

Commissioner's Memo
10/10/2018

Flexibility in Effective Date of Free or Reduced Price Meal Eligibility

Memo Information

Memo Number **CNU-19-019**

Memo Date 10/10/2018

Memo Type Regulatory

Unit Child Nutrition

Regulatory Authority Richard B. Russell National School Lunch Act, 42 U.S.C. 1758(b)(9)(A), Section 9(b)(9)(A) and Section 9(b)(9)(B)

Response Required NO

Attention Superintendents; Principals; Child Nutrition Directors/Managers

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Memo Text

ATTENTION: Elementary Principals; High School Principals; Middle School Principals; Secondary Principals; Superintendents; Child Nutrition Directors; Determining Officials

The United States Department of Agriculture (USDA) Policy Memo SP 11-2014 clarifies the requirements in order for School Food Authorities (SFAs) to establish flexibility concerning the effective date of certification for National School Lunch Program (NSLP) and School Breakfast Program (SBP) program benefits.

The Eligibility Manual for School Meals (2017) states that the determination, notification, and implementation of free and reduced price meal status be made within 10 operating days from the date the application is received by the SFA. If the SFA chooses, and the requirements below are met, the SFA could establish the date of RECEIPT of the application as the effective date of eligibility, rather than the date the determining official approves it.

This flexibility only applies to eligibility determination made through the application process, and only to complete applications containing all required information at the time of submission.

REQUIREMENTS:

SFAs choosing to exercise the flexibility in the effective date of eligibility MUST:

1. Notify the Child Nutrition Unit, Arkansas Department of Education (CNU, ADE) in advance; (see attached form)
2. Apply this flexibility to all students participating in the NSLP and SBP;
3. Have a method to document the date the application was RECEIVED, such as date stamp;
4. Refund families of eligible students for a reimbursable meal or milk prior to the eligibility determination;
5. Forgive debt accumulated.

SAMPLE SITUATIONS:

1. If a student has paid for full price meals and was subsequently determined eligible for reduced price meals:
 - a. The SFA could adjust the claim to have the previously-served meals reimbursed as reduced price, rather than paid.
 - b. The SFA MUST refund the difference between the total amount paid for the full price meals and the total amount that would have been paid for reduced price meals from the date the application was submitted to the SFA to the date the eligibility determination was made.
2. If the student was allowed to charge 5 lunch meals under the SFAs established charge policy at the paid rate after submitting an application but prior to being determined eligible for reduced meals.

5 lunches @ \$3.40 each = \$17.00
SFA charges \$0.40 for Reduced Lunch

 - a. Revise claim to reflect addition of five (5) reduced lunches and reduction of 5 paid lunches.

- b. Adjust the amount of the debt for charged lunches to reflect only the reduced meal charge of \$0.40 per lunch or \$2.00. (delete the \$15.00 debt.)
 - i. If the student had paid the \$17.00 then the SFA must refund the family the difference in the debt and the cost of the charged reduced lunches, \$15.00.

SFAs can only claim the higher reimbursement rate if the student is given a refund for meals paid or if their debt is deleted.

This flexibility could help families of low income students by allowing them to access free or reduced price meals during the eligibility determination period. It could benefit the SFAs that experience challenges with unpaid debt.

ATTACHMENTS:

USDA Policy Memo SP 11-2014

Form: Election to Use Date Flexibility in Free and Reduced Price Meal Eligibility Determination

Attachments

- [SP_11-2014_150934.pdf](#)
- [Form_-_Election_to_Use_Date_Flexibility_150941.pdf](#)