasonable time and place during such period.
8. Agree to designate the coordinator for administration, food and nutrition services, to review applications and make determinations of eligibility. The official will use the criteria outlined in this regulation to determine which individual children are eligible for free or reduced-price meals.
9. Agree to develop and send, to each child's parent or guardian, a letter with the income eligibility scale and an application form for free or reduced-price meals at the beginning of each school year and whenever there is a change in eligibility criteria.

Parents will be requested to complete the application and return it to food and nutrition services for review. Such applications and documentation of action taken will be maintained for three years after the end of the fiscal year to which they pertain.

Applications may be filed at any time during the year. Any parent enrolling a child in a school for the first time, at any time during the year, will be supplied with such documents. If a child transfers from one school to another under the jurisdiction of the same school division, his or her eligibility for a free or reduced-price meal will be transferred to and honored by the receiving school.

All children from a family will receive the same benefits. Within ten working days of the receipt of applications, parents or guardians will be notified individually of the acceptance or denial of their applications. Children will be served meals immediately upon the establishment of their eligibility.

When an application is rejected, parents or guardians will be informed of the reason for denial, of the right to appeal, and of the hearing procedure. The

designated hearing official, who is not involved in the original eligibility determination, is the director, Office of Food and Nutrition Services, 6840 Industrial Road, Springfield, VA 22151, telephone 703-813-4800.

10. Submit a press release containing the same information outlined in the parent letter to the news media, local unemployment offices, and major employers contemplating or experiencing large layoffs.

Agree that, if directly certifying children for free meal benefits from food stamps or Virginia Temporary Assistance for Needy Families (TANF), only official written documentation provided to the school division by the Virginia Department of Education will be used. Direct certification documents will only be used to certify free meal benefits through October 31.

11. Establish a procedure to collect from children who pay for their meals and to account for the number of free, reduced-price, and full-price meals served. The methods described in the collection procedures will be used so that no other child in the school will consciously be made aware by such procedures of the identity of the children receiving free or reduced-price meals.
12. Submit, to the Virginia Department of Education, any alterations or amendments to the policy, including eligibility criteria, applications, public announcements, etc., for approval prior to implementation. Such changes will be effective only upon approval, and all changes in eligibility criteria must be publicly announced in the same manner as those used at the beginning of the school year.

V. ADDITIONAL GUIDANCE

To facilitate food and nutrition services implementation of this program, the *Eligibility for School Meals, Federal Policy for Determining and Verifying Eligibility Manual* prepared by Child Nutrition Programs, Food and Nutrition Service, U.S. Department of Agriculture, is available.