

## Introduction

ODE Child Nutrition Program (CNP) has developed this Eligibility Toolkit to support School Food Authorities (SFA's) in making eligibility determinations as well as provide clear and easy access to available resources.

**Important:** Determining student eligibility is a critical process in administering federal nutrition programs. Please take time to familiarize yourself with the provided resources and reach out to your [assigned Child Nutrition Specialist](#) with questions.

## Community Eligibility Provision

SFA's that operate the Community Eligibility Provision (CEP) for some sites, but are not operating district wide CEP must follow the eligibility guidelines described for all sites not operating under CEP. The information in this document does not apply to SFA's operating district wide CEP.

The following topics will be covered in this toolkit:

[Eligibility Officials and Hearing Officials](#)

[Household Applications for Federal Free and Reduced Price Meals](#)

[Household Application for Oregon Expanded Income Guidelines](#)

[Direct Certification](#)

[Verification](#)

[Confidentiality and Disclosure of Free and Reduced Information](#)

## Eligibility Officials and Hearing Official

### Overview

SFA's must identify the individuals serving as the Eligibility Official as well as the Hearing Official. The same person may not fill these two roles.

- **Eligibility Official**- This role is also referred to as "Determining Official" in the *USDA Eligibility Manual for School Meals*. This is the person designated by the SFA as the official responsible for determining children's eligibility for free and reduced price meals.
- **Hearing Official**- SFAs must have an appeal process to address households wishing to appeal the denial of their benefits. The hearing must be conducted and the decision made by a hearing official who did not participate in making the decision under appeal.

## Household Applications for Free and Reduced Price Meals

Applicable to private schools in Oregon, Afterschool Snack or the Special Milk Program

### Overview

All SFAs participating in the National School Lunch Program (NSLP) and/or School Breakfast Program (SBP) must make free and reduced-price meals available to eligible students. SFAs must make applications available to all students.

### Requirements

- ✓ Around the start of the school year, the public must be notified that free and reduced price meals and/or free milk are available. SFA's may use the current school year Public Release from ODE to meet this requirement.
- ✓ SFAs must distribute [parent notification letters](#), [meal applications](#) (with [instructions](#)) to parents of all children at or about the beginning of the school year.
- ✓ Any communication with households concerning eligibility determination must be in a language that can be understood by the household. USDA has [language translations](#) of the Prototype Application for Free and Reduced Price School Meals, parent notification letter, and application instructions available.
- ✓ SFAs must have a system in place to identify language needs of households. USDA has the ["I Speak"](#) resource document to help identify the primary language of non-English speakers.

### Processing Applications: Resources and Tips

- Use the most current version of the [USDA Eligibility Manual for School Meals](#) as a guiding document.
- The [ODE CNP Online Application for Free and Reduced Meals](#) is available for all SFAs to use at no charge. Instructions on how to download applications from the portal are available [here](#). Postcards that can be sent to households promoting the Online Free and Reduced Application are available in [English](#) and [Spanish](#).
- SFAs must process applications within 10 operating days of receipt.
- Date stamp applications when received to demonstrate processing time (best practice).
- Effective date of eligibility can be the date the application was submitted or the date the application was approved. If using the date the application was submitted, the LEA must notify the Oregon Department of Education Child Nutrition Programs ODE CNP prior to implementation using the form provided in CNPweb on the Packet tab.
- Additionally, all programs must have a method to document and track dates.
- Eligibility is carried over from the previous school year for 30 operating days or until a new eligibility determination is made, whichever is earlier.
- All applications must be retained for three years after the end of the school year.

### Approving Applications

- Applications are approved by Categorical Eligibility or Income Eligibility:
  - **Categorical Eligibility**

- A household member providing an Assistance Program case number (SNAP / TANF / FDPIR) determines eligibility.
  - Households must name the source of the case number.
  - If the supplied case number is not consistent with Oregon assistance program numbers, as listed in the following bullets, the SFA should contact the household or assistance program agency to confirm eligibility
  - Valid case number formats include:
    1. Social security numbers containing 9 numeric characters
    2. SNAP:
      - i. 8 character format: 2 letters, 3 numbers, 1 letter, 1 number, 1 letter
      - ii. 9 character format: The letter F followed by 8 numeric characters
      - iii. 9 character format: Starts with the number 4 followed by 8 numeric characters
    3. TANF: A mix of 6 alpha numeric characters, example: AB1234, or ABC123
  - Categorical Eligibility extends to all household members for SNAP/ TANF/FDPIR (no eligibility extension for foster children / migrant/ homeless / Head Start).
  - For SNAP notification letters and SNAP case numbers provided on an application, the SFA should compare the application or letter with the Direct Certification list. If found on the Direct Certification list, the application is disregarded and the household is directly certified
- **Income Eligibility**
- Income Application must include:
- Names of ALL household members
  - Last four digits of the Social Security Number of the adult who signs the application or indication of no Social Security Number
  - Current amount of income for each household member
  - When no income is provided, the application is still considered complete with zero income
  - Convert to annual income when there is more than one pay frequency (Weekly x 52; every two weeks x 26; twice a month x 24; monthly x 12) See Income Conversions page p 61 of the [USDA Eligibility Manual](#)
  - Use most current [Federal Income Guidelines](#)
  - [ODE Processing Federal Income Applications Guidelines](#)

#### Household Notification

- Households must be notified of their eligibility status. The [USDA Prototype Family Notification Letters Template](#) is available for SFAs to use.
- USDA has [language translations](#) of the Prototype Family Notification Letters Template

- The “Hearing Official” is the individual responsible for reviewing and making a determination regarding an appeal to benefit determination.
- The hearing official cannot be the same person as the Determining Official.
- Household notification letters should include the name and contact information of the Hearing Official.
- Households approved for free or reduced price meals may be notified in writing or verbally (including directly certified students).
- Households denied benefits must be provided **written** notification, including:
  - Reason for denial of benefits
  - Right to appeal / Instructions on how to appeal
  - Statement that the family may re-apply anytime during the school year

## Household Applications for Oregon Expanded Income Guidelines

### Overview

The Oregon Expanded Income Guidelines (EIG) is an Oregon funded school meal provision program. The program provides a supplemental reimbursement to the federal paid reimbursement amount for meals provided at no charge to students who qualify under Oregon EIG guidelines, but who do not qualify for free or reduced meals under federal income guidelines. Oregon EIG is mandatory for Oregon public schools that are not participating in CEP.

- SFAs may use the [Oregon Household Application for Free and Reduced Price School Meals](#) or [online Household Application for Free and Reduced Price School Meals](#) provided by the Oregon Department of Education (ODE) or eligibility software providers.
- In addition to the meeting the federal notification requirements, SFAs may distribute the [Oregon EIG Parent FAQ about Free and Reduced Price Meals](#) with applications.
- SFA’s will first determine student eligibility for free, reduced price, or paid categories using the [Federal Income Guidelines](#) and issue the Federal Notice to Household of Approval/Denial of Benefits. See [Topic: Processing Applications for Federal Free and Reduced Price Meals](#)
- SFA’s will then determine if applications in the federal paid/denied category are eligible for Oregon EIG, by referring to the [Oregon Expanded Income Guidelines](#).
- The [Application Processing Guidance for Oregon Expanded Income Guidelines](#) is a helpful resource to aid Eligibility Officials in making eligibility determinations of Oregon EIG benefits.
- SFA’s must issue the [EIG approval letter](#) if applicable, in addition to the Federal Notice of Denial of Benefits.
- The Oregon EIG section of the [ODE SNP Meal Access and Reimbursement webpage](#) has foreign language translations of the Oregon EIG Application and Oregon EIG Household Approval letters available in Arabic, Chinese, Russian, Somali, Spanish and Vietnamese.

## Direct Certification

### Overview

Direct certification is the process SFAs use to certify categorically eligible children for free meals without further application.

### Requirements

- ✓ SFAs must directly certify children who are members of households receiving benefits from the Supplemental Nutrition Assistance Program (SNAP).
- ✓ Direct certification must be performed three times per year (beginning of the school year, three months after initial, and six months after initial). This requirement applies to schools operating standard counting and claiming as well schools participating in Provision 2 for breakfast or lunch, but not both.
- ✓ CEP schools and schools participating in Provision 2 serving breakfast and lunch are required to conduct direct certification at least once per school year.
- ✓ Best practice is to conduct direct certification frequently; at a minimum of monthly during the school year.

### Direct Certification Data System

ODE CNP has an electronic data-match system to produce a direct certification list. SFAs can use this list to “directly certify” students without further application. The Direct Certification file combines Secure Student Identifier (SSID) records that school districts submit to ODE with SNAP participation and foster care records from the Oregon Department of Human Services. These records are used to certify students for free meals at participating schools.

Schools and school districts may retrieve these records by using the weekly [download](#), or the [Membership List Upload](#).

### Process

- Perform direct certification at required intervals or more frequently.
- Extend free meal eligibility to all students in a household where any household member received assistance program benefits.
- Notify households of their eligibility:
  - Notification may be in writing or verbal.
  - Email notification is allowed if the SFA has an email address for a parent or guardian listed on the direct certification download.
  - Notification should only be send to the guardian/parent name and address listed on the direct cert download.

### Direct Certification System Access

- Public schools- Contact your [System Administrator](#) to gain access to the direct certification system.
- Private schools- Email [ode.schoolnutrition@ode.oregon.gov](mailto:ode.schoolnutrition@ode.oregon.gov)

## Direct Certification using Medicaid Data Demonstration Project (Coming Soon)

ODE Child Nutrition Programs (CNP) is participating in a demonstration project in collaboration with the U.S. Department of Agriculture and Oregon Health Authority (OHA) to directly certify students receiving Medicaid benefits for school meal benefits. Income information from Medicaid eligibility will be used to identify households that meet the income threshold for free or reduced price meal benefits.

Direct Cert-Medicaid (DC-M) data will be available in the Direct Certification System and will use a similar process as direct certification for SNAP and Foster Child Certification.

## Verification

### Overview

Verification is the annual, mandatory process that confirms the eligibility of a sample of completed household meal eligibility applications in the National School Lunch and School Breakfast Programs. Each SFA must select and verify a sample of applications approved for free and reduced-price meal benefits. The required sample size of applications to be verified is based on the number of approved applications on file on October 1.

### Requirements

- ✓ SFAs must annually verify eligibility of children from a sample of household applications submitted prior to October 1 that were approved for free and reduced price meal benefits.
- ✓ SFAs must complete the annual verification process by November 15.

Annually submit the Verification Summary Report to ODE CNP by February 1.

### Process

#### Step 1.

The first step in the verification process is establishing the sample pool. The sample pool uses the total number of approved applications on file as of October 1 of the current school year.

#### Step 2

- Once the total number of subject applications (Sample Pool) has been determined, you must then determine your sample size based on the method of verification. The sample size may not be increased beyond the required number of applications according to the method below.

There are three methods:

- Standard (3% error prone method)
- Alternate one
- Alternate two

**ODE CNP will notify SFA's of which method must be used on an annual basis.**

### **Step 3.**

There are two procedures the SFA must complete prior to contacting the household to obtain documentation of eligibility. The required confirmation reviews and the optional replacement of certain applications.

- Confirmation Review:
  - Prior to any other verification activity, a determining official must review each approved application selected for verification to ensure the initial determination was accurate.
- Optional Replacement of Selected Applications:
  - When the need arises, a SFA may replace, on a case-by-case basis, up to five percent of the applications selected for verification.

### **Step 4**

Begin verification of applications by checking for direct verification. Note: Direct verification is different from direct certification.

- Direct verification involves using records from public agencies to verify household income or household participation in an eligible program
- Direct verification can be done by accessing a list of Medicaid recipients that ODE CNP posts annually during the verification time period. This data is found in the [ODE CNP Direct Certification webpage](#) and can be used to verify income or program participation.
- If direct verification is completed and income is verified, the household does not need to be contacted.

### **Step 5**

When a household is selected for verification, the SFA must inform the household, in writing, of its selection and must provide a list of the documents or other forms of evidence the household must submit to the SFA. The ODE [Notice of Verification Selection Letter](#) can be used. This letter is available in several different languages on the ODE Verification Website.

### **Step 6**

The SFA must make at least one attempt to contact the household when the household does not adequately respond to the request for verification.

### **Step 7**

When a household submits the required documents, the SFA must review the submitted documents to ensure they adequately address the verification request.

### **Step 8**

SFA's must conclude the verification process with the selected households and notify them of the outcome by **November 15** of each year. The ODE [Notice of Adverse Action: Changing Meal Benefits](#) and the [Notice of Adverse Action: Not Responding to Verification](#) can be used. These letters are available in several different languages on the ODE Verification Website.

## Step 9

The SFA has completed the entire process once the verification summary report, FNS-742, has been submitted to the state agency. This report is due annually by February 1. While ODE does not accept paper or electronic copies of the [FNS-742 Form](#), the paper form and instructions can be a helpful tool for SFA's in preparing the FNS-742 report submission.

[Verification At a Glance](#) provides a summary of the Verification process and requirements.

### Verification for Cause

Apart from the required verification of a specified number of approved applications, SFAs are required to verify any questionable application. Eligibility officials are encouraged to contact the household to clarify any information that is unclear or questionable before certifying the application and proceeding with verification for cause.

## Confidentiality and Disclosure of Free and Reduced Eligibility

### Overview

The information provided by families on the confidential free and reduced price application can be used only for determining eligibility for meal or milk benefits and verification of eligibility. SFAs must take measures to ensure a student's eligibility status is not disclosed.

### Key Points

- Disclosure means revealing or using individual children's program eligibility information obtained through the eligibility process for a purpose other than the purpose for which the information was obtained.
- The National School Lunch Act (NSLA) establishes the disclosure limits for the Child Nutrition Programs. School Food Authorities may disclose, in limited situations, children's free and reduced price meal eligibility information to programs, activities, and individuals, as specifically authorized under the NSLA.
- The SFA must seek written consent from the parent or guardian to use the information provided on the application for non-Program purposes or for purposes specifically mentioned in the Eligibility for School Meals manual. Consent must be obtained each school year and consent forms cannot be extended from one school year to the next.
- Disclosure of individual Free and Reduced information to any program should be have a signed [USDA Confidentiality Disclosure Agreement](#) in place.

[The Participant Confidentiality Disclosure Quick Reference](#) guides SFA's through the disclosure process.

### Overt Identification

Overt identification is any action that may result in a child being recognized as potentially eligible for or certified free or reduced price school meals. School Food Authorities must avoid



any policy or practice leading to the overt identification of children receiving free or reduced price meal benefits.

School Food Authorities must ensure that a child's eligibility status is not disclosed at any point in the process of providing free and reduced price meals, including:

- Notification of the availability of free and reduced price benefits
- Certification and notification of eligibility
- Provision of meals in the cafeteria or at the point of service

Helpful Resources:

- ✓ [Eligibility Manual for School Meals](#)
- ✓ [ODE Eligibility 101 Training](#)
- ✓ [ODE SNP Meal Access and Reimbursement webpage](#)
- ✓ [ODE SNP Direct Certification webpage](#)

Regulatory Reference:

- ✓ [7 CFR 245](#)
- ✓ [7 CFR 210.18\(g\)\(1\)\(i\)](#)
- ✓ [Oregon Administrative Rule 581-051-0615](#)
- ✓ [Oregon House Bill 2536 \(2021\)](#)