

Fee Waiver Eligibility: Sharing Eligibility Information

Guidance Document on School Fees

Overview:

This guide is to help Local Education Agencies (LEAs) navigate the Federal and State laws regarding the sharing of eligibility information between the Child and Nutrition Program (CNP) and the School Fees fee waiver program. This document will outline the specific requirements set by the United States Department of Agriculture (USDA) Food and Nutrition Services (FNS) in disclosing student information and maintaining student confidentiality between programs.

Disclosure Requirements:

The fee waiver income eligibility levels determined by the State Superintendent are set to match the USDA FNS Free Lunch income levels. As these income levels match, a family qualifying for free lunch is eligible for fee waivers. In order to assist families in applying for fee waivers, an LEA may choose to share eligibility information between the CNP School Meal programs and the School Fees fee waiver program.

The following are the disclosure requirements that **must** be met as outlined by the USDA FNS when an LEA chooses to share information: [7 CFR 245.6(h)(2)(i)]

1. An LEA **must** inform the adult household member who signed the application if the LEA plans to disclose or use eligibility information outside the originating program. This may be done by issuing a general notification of potential disclosure or through a specific notification to disclose information to the program.
 - a. The notice of potential or specific disclosure may be included in the letter to households that accompanies the free and reduced price application, on the application, or, for children directly certified, in the document informing households of their child's eligibility through direct certification.
2. The notification of disclosure requiring the consent of a parent **must** inform parents:
 - a. They are not required to consent to the disclosure;**
 - b. The information will be used to facilitate the enrollment of eligible children for fee waivers; and**
 - c. The decision to disclose or not disclose will not affect their children's eligibility for free and reduced price meals or free milk.**
3. The notice of potential or specific disclosure **must** be given prior to disclosure of eligibility between programs and parents must be given a reasonable amount of time to respond.

The notification should explain that the children's names and approved free or reduced price meal eligibility status provided on the application will be shared with the fee waiver program. Eligibility information **cannot** be disclosed if a parent does not sign the notice of disclosure.

Documentation:

The federal disclosure requirements above are specific to the National School Breakfast Program and National School Lunch Program. Once permission has been granted to disclose information as described above for these programs, the process a family must follow to qualify for fee waivers differs. This difference determines any additional documentation an LEA may ask for when reviewing the income eligibility in the fee waiver application. The following explains the difference in documentation that can be obtained when consent for disclosure has been granted for the Free and Reduced-Price Meals Application or through Direct Certification.

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Direct Certification:

Direct Certification refers to the process conducted by the state and LEAs to certify eligible children for free or reduced-price meals by sharing student information and eligibility of specific state assistance programs without additional household applications. These families have been approved for Temporary Assistance for Needy Families (TANF), Supplemental Nutrition Assistance Program (SNAP), or another type of state assistance. The process to be approved for these programs is rigorous and includes documentation of income. As income documentation is provided to the state, the only further documentation needed to approve the student for fee waivers is the notification of disclosure form signed by the parent consenting to disclosure of eligibility information.

Free and Reduced-Price Meals Application:

The Free and Reduced-Price Meals application refers to the form that a family fills out on the LEAs website or an application submitted to the school. The process for approval is not as rigorous as the state assistance programs and may not require additional verification information. Therefore, once the notification of disclosure is signed by the parent, an LEA may request additional documentation from the family to ensure their income falls within the minimum requirements for fee waivers. The LEA has the discretion to approve fee waivers for household incomes that may fall above the state minimum income requirements as provided in Utah Administrative Code R277-407-10(4)(b).

Notification of Disclosure:

The following is suggested language that may be used on the notification of disclosure sent to parents.

Dear Parent,

To save you time and effort, the information you gave on your Free and Reduced-Price Meals Application may be shared with other programs for which your child(ren) may qualify. You are not required to grant permission to sharing your information, however, you have the option to grant permission to the local Child and Nutrition Program department to share your student name and school meal eligibility status with the school's fee waiver program. No information will be shared with the school's fee waiver program unless permission is granted. Sending in this form will not change whether your child(ren) receive free or reduced price meals.

☐

Yes! **I DO** want school officials to share information from my Free and Reduced-Price Meals Application with the school's Fee Waiver program.

If you checked yes above, fill out the form below to ensure that your information is shared for the child(ren) listed below. Your information will be shared only with the school's Fee Waiver program.

Child's Name: _____

Child's Name: _____

Child's Name: _____

Signature of Parent: _____ Date: _____

Printed Name: _____

Address: _____

For more information, you may call [School Fee Waiver Administrator name] at [phone] or email at [email address].

Return this form to: [address/email address] by [date].

Questions, Comments, or Concerns? Contact the state School Fees team at schoolfees@schools.utah.gov.

