

FREE AND REDUCED PRICE MEALS

FILE: EFC

TITLE: Free and Reduced Price Meal Eligibility

POLICY:

The School Board of Orange County, Florida ("Board") has established the following free and reduced price meal policy with respect to determining the eligibility of and providing service to children in attendance.

- (1) Free or reduced price meals shall be served to all children who are determined to be unable to pay the full price of meals.
- (2) The Income Eligibility Guidelines for free or reduced price meals shall be in accordance with the scale provided by the United States Department of Agriculture ("USDA") each school year.
- (3) Eligibility standards shall be applicable to all schools under the jurisdiction of the Board. They shall provide that all children from a family meeting the eligibility standards and attending any school under the jurisdiction of the Board shall be provided the same benefits.
- (4) Definitions
 - (a) "Free meal" means meals that are served to students eligible for the meal at no charge according to USDA income guidelines, or is enrolled in a school with a USDA program which does not charge for the meals.
 - (b) "Reduced Meal" means a meal is priced below the full price of the meal according to the USDA income guidelines.
 - (c) "Meal" means a federally-reimbursed breakfast, lunch, snack, or supper when provided. The meal will follow the USDA required components and nutrients, and will also be in accordance with the Board's district menu.
 - (d) "Non-funded meal" is a meal that is provided to a student without funds in their food service account, does not qualify for a meal at no charge, and does not have funds to pay for the meal. The meal service and menu will be the same as served to all other students at the school.
- (5) The responsibility for making determinations of the eligibility of a family for free or reduced price meals for its children is hereby delegated to the Food and Nutrition Service ("FNS") program.
- (6) The FNS program will determine the most efficient and effective methods to determine student eligibility in accordance with USDA regulations and the following methods:
 - (a) The Direct Certification supplied by the Florida Department of Families and Children and the Florida Department of Agriculture will be matched to students enrolled in Orange County Public Schools ("OCPS") starting July 1 and continue throughout the school year.
 - (b) The number of students directly certified for federal benefits and free and reduced applications will be used to qualify schools for USDA programs that encourage participation in the meals program.

- (c) Meal applications shall be completed and signed by an adult member of the family household. Applications may also be completed online and automatically sent to the Free and Reduced Meal Program Office. A family may file an application any time during the school year.
 - (d) The information requested shall be limited to that needed to demonstrate that the family meet the criteria in the school's approved eligibility standards and will be in accordance with the guidelines issued by the USDA.
 - (e) The application shall be approved by the Florida Department of Agriculture and contain clear instructions with respect to the submission of the completed application to the official designated to make eligibility determinations.
- (7) The verification process using either a focused or a random sample shall be completed by the FNS program with a date set by the USDA each school year.
 - (8) The Superintendent or designee shall publicly announce the standards for determining the eligibility of children for free and reduced price meals. The public announcement shall be made by a public press release containing the same information supplied to the parents. The information shall be made available to the informational media, unemployment offices, and any major employers who are contemplating layoffs in the area from which the school draws attendance before the beginning of each school year and whenever there is a change in the policy. A copy of this press release may be obtained by any interested party at the Office of the Superintendent.
 - (9) Any changes or amendments in the eligibility standards during the school year which have been approved by the Florida Department of Agriculture shall be publicly announced in the same manner as the original standards were announced pursuant to subsection (8) herein.
 - (10) All students will receive a meal regardless of the available funds in their FNS account. Students without eligibility for free meals and who have no balance in their FNS account will receive the full reimbursable meal in the same service style as designated by school and grade. The school-based FNS program will set the procedures for notifications to families for payment of meals. The nonpayment of meals and procedures for collecting the funds will be published by the OCPS FNS webpage and communicated to parents at each applicable school. FNS and Teaching and Learning will address action and develop support for negative balances resulting from students eating meals without funds.
 - (11) Summer meals are served at no charge in designated schools pursuant to USDA procedures. All eligible students will be served in designated schools identified by FNS.

SPECIFIC AUTHORITY:

Sections 595.404; 595.405; 595.407; 1001.42; 1001.51;
1001.52; 1001.54; 1012.28, Florida Statutes

Rules 5P-1.001; 5P-1.003; 5P-1.004, Florida Administrative
Code

TITLE: Hearing Procedure to Appeal Eligibility Determination

POLICY:

- (1) Parents or legal guardians may request a hearing whenever they desire to appeal the

decision of their eligibility determination for meal benefits. The request must be made either orally or in writing to the Food and Nutrition Service (“FNS”) Director or designee.

- (2) While the challenge is pending, the child shall continue to receive the free or reduced price meal for which originally determined to be eligible based on the information supplied in the application.
- (3) The hearing shall be held within a month after the appeal is made and the family shall be given a two week notice as to the time and place of the hearing. The family shall be consulted as to a mutually convenient time and place for such a hearing to be held.
- (4) The hearing procedure as outlined by the United States Department of Agriculture in 7 C.F.R. Part 245 is as follows:
 - (a) The public notification for the right to appeal an eligibility decision is announced in the eligibility application that is distributed at the beginning of the school year;
 - (b) Families may be assisted or represented by an attorney or other person;
 - (c) Families and the hearing official must have an opportunity to examine, prior to and during the hearing, any documents and records presented to support the decision under appeal;
 - (d) The family will be given an opportunity to present oral or documentary evidence and arguments supporting their position;
 - (e) The family will be given the opportunity to question or refute any testimony or other evidence and to confront and cross-examine any adverse witnesses;
 - (f) The hearing shall be conducted and the decision made by a hearing official who is a Board employee and who did not participate in making the decision under appeal;
 - (g) The decision of the hearing official shall be based on the oral and documentary evidence presented at the hearing and made a part of the hearing record;
 - (h) The family and any designated representative will be notified in writing of the decision made by the hearing official; and
 - (i) A written record of the hearing will be made and will include the following:
 - (i) The decision under appeal;
 - (ii) Any documentary evidence and a summary of any oral testimony presented at the hearing;
 - (iii) The decision of the hearing official, including reasons for the decision; and
 - (iv) A copy of the notification to the family of the decision of the hearing official.

SPECIFIC AUTHORITY: 7 C.F.R. Part 245

TITLE: Procedure for Collecting Payments and Other Nondiscrimination Practices

POLICY:

The School Board of Orange County, Florida ("Board") shall establish procedures for collecting meal payments from children in a manner which protects the anonymity of children receiving free and reduced price meals.

The Superintendent shall take action necessary to ensure that the names of children eligible to receive free or reduced price meals shall not be published, posted or announced in any manner and that there shall be no overt identification of any such children by the use of special tokens, tickets or by any other means. Children eligible for a free or reduced price meal will have access to all meals.

SPECIFIC AUTHORITY: Sections 595.405; 595.407; 1001.42; 1001.51; 1001.52;
1001.54; 1012.28, Florida Statutes

Rules 5P-1.001; 5P-1.003; 5P-1.004, Florida
Administrative Code

ADOPTED: 10/12/93

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