



**Arizona Department of Education**  
Health & Nutrition Services Division

**HNS # 17-2021**

**MEMORANDUM**

**To:** Local Educational Agencies Operating the National School Lunch Program or Seamless Summer Option

**From:** Melissa Conner, Associate Superintendent

**Date:** July 1, 2021

**Subject:** Collecting Student Eligibility for Free and Reduced-Price Meals in School Year 2021-2022

*Original Signed*

The purpose of this memorandum is to provide Local Educational Agencies (LEAs) guidance on collecting student eligibility while operating the Seamless Summer Option (SSO) of the National School Lunch Program (NSLP) during School Year (SY) 2021-2022 and to provide a reminder for LEAs regarding the requirements for disclosure of individual student information collected for purposes of determining eligibility for free and reduced-priced school meals through the NSLP. Additionally, this memorandum serves as an announcement that the Arizona Department of Education (ADE) has released the SY 2021-2022 Income Eligibility Guidelines and the templates for the School Meal Application, Parent Letter, Parent/Guardian Consent for Sharing Information, Notification of Benefits Letter, and Media Release on the [NSLP Program Forms webpage](#).

**Collecting Individual Student Eligibility**

Under SSO, all students receive meals at no cost regardless of their eligibility for free or reduced-price meals. Therefore, LEAs operating SSO will not need to determine eligibility for free or reduced-price meals for purposes of counting and claiming school meals during SY 2021-2022; however, LEAs will need to have school meal applications available as needed to certify children for free and reduced-price meals, and that information may be used to qualify newly eligible children for SY 2021-2022 and summer 2022 Pandemic-Electronic Benefit Transfer (P-EBT) benefits ([SP 15-2021](#), [CACFP 13-2021](#), [SFSP 08-2021: Questions and Answers for Child Nutrition Program Operations in School Year 2021-2022](#)).

The United States Department of Agriculture (USDA) has previously released guidance that LEAs are prohibited from distributing and processing applications solely to obtain household income information in order to determine the funding or benefits for programs other than the Child Nutrition Programs

(CNPs), and thus, funds in the nonprofit school food service account cannot be used to pay the costs associated with collecting and processing household income information for non-Program purposes. USDA has provided State agencies with guidance that SFAs are allowed to use funds from the nonprofit school food service account to collect and process school meal applications to determine P-EBT eligibility, even if that is the sole purpose of the application while operating under SSO. USDA has also clarified that use of the nonprofit school food service account for application collection and processing during SY 2020-2021 was allowable.

The USDA allowance to use funds from the nonprofit school food service account to determine P-EBT eligibility through school meal applications does not apply to schools operating under a Special Provision Option (SPO) since students enrolled in those schools are already eligible for P-EBT. Therefore, schools operating a SPO are still not authorized to use school meal applications to collect individual student eligibility. These schools may continue to collect individual student eligibility through an alternate income form but may not use funds from the nonprofit school food service account to collect and process these forms.

Additionally, per guidance found in [SP 04-2021, CACFP 03-2021, SFSP 03-2021: Questions and Answers Relating to the Nationwide Waiver to Allow Summer Food Service Program and Seamless Summer Option Operations during School Year 2020-2021 - Q&As #3](#), all LEAs, regardless of operational status are expected to meet the provisions of 7 CFR 245.6(b)(3), which requires that all LEAs must conduct direct certification at least three times per school year.

## **Verification**

LEAs that collect school meal applications in SY 2021-2022 are required to conduct verification, regardless of the reason the applications were collected and/or the CNPs in operation ([SP 15-2021, CACFP 13-2021, SFSP 08-2021: Questions and Answers for Child Nutrition Program Operations in School Year 2021-2022](#)). The sample size used to conduct verification activities must be based on the number of approved applications on file as of October 1, 2021.

## **Disclosure Requirements**

Schools may receive numerous requests for individual student eligibility data or aggregate data, such as the total number of children eligible for free and reduced-price meals in the school or district, in order to provide additional benefits to low-income students or provide additional funding through grants or programs to schools with high populations of low-income students. ADE uses individual student eligibility data for A-F Accountability, School Report Cards, as well as federal reporting associated with programs under the Elementary and Secondary Education Act (ESSA). For specific local education program/services, LEAs must determine if parental consent is required prior to disclosing any student information. A common example of a program that would require written consent from a parent or guardian prior to disclosure of an individual student's eligibility information is a state or local waiver of fees (for books, athletic activities, uniforms, etc.). The disclosure form signed by a parent or guardian permits an LEA to disclose the household's eligibility status or other school meal application data, as appropriate, to the requesting recipient of the information. LEAs should review existing disclosure requirements for the CNPs found in:

- [SP 16-2016; CACFP 06-2016; SFSP 10-2016: Disclosure Requirements for the Child Nutrition Program](#)
- Section 5 of the [USDA Eligibility Manual for School Meals](#), July 2017

## **SY 2021-2022 Program Forms for Student Eligibility and Public Announcement**

ADE has created and released template forms for LEAs to use in SY 2021-2022 (July 1, 2021-June 30, 2022) to collect student eligibility. These are located on the [NSLP Program Forms webpage](#). Program forms may be distributed no sooner than July 1, 2021.

LEAs may choose to use the templates provided by ADE or use a customized template. Customization means the use of a self-created template or if the LEA has added fields to the ADE template. Use of any template other than the ADE template must be approved by ADE prior to distribution to households. Please note that removing fields from any of the templates is not permitted and will not be approved. Reformatting the existing fields does not qualify as customization. Additionally, the civil rights non-discrimination statement has not changed from last program year and must be included in its entirety on all outreach material when notifying participants of how to apply for free or reduced-price meal benefits.

ADE recognizes that families have been less likely to submit school meal applications while all children are receiving free meals at school. ADE has utilized the SY 2021-2022 Program Forms templates for student eligibility and public announcement to communicate to households that the information provided on the school meal application may have uses in addition to determining eligibility for free or reduced-price meals. Additionally, ADE has created a handout that can be distributed to households to further communicate this message.

- “It’s More Than a Meal Application” ([English](#)) ([Spanish](#))

ADE is aware of the increased programs and services made available to students that will require parental consent for the LEA to disclose the student data obtained from the school meal application. ADE has made available the Parent/Guardian Consent for Sharing Information template and added language to the Parent Letter for the LEA to communicate which programs may request this information and refer parents/guardians to complete the consent form.

### ***School Meal Application***

The SY 2021-2022 school meal application template and instructions have not changed from last program year.

### ***Residential Child Care Institutions (RCCIs)***

Per FNS 782.13, RCCIs have the option to use the school meal application or a documentation sheet to document student eligibility. If an application is used, a school meal application must be signed by an official from the RCCI or from their previous institution, which includes the child's name, age, and all funds personally received by the child, even if "0" income. If an application is not used, a documentation sheet must be updated as necessary, which includes the name and age of each free or reduced-price student and the child's personal income.

### ***LEAs Operating Special Provision Options***

Per 7 CFR 245.9(f)(4)(iv), schools approved to operate a non-base year for Provision 2 and Provision 3 or Community Eligibility Provision must not collect applications for free and reduced-price school meals. USDA recognizes that States and LEAs have historically used school meal application data as a poverty measure to maintain education funding and additional benefits to low-income schools and students. Therefore, USDA Food and Nutrition Service (FNS) does not limit or prohibit the use of

alternate forms to collect similar information. LEAs are encouraged to use ADE's alternate income form, titled *ESEA (Title I) Income Eligibility* in lieu of school meal applications to collect participant income information. This form is available in English and Spanish and is located on the [Educator & School Excellence webpage](#) under the *Resources* accordion. Please note that LEAs may not package the form with materials related to school meal programs.

### ***Parent Letter***

The parent letter is distributed with the application to the parents of all children in attendance at school as a public announcement of eligibility criteria. LEAs choosing to operate the SSO in SY 2021-2022 must also include that all meals will be offered at no cost through the SSO. All schools, except RCCIs without day students, must provide a parent letter.

### ***Parent/Guardian Consent for Sharing Information***

This form is optional and is only used if the school provides additional benefits to students through specific local education program/services that require student information. LEAs must determine if parental consent for each program/service is required *prior* to disclosing any student information. Consent must be obtained each school year and consent forms cannot be extended from one school year to the next. LEAs may send out a consent form at the time the application is provided to households or as needed when services or programs become available that require parental consent. The form must clearly state the program or service requesting the data.

### ***Press (Media) Release***

Per [SP 15-2021, CACFP 13-2021, SFSP 08-2021: Questions and Answers for Child Nutrition Program Operations in School Year 2021-2022](#), SFAs must still comply with 7 CFR 245.5. This regulation includes the public notification requirements for both the parent letter and press (media) release. On or around the beginning of each school year, a public release containing the same information supplied to parents and including both free and reduced-price eligibility criteria shall be provided to the informational media, the local unemployment office, and to any major employers contemplating large layoffs in the area from which the school draws its attendance. Copies of the press (media) release shall be made available upon request to any interested persons. Any subsequent changes in a school's eligibility criteria during the school year shall be publicly announced in the same manner as the original criteria were announced. RCCIs without day students are exempt from this requirement.

### ***Notification of Benefits Letter***

LEAs must notify the household, in writing, of eligibility established through direct certification or through the school meal application.

### ***Income Eligibility Guidelines***

ADE has released the Income Eligibility Guidelines for SY 2021-2022 on the [NSLP Program Forms webpage](#). Eligibility determinations for free or reduced-price school meals must be made every school year. The National School Lunch Act (NSLA) and Program regulations define the school year as the period beginning of July 1 of any year and ending June 30 the following year.

LEAs may contact their assigned Health and Nutrition Services Specialist with questions on this guidance. The contact information for the assigned specialist can be found at the top of the sponsor

application in CNPWeb. LEAs may also call 602-542-8700 to reach the Specialist of the Day when the assigned Health and Nutrition Services Specialist is not available.

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*Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotope, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.*

*To file a program complaint of discrimination, complete the [USDA Program Discrimination Complaint Form](#), (AD-3027) found online at: [How to File a Complaint](#), 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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