

The Haywood County Schools will provide free and reduced price meals to all eligible students in accordance with federal and state law and regulation, board policy, and this regulation. This regulation is further intended to make families aware of the National School Lunch Program and the School Breakfast Program, to minimize barriers to participation, and to facilitate timely and easy certification of students eligible for free and reduced price meals.

I. APPLICATION FOR FREE AND REDUCED PRICE MEALS

The superintendent or designee, in consultation with the director of child nutrition, will ensure that the school system's application form for free and reduced price meals and related materials meet the requirements established under federal and state law and regulation. The application form and related materials will be provided in an understandable and uniform format and in a language that parents and guardians, including individuals with limited English proficiency, can understand. *[Translated applications are available from the USDA online at <http://www.fns.usda.gov/school-meals/translated-applications> and <http://www.fns.usda.gov/school-meals/family-friendly-application-translations>.]*

A. Distribution of Application Information Sheet.

The application information sheet will be distributed to all parents and guardians at the beginning of each school year and will be available to all students at all times during the school day. The application information sheet will also be provided whenever a new student is registered and enrolled.

Application information sheet will be made available at each school and in the central office. In addition to the school system's own application form, the school system also will accept the English and other translated prototype applications provided by the U.S. Department of Agriculture (USDA) Food and Nutrition Service (FNS).

Completed application forms should be submitted to the child nutrition office in person or via U.S. mail at 5855 Crabtree Rd. Clyde, NC 28721 or via e-mail at smeclure@haywood.k12.nc.us. Application forms submitted to any other school or school system employee will be forwarded to the child nutrition office as soon as practicable. A single application is sufficient for all students within the same household.

A new application must be submitted each school year.

B. Online Application for Free and Reduced Price Meals

The application form and related materials will be available online at www.lunchapplication.com. The online application will require completion of only those questions necessary for determining eligibility, will contain clear instructions for families that are homeless or migrant, and will comply with all other applicable requirements.

C. Public Announcement of Eligibility Criteria

At the beginning of each school year the superintendent or designee, or the North Carolina Department of Public Instruction-School Nutrition Section, in consultation with the director of child nutrition, will send a public release containing the same information provided to parents and guardians, including eligibility criteria, to local media, the local unemployment office, and any major employers in the school system attendance area known to be contemplating large layoffs. A copy of the public release will be made available to any interested person upon request to the director of child nutrition.

II. ELIGIBILITY FOR FREE AND REDUCED PRICE MEALS

A. Determination of Eligibility

Child nutrition officials will determine students' eligibility for free and reduced price meals based on the criteria established by federal and state law and regulation, including the annual Income Eligibility Guidelines issued by the U.S. Department of Agriculture's Food and Nutrition Service, at the beginning of the school year or at any time during the school year when a household submits an application (or through direct certification, as described in subsection B, below).

Child nutrition officials will notify the household of the student's eligibility and the school system will provide the benefits to which the student is entitled within ten (10) operating days of receiving the application.

When a new student transfers into the school system, the school system may accept the eligibility determination from the student's former school system; provided, however, that the school system will make changes to a student's eligibility status as required by law.

B. Direct Certification

As authorized by federal and state law and regulation, participants in other federal or state programs may be directly certified, without further application, for enrollment in the free and reduced price meals program. Direct certification is required for any student who is a member of a household receiving assistance under the Supplemental Nutrition Assistance Program (SNAP). Direct certification also is available for any student who is a member of a household receiving assistance under North Carolina's Temporary Assistance for Needy

Families (TANF) program (also referred to as Work First), as well as for a foster child, homeless child, migrant child, runaway child, or Head Start child, as defined under applicable federal law and regulation.

The school system will provide written notice of eligibility through direct certification as required by law, including notice that no application is required and that the parent or guardian must notify the school system if he or she does not want the student to receive benefits.

C. Duration of Eligibility

Eligibility for free and reduced price meals, whether determined by a household application or through direct certification, will remain in effect for the entire school year and for up to thirty (30) operating days into the subsequent school year, unless otherwise required by law.

Prior to the processing of applications or the completion of direct certification for the current school year, students from households with approved applications or documentation of direct certification on file from the preceding school year will be offered free and reduced price meals and free milk, as appropriate. The school system will extend eligibility to newly enrolled students when other students in their household were approved for benefits the previous year. However, applications and documentation of direct certification from the preceding year will be used only to determine eligibility for the first thirty (30) operating days following the first operating day at the beginning of the school year, or until a new eligibility determination is made in the current school year, whichever comes first.

D. Denial of Eligibility

If the application submitted by a family is incomplete or does not meet the eligibility criteria for free or reduced price meal benefits, child nutrition officials will document and retain the reasons for ineligibility and will retain the denied application. In addition, the child nutrition office will promptly provide written notice of the denied application to the family, including:

1. the reason(s) for the denial of benefits, such as failing to satisfy eligibility criteria or an incomplete application;
2. notice of the right to appeal and instructions on how to appeal; and
3. a statement reminding the parent(s) or guardian(s) that they may reapply for free or reduced price meal benefits at any time during the school year.

III. VERIFICATION OF ELIGIBILITY

A. Verification Requirements and Procedures

No later than November 15 of each year, the director of child nutrition will verify the eligibility of students based on a sample of household applications approved for free and reduced price meals for the school year in accordance with the requirements and procedures established by federal and state law and regulation.

Any household selected for verification and required to submit documents or other information to document eligibility will be notified in writing in accordance with the requirements and procedures established by federal and state law and regulation, including at least one follow-up attempt if the household does not adequately respond to the school system's request.

B. Verification of Applications Selected for Review

Child nutrition officials will review for accuracy each approved application selected for verification to ensure that the initial eligibility determination was correct. The individual reviewing an approved application will not be the same child nutrition official who made the initial eligibility determination in Section II.A, above.

If the initial determination was correct, the child nutrition official will verify the approved application.

If the initial determination was incorrect, the director of child nutrition official will comply with the following requirements, as applicable.

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

C. Adverse Action

If the school system's verification activities fail to confirm a student's eligibility for free or reduced price meal benefits, or if the household fails to cooperate with the school system's verification efforts, the school system will reduce or terminate

the student's benefits, as applicable. The director of child nutrition will send a notice of adverse action to any household that is to receive a reduction or termination of benefits at least ten (10) days prior to the actual reduction or termination.

The notice of adverse action will advise the household of the following:

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

The reasons for ineligibility will be properly documented and retained on file with the school system.

IV. RIGHT TO APPEAL

A. Appeal of Denied Application

A family that wishes to appeal a denied application may appeal in accordance with applicable federal and state law and regulation and board policy (see policy 1740/4010, Student and Parent Grievance Procedure); however, prior to initiating such an appeal, the family may request a conference with the director of child nutrition to discuss the situation, present information, and for the respective parties to obtain an explanation of the data submitted in the application or an explanation of the school system's decision.

B. Appeal of Other Adverse Action

A family may appeal any other decision made by the school system with respect to an application for free and reduced price meals or free milk, including any decision to reduce or terminate benefits during the school year. The appeal and hearing procedures will comply with the applicable requirements of federal and state law and regulation and board policy (see policy 1740/4010, Student and Parent Grievance Procedure). An appeal must be filed within ten (10) days of notification of the adverse decision in order to preserve the student's right to continued benefits while the appeal is pending, as described in subsection C.2, below.

C. Benefits During an Appeal

When a household disagrees with an adverse action which affects its benefits and requests an appeal and hearing as provided in subsections A or B, above, benefits will be continued while the household awaits the hearing and decision, as follows.

1. A household that is denied benefits upon application will not receive benefits.
2. A household that has been approved for benefits and is subject to a reduction or termination of benefits later in the same school year will receive continued benefits if the household appeals the adverse action within ten (10) days of receiving notice of the decision to reduce or terminate benefits.

V. CONFIDENTIALITY AND RECORDKEEPING

A. Confidentiality

All information related to a student's eligibility for and participation in the free and reduced price meal program is strictly confidential and may be disclosed only with parental permission or as otherwise permitted by law.

B. Recordkeeping

Child nutrition officials will maintain documentation substantiating eligibility determinations on file for three (3) years after the date of the fiscal year to which they pertain or as otherwise required by law.

VI. NONDISCRIMINATION

A. Nondiscrimination Statement

In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by the USDA.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the agency (state or local) where they applied for benefits. Individuals who are deaf, hard of hearing, or have speech disabilities may contact the USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: http://www.ascr.usda.gov/complaint_filing_cust.html, and at any USDA office, or write a letter addressed to the USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to the USDA by:

- (1) mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;
- (2) fax: (202) 690-7442; or
- (3) e-mail: program.intake@usda.gov.

This institution is an equal opportunity provider.

B. Other Nondiscrimination Requirements

The school system also will comply with the following nondiscrimination practices for students eligible to receive free and reduced price meals or free milk, as applicable.

1. The names of the students will not be published, posted, or announced in any manner, or used for any purpose other than the National School Lunch and School Breakfast programs, unless otherwise permitted by law.
2. There will be no overt identification of any of the students by the use of special tokens or tickets or by any other means.
3. The students will not be required to work for their meals or milk.
4. The students will not be required to use a separate dining area, go through a separate serving line, enter the dining area through a separate entrance, or consume their meals or milk at a different time.
5. When more than one breakfast, lunch, or type of milk is offered, the students will have the same choice of meals or milk that is available to those students who pay the full price for their meals or milk.

VII. REDUCED PRICE MEAL PRICE

The maximum price charged to students eligible for reduced price meals will be less than the full price of the meal and will not exceed 30 cents (\$0.30) for breakfast and 40 cents (\$0.40) for lunch.

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