

# SY 2023 Eligibility Determination for Free and Reduced-Price Meals Quick Reference Guide

Based on the USDA Eligibility Manual for School Meals June 2017

Sponsors must provide notification of free and reduced-price meal applications & parent/guardian letter to all households annually. The Approving Officer must sign, date, and mark the correct level of benefits on all applications, if manually approved. If using application approval software to track each student's eligibility, 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.**

## **Determining Categorical Eligibility**

A child is categorically eligible for free meal benefits if any member of the household receives benefits under an Assistance Program as documented by Direct Certification, or the child is documented through Other Source Categorical Eligibility.

**Direct Certification (DC)** A Student whose name is on the Maine DC list in NEO is categorically eligible for free meals and no application from the household is needed. When using the DC list to certify a student, make sure to keep a copy of the DC list (electronically or hardcopy).

- Free benefits may be extended to all students in the household even if the other students' 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 a minimum of three times each school year.

**SNAP or TANF** A student from a household receiving Supplemental Nutrition Assistance Program (SNAP) and/or Temporary Assistance to Needy Families (TANF) is Other Source Categorically Eligible for Free meal benefits when the household submits a completed application. **A complete application must include:**

1. Student(s) name(s)
2. a) A valid SNAP case number, **OR**  
b) A valid TANF case number, **OR**  
c) 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)** A migrant student is categorically eligible for Free meal benefits if student's name is on dated list of eligible students submitted by the Maine Migrant Coordinator.

**Homeless Student(s)** A student is categorically eligible for free meal benefits 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 household submits an application based on SNAP, TANF, or income **OR**
4. The *Homeless Liaison* submits an application for the student, **OR**
5. 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 a state child welfare agency or by the court are categorically eligible for Free Benefits. 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 for Free Benefits. 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.

## **Determining Eligibility Based On Income**

Eligibility is determined from a complete, confidential application.

**Households cannot be required to submit a completed meal benefit application.**

**A complete income application must include:**

1. Student(s) name(s);
2. Names of all household members;
3. Amount & frequency of current gross income for each household member;
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 no adult household member has a social security number.

**Note:** The number in the total household size box must match the number of names listed on the application.

**The Approving Officer must compare the household's size and total income to the current federal Income Eligibility Guidelines to determine the correct eligibility category.**

**Income from Wages and Self-Employment** For a household with income from wages and self-employment, each amount must be listed separately. When a household experiences a business loss, income from wages must not be reduced by the amount of the business 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 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 to the receiving household. Money paid by a household in the form of alimony or child support is not excluded as income for that household.

**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.

## INCOME CALCULATIONS, INCOMPLETE APPLICATIONS AND ELIGIBILITY NOTIFICATION

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**Income Conversions:** If there are multiple income sources with more than one frequency, all income must be annualized by multiplying:

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

Add all un-rounded values and compare to annual income for household size. **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 if:

- Missing the 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
- Inconsistent or unclear income listed

The Approving Officer may contact the household to obtain the missing information, except signatures. An adult member of the household must sign the application. Document the contact person's name, date and information provided as part of the conversation. Incomplete applications may also be returned to the household to complete and re-submit.

### **Notification of Eligibility Determination**

**1. Household of eligible students** for Free or Reduced Price benefits 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 LEA of any additional children in the household not listed on the notification; and
- How to notify the LEA 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. The dates and the official's name may be noted directly on the back of the application. Use the denied meal benefits section of the *Household Eligibility Notification* letter. Records should include:

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

**Notification letters can be found on our website:** <https://www.maine.gov/dae/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.

## FREQUENTLY ASKED TERMS AND DEFINITIONS

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**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) an individual child's free or reduced price eligibility status from the previous year will continue within the same LEA. When the carryover period ends, unless the household is notified that their children are directly certified or the household submits an application that is approved, 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 applications within \$100/month of Income Guidelines (\$1,200 per year) used for Standard sample size 3% Error-prone Verification.

**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, i.e., the household hosting the student.

**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. LEAs are no longer required to track residence changes. In these situations, if both parents apply for benefits in the same LEA 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.

## REQUIRED ELIGIBILITY DOCUMENTATION AND RESOURCES

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**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>

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To file a program complaint of discrimination, complete the [USDA Program Discrimination Complaint Form](http://www.ascr.usda.gov/complaint_filing_cust.html), (AD-3027) found online at: [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html), and at any USDA office, or write a letter addressed to 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 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) email: [program.intake@usda.gov](mailto:program.intake@usda.gov).

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