

Determining Student Eligibility for Free & Reduced-Price Meals

Quick Reference Guide

Sponsors must provide free and reduced-price meal applications & parent/guardian letter to all households annually*, however they are not required to complete them. The Approving Officer must sign, date, and mark the correct level of benefits on all applications, if manually approved. If using application approval software, the Approving Officer can sign, date, and mark the correct level of benefits on each application or print out, sign, and date a master list of student eligibility.

IMPORTANT: Applications, Direct Certification, Homeless and Migrant documents are strictly confidential.

***Sponsors operating in CEP and special provision non-base years may not distribute the meal benefit application.**

Categorical Eligibility

Direct Certification (DC) When a student's name is on the Maine DC list, they are categorically eligible as 'free'. No F/R application is needed. Keep a copy (electronically or hardcopy) of the DC list.

- Free meal benefits may be extended to all students in the household even if their names are not found on the DC list. Make a notation in your records that indicates the connection to the student(s) listed on the direct certification list.
- The DC list must be downloaded from NEO and checked a minimum of three times each school year. <https://neo.maine.gov/>

SNAP or TANF A student from a household receiving Supplemental Nutrition Assistance Program (SNAP) and/or Temporary Assistance to Needy Families (TANF) is categorically eligible as 'free' when the household submits a F/R application with:

1. Student(s) name(s)
2. A valid SNAP case number, or A valid TANF case number, or Indication the household is participating in FDPIR
3. Signature of an adult household member

Mainecare and EBT card numbers are not acceptable case numbers.

Migrant Student(s) are categorically eligible as 'free' if their name is on a dated list of migrant students submitted by the Maine Migrant Coordinator.

Homeless Student(s) A student is categorically eligible as 'free' if:

1. The district's *Homeless Liaison* submits documentation that the student is homeless (dated roster/email) or
2. The household submits an application indicating a homeless status AND the application is supported by documentation from the *Homeless Liaison* (application cannot be approved without supporting documentation)
3. The *Homeless Liaison* submits an application for the student, or
4. The school principal or homeless shelter director completes an application based on their knowledge of the student's situation.

Foster Child Students placed in foster care by the State are categorically eligible as 'free'. This does not include informal arrangements or arrangements made outside of State or court-based systems. Eligibility for other students in the household must be determined separately and are not automatically eligible as 'free'. Acceptable documentation for a foster child includes direct certification, documentation from the State or Welfare Agency or an application that indicates a child's status as a foster child.

Eligibility Based on Income

A complete free & reduced prices income application must include:

1. Student(s) name(s);
2. Names of all household members;
3. Amount & frequency of gross income for each household member;
4. Total number of household members (must equal number of names listed);
4. Signature of an adult household member; and
5. Last 4 digits of the Social Security number of the adult household member signing the application, or an indication that they do not have a social security number.

Household size and total gross income are compared to the current federal Income Eligibility Guidelines to determine eligibility category.

Income from Wages and Self-Employment Each amount must be listed separately. If there is a business loss, income from wages must not be reduced by the amount of the loss. If income from self-employment is negative, it is listed as zero.

Child's Income The current earnings of a child, regardless of age, or student grade 12 or below who is a full-time or regular part-time employee, must be listed on the application as income. Additionally, children's income from other sources, such as Supplemental Security Income or Social Security, must be listed on the application as income. Infrequent income is not counted.

Foster Child Income If a household where a foster child resides applies for benefits for their non-foster children, the foster child may be included as a household member and any personal income received by the foster child is reportable. The foster child's income can be from a part-time job held by the child, or from any funds provided to the child for the child's personal use.

Zero or No Income Applications that list names of household members but list zero income, leave income fields blank, or have checked the no income box, are eligible for free meal benefits.

Alimony and Child Support Any money received by a household in the form of alimony or child support is considered income.

Military Benefits For non-deployed service members, income includes benefits paid directly to the service member, such as food and clothing allowances. Income also includes housing allowances for households living off-base in the general commercial or private real estate market.

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INCOME CALCULATIONS, INCOMPLETE APPLICATIONS AND ELIGIBILITY NOTIFICATION

Income Conversions: Income with more than one frequency of pay, must be annualized by multiplying:

- Weekly gross income by 52;
- Bi-weekly gross income (received every 2 weeks) by 26;
- Semi-monthly gross income (received twice a month) by 24; or
- Monthly income by gross by 12.

Total all un-rounded values and compare to annual income for household size using the current income eligibility guidelines. *Do not convert annualized income back to monthly amounts.*

Incomplete Applications:

Categorical applications cannot be processed with:

- Invalid or missing SNAP/TANF case numbers
- Missing signature of the adult household member
- Information that is inconsistent or unclear

Income applications cannot be processed with:

- Missing last 4 digits of the Social Security number, and no indication that adult signing the application does not have a Social Security number
- Missing signature of adult submitting application
- Missing total household size
- Inconsistent or unclear income listed

The Approving Officer may contact the household to obtain missing information, except the signature. Document the contact person's name, date and information provided. Incomplete applications may also be returned to the household to complete and re-submit.

Notification of F/R Eligibility Determination

1. Households of eligible students may be notified in person, by telephone, or in writing.

2. Household of Directly Certified students must be notified about free meal benefits. The notification must include:

- The child is eligible for free meal benefits;
- No further application is necessary;
- An explanation of extended eligibility and how to notify the SFA; and
- How to notify the SFA of free meal benefits are not wanted.

3. Households of Migrant students must receive written notification.

4. Households of denied students must receive written notification. The Approving Officer must identify and retain on file the reasons for the denial. Records should include:

- Effective date of the denial
- Date the denial notice is sent to household
- Name of the Approving Officer
- A copy of the denial letter sent to the household

Notification letters can be found on our website: <https://www.maine.gov/doe/schools/nutrition/studenteligibility>

Effective Date of Eligibility Determination

Children are certified as eligible for free or reduced-price meal benefits on the date the household application is approved. However, LEAs may establish the date of submission of an application as the effective date of eligibility instead. For direct certification, the effective date of eligibility for free meals can be the date on the direct certification file first identifying the student as, rather than the date the Approving Officer processes the direct certification file. LEAs using this flexibility must do so consistently for all children in all participating programs.

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TERMS AND DEFINITIONS

Adopted Child – or whom a household has accepted legal responsibility, is considered a member of that household. If the adoption is a *subsidized* adoption, that subsidy is included in total household income

Carryover Eligibility – For up to 30 operating (school) days into the new school year, or until a new eligibility determination is made, whichever comes first, a child’s free or reduced-price eligibility status from the previous year will carryover. When the carryover period ends, the children’s meals must be claimed at the paid rate.

Confidentiality – Section 9(b)(6) of the NSLA, 42 U.S.C.1758(b)(6) and regulations found at 7 CFR Part 245.6 explain the restrictions on the disclosure and use of information obtained from an application for free and reduced-price meals, as well as the criminal penalties for improper release of information. While the law discusses applications specifically, the disclosure requirements also apply to information obtained through the direct certification process

Error-prone – Household income applications that are within \$100/month or \$1,200 per year of Income Guidelines

FDPIR (Food Distribution Program to Indian Reservations) – There is no case number - head of household is maintained on a tribal list.

Foreign Exchange Student – ...is considered to be a member of the household in which he/she resides.

Foster Child – ... is considered a member of the foster parents’ household. Whether placed by the State child welfare agency or a court, in order for a child to be considered categorically eligible for free meals, the state must retain legal custody of the child.

Household – ...is based on economic units. An economic unit is a group of related or unrelated individuals who are not residents of an institution or boarding house but who are living as one economic unit and who share housing and/or significant income and expenses. Generally, individuals residing in the same house are an economic unit. However, more than one economic unit may reside together in the same house. Separate economic units in the same house are characterized by prorating expenses and economic independence from one another.

Households That Fail to Apply/Non-applicant – Local officials may complete an application for student(s) known to be eligible if the household fails to apply. The application must be completed with household size and income information known to the official. The source of information **MUST** be noted. Names of household members, Social Security number and adult signature do not need to be obtained. The household must be notified in writing that the student is receiving Free or Reduced-Price benefits. The household retains the right to refuse benefits. These applications are excluded from verification.

Joint Custody – In cases where joint custody has been awarded and the child physically changes residences, the child is part of the household where he/she resides. In these situations, if both parents apply for benefits for the child, and different eligibility statuses result, the greatest benefit level is used. For example, if the mother’s situation results in eligibility for Free meals but the father’s application is denied, the child would receive Free meals regardless of which parent had custody at the time. The child’s eligibility status is valid for the school year based on the household submitting the application and approved for benefits.

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REQUIRED ELIGIBILITY DOCUMENTATION AND RESOURCES

Required Eligibility Documentation Retain the following records for three years after the end of the fiscal year in which the information is obtained, plus the current operating year (or longer if required by an audit).

1. All Confidential meal applications, including denied applications and inactive applications
2. All Direct Certification documentation. The Direct Certification (DC) files obtained from Maine DOE CNP, must be retained electronically or hard copy
3. Homeless and Migrant eligible students lists
4. All monthly (benefits issuance) roster lists

Resources

Eligibility Manual for School Meals

<https://www.fns.usda.gov/eligibility-manual-school-meals>

Maine DOE CNP Applications and parent/guardian letters are located at:

<https://www.maine.gov/doe/schools/nutrition/studenteligibility>

Application and parent/guardian letters in thirty-three languages are located on the FNS web page at:

<https://www.fns.usda.gov/school-meals/translated-applications>

In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity.

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotape, American Sign Language), should contact the responsible State or local Agency that administers the program or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.

To file a program discrimination complaint, a Complainant should complete a Form AD-3027, *USDA Program Discrimination Complaint Form* which can be obtained online at: <https://www.usda.gov/sites/default/files/documents/USDA-OASCR%20P-Complaint-Form-0508-0002-508-11-28-17Fax2Mail.pdf>, from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to 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; or
- (2) **fax:**
(833) 256-1665 or (202) 690-7442; or
- (3) **email:**
program.intake@usda.gov

This institution is an equal opportunity provider.

(Federal statement updated 5/18/2022)

The Maine Human Rights Act prohibits discrimination because of race, color, sex, sexual orientation, age, physical or mental disability, genetic information, religion, ancestry or national origin.

Complaints of discrimination must be filed at the office of the Maine Human Rights Commission, 51 State House Station, Augusta, Maine 04333-0051. If you wish to file a discrimination complaint electronically, visit the Human Rights Commission website at <https://www.maine.gov/mhrc/file/instructions> and complete an intake questionnaire. Maine is an equal opportunity provider and employer.