



POLICY 6.186

5-C I recommend the Board approve development of the proposed new Policy 6.186, entitled "Free and Reduced Price Meals."

[Contact: Mike Burke, PX 48584 and Steve Bonino, PX 52000.]

Development

CONSENT ITEM

- This proposed new policy establishes guidelines to govern free and reduced price meals as required by the National School Breakfast and Lunch Programs and the State of Florida.
- Definitions are provided for free and reduced priced meals in Sec. 3.
- The proposed policy:
 - Requires the District to make 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. See Sec. 3.
 - Authorizes the Director of School Food Services or designee to administer the application process and to determine student eligibility. See Sec. 5.
 - Provides for notification to parents of the approval or denial of an application, rights to appeal a determination, appeal procedures, and the designation of a hearing officer. See Sec.5 and 9.
 - Prohibits discrimination in the food service program, including the segregation of students due to inability to pay and publication of eligible student names. See Sec.6.
 - Prohibits meals being used to discipline students. See Sec.7.
 - Outlines responsibilities for School Food Service regarding the free and reduced priced 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. See Sec. 8.

POLICY 6.186

FREE AND REDUCED PRICE MEALS

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3 1. **Purpose**
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5 The Board recognizes the importance of good nutrition to each student's
6 educational performance, and that some families may be unable to provide
7 breakfast and lunch meals for their children. This policy is to ensure that well-
8 balanced, nourishing meals are provided to District students while ensuring the
9 District's compliance with the federal laws and regulations governing the National
10 School Breakfast and Lunch Programs, Fla. Stat. § 570.981 and Florida
11 Department of Agriculture and Consumer Services Rules.
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13 2. **Scope**
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15 This policy applies to all District students whose families qualify for free or reduced
16 price meals in accordance with federal and state laws and regulations.
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18 3. **Definitions**
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20 For the purposes of this policy, the following definitions shall be applicable.
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- 22 a. "Free Meal" means a meal served under the National School Lunch or School
23 Breakfast Program to a child from a household eligible for such benefits under
24 7 CFR part 245 and for which neither the child nor any member of the
25 household pays or is required to work.
26 b. "Reduced Price Meal" means a meal served under the National School Lunch
27 Program or School Breakfast Program: (a) to a child from a household eligible
28 for such benefits under 7 CFR part 245; (b) for which the price is less than the
29 School Board designated full price of the lunch and which does not exceed the
30 maximum allowable reduced price specified under 7 CFR part 245; and (c) for
31 which neither the child nor any member of the household is required to work.
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33 4. **Policy Statement**
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35 In accordance with law, the District shall provide nutritionally adequate free and
36 reduced price meals to District students whose families meet the applicable federal
37 eligibility criteria. Prior to the beginning of each school year, applications for such
38 free and reduced price meals shall be made available on the District's website and
39 as paper copies in District schools.
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43 5. **Administration of the Free and Reduced Price Meal Program**

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

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51 The School Food Service Director or designee shall notify the parent/guardian of
52 the approval or denial of an application within ten (10) operating days of the receipt
53 of the application. If the application is denied, parents/ guardians will be informed
54 of the reason for denial, the availability of a hearing procedure to address a denial,
55 and the name and address of the designated hearing official.

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57 6. **Assurance of Nondiscrimination**

58 a. No child shall be discriminated against because of his or her race, color,
59 national origin, sex or sexual orientation, marital status, age, religion, disability,
60 genetic information, gender identity or expression in the operation of the
61 District's School Food Service program.

62 b. There will be no physical segregation of, or any other discrimination against,
63 any student because of his or her inability to pay the full price of the meal.
64 There shall be no overt identification of any such children. The names of
65 students eligible to receive free or reduced price meals or free milk shall not
66 be posted, published, or announced in any manner. Eligible students will not
67 be required to:

68 i. use special tokens or tickets, or other means of identification;

69 ii. work for their meals or milk;

70 iii. use a separate dining area;

71 iv. go through a separate serving line;

72 v. enter the dining area through a separate entrance;

73 vi. eat meals at a different time than students who pay full price; and/or

74 vii. eat a different meal from the meal sold to students who pay full price.

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76 7. **Denial of Meals**

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78 By law and regulations, no student may be denied a meal for disciplinary reasons.

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

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82 All applications and records related to eligibility for free and reduced price meal
83 program shall be confidential except as provided by law.

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85 The Board, in accordance with U.S. Department of Agriculture (USDA) regulations,
86 authorizes the superintendent to designate employees to use individual

87 records pertaining to student eligibility for any free and reduced price meal
88 program for the purposes of:

- 89 a. disaggregation of academic achievement data and
90 b. identification of students eligible for school choice and supplemental
91 educational services in any school identified for program improvement under
92 Title I of the No Child Left Behind Act.

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94 **9. Right to Appeal**

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96 a. Hearing Officer. Parents or guardians shall have the right to appeal the
97 District's decision on the application for free or reduced price meals, a
98 subsequent reduction or termination of benefits as a result of review
99 procedures or verification, and when the District challenges the correctness of
100 information in an application or the continued eligibility of a child for a free or
101 reduced price meal benefit or free milk. During the appeal, hearing and
102 disposition of the case, the student will continue to receive free or reduced
103 price meals. The hearing officer for such appeals shall be the Chief
104 Operating Officer.
- 105 b. Hearing Procedure. If the parent/guardian is dissatisfied with the ruling of
106 the approving official, he/she may wish to discuss the decision with the
107 approving official on an informal or formal basis. If the parent wishes to make a
108 formal appeal, he/she may make a request either orally or in writing to hearing
109 official: Chief Operations Officer, 3340 Forest Hill Blvd, West Palm Beach, FL
110 33406-5813, (561) 434-8454, for a hearing to appeal the decision.
- 111 i. A parent/guardian shall have an opportunity to examine, before and
112 during the hearing, the documents and records presented to support the
113 decision appealed. The hearing shall be held with reasonable promptness
114 and convenience to the parent/guardian, and adequate notice shall be
115 given as to the time and place of the hearing. The parent/guardian shall
116 have an opportunity to present verbal or documentary evidence and
117 arguments supporting his/her position and an opportunity to question or
118 refute any testimony or other evidence and to confront and cross-examine
119 any adverse witness(es).
- 120 ii. The hearing official's decision shall be based on the verbal and
121 documentary evidence presented at the hearing. The parent/guardian and
122 designated representative, if any, shall be notified in writing of the
123 decision.
- 124 iii. A written record shall be prepared with respect to each hearing, which
125 shall include: the decision under appeal; any documentary evidence and
126 a summary of any oral testimony presented at the hearing; the decision of
127 the hearing officer, including the reasons therefore; and a copy of the
128 notification to the parties concerned of the decision of the hearing official.
129 The written record of each hearing shall be preserved for a period of three
130 years beyond the current year and shall be available for examination by

131 the parent/guardian or a representative at any reasonable time and place
132 during such period.
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134 **10. Responsibilities of School Food Service**
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136 Palm Beach County School Food Service will:

- 137 a. Communicate to all households in Palm Beach County with registered
138 students the availability of free or reduced price meals and the application
139 process. Applications are available on-line at
140 www.palmbeachschools.org/sfs. Application form for free or reduced
141 price meals will be reviewed based on the prototypes and directions
142 provided by Florida Department of Agriculture and Consumer Services.
143 b. Make free and reduced price meals available to eligible enrolled children
144 whose household's income falls within the federally regulated income
145 guidelines or who qualify based on federal direct certification requirements.
146 c. Ensure that there is no overt identification of any child's meal status.
147 d. Establish and follow a collection procedure that will not overtly identify those
148 students receiving free or reduced-priced meals. Refer to Policy
149 6.185(School Food Service Management).
150 e. Maintain applications and direct certification letters for five (5) years plus
151 the current year after the end of the year in which they pertain.
152 f. Accept applications at any time during the year. Any parent/guardian
153 enrolling a child in a school for the first time will be supplied with a family
154 application or a link to an electronic application.
155 g. Ensure that if a child transfers from one school to another within the
156 District, his/her status eligibility for a free or reduced price meal will remain
157 the same.
158 h. Immediately serve meals to children upon the establishment of their
159 eligibility.
160 i. Conduct verification annually of approved applications for free and reduced
161 price meals as required by the Florida Department of Agriculture and
162 Consumer Services (FLDACS) and USDA.
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165 Statutory Authority: Fla. Stat. §§ 1001.41; 1001.42(26); 570.981

166 Laws Implemented: Fla. Stat. § 570.981; 42 USC § 1758; 42 USC § 1773; 7 CFR §
167 210.10 (School Lunch Program Regulations); 7 CFR § 220.8 (School Breakfast
168 Program Regulations); 7 CFR Part 245 (Free and Reduced Price Meals)

169 Florida Department of Agriculture and Consumer Services Rule: Rule 5P-1.003;
170 5P-1.004

171 History: New: _____/2013
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173 **Cross References:** Board Policy **6.185** (School Food Service Management Policy)
174 Board Policy **6.14** (Purchasing Department)

Legal Signoff:

The Legal Department has reviewed proposed Policy 6.186 and finds it legally sufficient for development by the Board.



Attorney



Date