



## POLICY 6.176

- 5-A I recommend that the Board approve development of the proposed new Policy 6.176, entitled "Free and Reduced-Price Meals"

[Contact: Mike Burke, PX 48584 and Allison Monbleau, PX 52021.]

### Development

### CONSENT ITEM

- The following proposed new policy:
  - Establishes guidelines to govern free and reduced price meals as required by the National School Lunch and School Breakfast Programs and the State of Florida
  - Requires the District to make a link to the online applications for free and reduced price meals available on the District's website, and paper copies in schools, prior to the beginning of the school year
  - Authorizes the Director of School Food Services or designee to administer the application process and to determine student eligibility
  - Provides for notification to parents of the approval or denial of an application, right to appeal a determination, appeals procedures, and the designation of a hearing officer
  - Prohibits discrimination in the food service program, including the segregation of students due to inability to pay and the publication of eligible student names
  - Prohibits meals being used to discipline students
  - Outlines responsibilities for the School Food Service Department regarding the free and reduced-price meal program
  - Requires applications and records to be confidential, and permits the superintendent to designate certain employees to use such records for disaggregation of academic data and/or identification of students for certain programs/services

**POLICY 6.176**

**FREE AND REDUCED PRICE MEALS**

**1. Purpose**

The Board recognizes the importance of good nutrition to each student's educational performance, and that some families may be unable to provide breakfast and lunch meals for their children. This policy is to ensure that well-balanced nourishing meals are provided to District students while ensuring the District's compliance with the federal laws and regulations governing the National School Breakfast and Lunch Programs, Fla. Stat. § 570.981 and Florida Department of Agriculture and Consumer Services Rules.

**2. Scope**

This policy applies to all District students whose families qualify for free or reduced price meals in accordance with federal and state laws and regulations.

**3. Definitions**

For the purposes of this policy, the following definitions shall be applicable.

- a. "*Free Meal*" means a meal served under the National School Lunch or School Breakfast Program to a child from a household eligible for such benefits under 7 CFR part 245 and for which neither the child nor any member of the family pays or is required to work.
- b. "*Reduced Price-Meal*" means a meal served under the National School Lunch Program or School Breakfast Program: (a) to a child from a household eligible for such benefits under 7 CFR part 245; (b) for which the price is less than the School Board designated full price of the lunch and which does not exceed the maximum allowable reduced price specified under 7 CFR part 245; and (c) for which neither the child nor any member of the family is required to work.

**4. Policy Statement**

In accordance with law, the District shall provide nutritionally adequate free and reduced price meals to District students whose families meet the applicable federal eligibility criteria. Prior to the beginning of each school year, applications for such free and reduced price meals shall be made available on the District's website and as paper copies in District schools.

42 **5. Administration of the Free and Reduced Price Meal Program**

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44 The School Board authorizes the School Food Service Director, or designee, to  
45 administer the Free and Reduced Price Meal Application Process, including the  
46 responsibility for determining a student's eligibility for the free or reduced price meal  
47 program based on the criteria specified by USDA and Florida Department of  
48 Agriculture and Consumer Services.

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50 The School Food Service Director, or designee, shall notify the Parent/Guardian of  
51 the approval or denial of an application within ten (10) operating days of the receipt  
52 of the application. If the application is denied, Parents/Guardians will be informed of  
53 the reason for denial, the availability of a hearing procedure, and the name and  
54 address of the designated hearing official. Any communication to household for  
55 eligibility determination must be in an understandable format and to the maximum  
56 extent practicable, in a language that Parents/Guardians can understand.

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58 **6. Assurance of Nondiscrimination**

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60 A. No child shall be discriminated against because of his or her race, color,  
61 national origin, sex or sexual orientation, marital status, age, religion,  
62 disability, genetic information, gender identity or expression in the  
63 operation of the District's School Food Service program.
- 64 B. There will be no physical segregation of, or any other discrimination  
65 against, any student because of his or her inability to pay the full price of  
66 the meal. There shall be no overt identification of any such children. The  
67 names of students eligible to receive free or reduced price meals or free  
68 milk shall not be posted, published, or announced in any manner.  
69 Eligible students will not be required to:
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  - 71 1. Use special tokens or tickets, or other means of identification.
  - 72 2. Work for their meals or milk.
  - 73 3. Use a separate dining area.
  - 74 4. Go through a separate serving line.
  - 75 5. Enter the dining area through a separate entrance.
  - 76 6. Eat meals at a different time than students who pay full price.
  - 77 7. Eat a different meal from the meal sold to students who pay full  
78 price.

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80 **7. Denial of Meals**

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82 No student may be denied a meal for disciplinary reasons.

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84 **8. Confidentiality/Release of Records**

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86 All applications and records related to eligibility for free and reduced-price meal  
87 program shall be confidential except as provided by law.  
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89 The School Board, in accordance with U.S. Department of Agriculture (USDA)  
90 regulations, authorizes the Superintendent to designate employees to use individual  
91 records pertaining to student eligibility for any free and reduced-price meal program  
92 for the purposes of:

- 93 a. Disaggregation of academic achievement data.
- 94 b. Identification of students eligible for school choice and supplemental  
95 educational services in any school identified for program improvement  
96 under Title I of the No Child Left Behind Act.

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98 **9. Right to Appeal**  
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- 100 a. *Hearing Officer.* Parents or guardians shall have the right to appeal the  
101 District's decision, on the application for free or reduced price meals, a  
102 subsequent reduction or termination of benefits as a result of review  
103 procedures or verification, and when the District challenges the  
104 correctness of information in an application or the continued eligibility of a  
105 child for a free or reduced price meal benefit or free milk. During the  
106 appeal, hearing and disposition of the case, the student will continue to  
107 receive meals at the meal benefit status in effect prior to the  
108 determination being appealed. The hearing officer for such appeals shall  
109 be the Chief Operating Officer.
- 110 b. *Hearing Procedure.* If the Parent/Guardian is dissatisfied with the  
111 decision of the approving official, he/she may wish to discuss the decision  
112 with the approving official on an informal or formal basis. If the parent  
113 wishes to make a formal appeal, he/she may make a request either orally or  
114 in writing to hearing official: Chief Operations Officer, 3340 Forest Hill Blvd,  
115 West Palm Beach, FL 33406-5813, (561) 434-8454, for a hearing to appeal  
116 the decision.

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- 118 i. A Parent/Guardian shall have an opportunity to examine, before  
119 and during the hearing, the documents and records presented to  
120 support the decision appealed. The hearing shall be held with  
121 reasonable promptness and convenience to the Parent/Guardian,  
122 and adequate notice shall be given as to the time and place of the  
123 hearing. The Parent/Guardian or hi/her attorney or designated  
124 representative shall have an opportunity to present verbal or  
125 documentary evidence and arguments supporting his/her position,  
126 an opportunity to question or refute any testimony or other  
127 evidence, and to confront and cross-examine any adverse  
128 witness(es).

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- ii. The Chief Operating Officer's ruling shall be based on the verbal and documentary evidence presented at the hearing. The Parent/Guardian and attorney or designated representative, if any, shall be notified in writing of the ruling by the Chief Operating Officer.
  - iii. A written record shall be prepared with respect to each hearing, which shall include: the decision under appeal; any documentary evidence and a summary of any oral testimony presented at the hearing; the decision of the hearing officer, including the reasons therefore; and a copy of the notification to the parties concerned of the decision of the hearing official. The written record of each hearing shall be preserved for a period of three years beyond the current year and shall be available for examination by the Parent/Guardian, attorney or a representative at any reasonable time and place during such period.
  - iv. The Chief Operating Officer's ruling is final.

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## **10. Responsibilities of School Food Service**

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### **A. Palm Beach County School Food Service will:**

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- 1. Communicate to all households in Palm Beach County with registered students the availability of free or reduced price meals and the application process. Applications are available on-line at [www.palmbeachschools.org/sfs](http://www.palmbeachschools.org/sfs). Application form for free or reduced price meals will be reviewed based on the prototypes and directions provided by Florida Department of Agriculture and Consumer Services.
  - 2. Make free and reduced price meals available to eligible enrolled children whose household's income falls within the federally regulated income guidelines or who qualify based on federal direct certification requirements.
  - 3. Ensure that there is no overt identification of any child's meal status.
  - 4. Establish and follow a collection procedure that will not overtly identify those students receiving free or reduced-priced meals. Refer to Policy 6.185(School Food Service Management).
  - 5. Maintain applications and direct certification letters for five (5) years plus the current year after the end of the year in which they pertain.
  - 6. Accept applications at any time during the year. Any parent/guardian enrolling a child in a school for the first time will be supplied with a family application or a link to an electronic application.

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7. Ensure that if a child transfers from one school to another within the District, his/her status eligibility for a free or reduced price meal will remain the same.
  8. Ensure that children will be served meals immediately upon the establishment of their eligibility.
  9. Conduct verification annually of approved applications for free and reduced price meals as required by the Florida Department of Agriculture and Consumer Services (FLDACS) and USDA.

185 STATUTORY AUTHORITY: Fla. Stat. §§ 1001.42(16), Ch. 595, Fla. Stat.

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187 LAWS IMPLEMENTED: Fla. Stat. Ch. 595; 42 USC Chapters 13 and 13A *et seq.*  
188 (Richard B. Russell National School Lunch Act; Child  
189 Nutrition Act of 1966), Healthy, Hunger Free Kids Act of  
190 2010 (Public Law 11-296); 7 CFR Parts 210, 220, 225-227,  
191 235, 240, 245, 247, 250 and 252

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193 FL. DEPARTMENT OF AGRICULTURE

194 AND CONSUMER SERVICES RULES: Rules 5P-1.001; 5P-1.002; 5P-1.003, F. A.C.

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196 History: New: \_\_\_ / \_\_\_ /2015.

Legal Signoff:

The Legal Department has reviewed proposed new Policy 6.176 and finds it legally sufficient for development by the Board.



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Attorney



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Date