

Free and Reduced Price Food Service

Cherry Creek School District (CCSD) has agreed to participate in the National School Lunch Program (NSLP) and School Breakfast Program (SBP) and accepts responsibility for providing free and reduced price meals to eligible children in the schools under its jurisdiction.

CCSD assures the Colorado Department of Education, Child Nutrition Unit (CDE/CN) that the school system will uniformly implement the following policy to determine children's eligibility for free and reduced price meals in all NSLP, and SBP schools under its jurisdiction. In fulfilling its responsibilities, the CCSD:

1. Agrees to serve meals free to children from families whose income is at or below the free scale of the Secretary's Income Eligibility Guidelines.
2. Agrees to serve meals at a reduced price to children from households whose income is between the free scale and the reduced price scale of the Secretary's Income Eligibility Guidelines, subject to the provisions of Policy EFC.
3. Agrees that there will be no physical segregation of, or any other discrimination against, any child because of his/her inability to pay the full price of the meal. The names of the children eligible to receive free or reduced price meals will not be published, posted, or announced in any manner, and there will be no overt identification of any such children by use of special tokens, tickets, or any other means. Further assurance is given that children eligible for free or reduced price meals will not be required to:
 - a. work for their meal(s),
 - b. use a separate cafeteria or meal service area,
 - c. go through a separate serving line,
 - d. enter through a separate entrance,
 - e. eat a meal at a different time, or
 - f. eat a meal different from the one sold to children paying the full price.
4. Agrees to set reduced price charges for lunch and breakfast at or below the maximum reduced price allowed by regulations and below the full price of the lunch or breakfast.
5. Agrees that in the operation of the Child Nutrition Programs no child will be discriminated against because of race, sex, color, national origin, age or disability.
6. Agrees to inform parents of students participating in the program, as well as local minority and grassroots organizations, of the availability of program benefits and services, the nondiscrimination policy, and all significant changes in existing requirements that pertain to program eligibility and benefit.
7. Agrees to verify information on applications for free and reduced price meal benefits according to federal regulations.
8. Agrees that all program literature and communications will contain the nondiscrimination statement and procedures for filing a complaint.

9. Agrees to collect racial/ethnic data on all applicants for free or reduced price meals.

10. Agrees to handle discrimination complaints in accordance with the requirements of federal regulations.

11. Agrees to implement all requirements of Section 504 of 1973 Rehabilitation Act:

Appoint a coordinator to coordinate compliance with Section 504 if 15 or more persons are employed in the foodservice;

Establish a grievance procedure which ensures due process in the resolution of complaints;

Notify, regardless of number of employees, participants, applicants, employees, unions, and professional bargaining organizations, that it does not discriminate on the basis of disability in its employment practices or its delivery of food service benefits;

Ensure that the program is accessible and usable by qualified persons with disabilities, employ aides or use other effective methods to provide services to such individuals; and

Take other appropriate steps to accommodate persons with disabilities so they can participate in program services.

12. Agrees to establish and use a fair hearing procedure under which: (a) a family can appeal a decision made by CCSD with respect to the family's free or reduced price meal application; and (b) CCSD FS can challenge the continued eligibility of any child for free or reduced price meals. During the appeal and hearing, the child who was determined to be eligible based on the face of the application submitted will continue to receive free or reduced price meals. Prior to initiating the hearing procedure, the school official, the parent(s), or guardian may request a conference to provide an opportunity for the parent(s) or guardian and school officials to discuss the situation, present information, obtain an explanation of data submitted in the application and the decisions rendered. Such a conference will not in any way prejudice nor diminish the right to a fair hearing. The hearing procedure will provide the following for both the family and CCSD.

- A publicly announced, simple method of making an oral or written request for a hearing
- An opportunity to be assisted or represented by an attorney or other person
- An opportunity to examine prior to and during the hearing, documents and records presented to support the decision under appeal
- Reasonable promptness and convenience in scheduling a hearing and adequate notice as to its time and place
- An opportunity to present oral or documentary evidence and arguments supporting a position without undue interference

Regulation: EFC-R

- An opportunity to question or refute any testimony or other evidence and to confront and cross-examine any adverse witnesses
- That the hearing will be conducted and the decision will be made by an official who did not participate in the decision under appeal or any previous conference
- That the decision of the hearing official will be based on the oral and documentary evidence presented at the hearing and entered into the hearing record
- That the parties concerned and any designated representative thereof will be notified in writing of the decision
- That for each hearing a written record will be prepared, including the decision under appeal, any documentary evidence and a summary of any oral testimony presented at the hearing, the decision of the hearing official and the reasons therefore and a copy of the notification will be given to the parties concerned of the hearing official's decision
- That such written record will be retained for a period of three years after the close of the school year to which they pertain. These records will be made available for examination by the parties concerned or their designee(s) at any reasonable time and place during such period
- When an application is rejected, parents or guardians will be informed of the reason for denial and the hearing procedure

13. Agrees to designate a qualified individual to review applications and make determinations of eligibility, using the criteria outlined in this policy. An individual, not involved in determining eligibility will be designated as the fair hearing official.

14. Agrees to develop and distribute a letter to each child's parent(s) or guardian. In addition, an application form for free or reduced price meals will be distributed with the parent letter and be available on-line at or about the beginning of each school year or whenever there is a change in eligibility criteria.

The letter to parents with the free or reduced price meal application attachment will have only the income eligibility guidelines for reduced price meals with an explanation that households with incomes at or below the reduced price guidelines may be eligible for either free or reduced price meals.

Interested parents or guardians are responsible for filling out the application and returning it to the district for review. Such applications and documentation of determinations made will be maintained for a period of three years following the end of the school year to which they pertain.

Applications may be filed any time during the year. Parents or guardians enrolling a child in a school for the first time will be supplied with appropriate meal application materials regardless of the time of year the child is registered. If a child transfers from one school to another under the jurisdiction of CCSD, his/her eligibility for free or reduced price meals will be transferred to and honored by the receiving school.

All children from an eligible household will receive the same benefits. Parents or guardians will be promptly notified of the acceptance or denial of their applications. Children will be served free or reduced price meals immediately upon the establishment of their eligibility.

It is recognized that in certain cases foster children are also eligible for these benefits. If a household has foster children living with them and wishes to apply, the household will be instructed to contact the school.

When an application is rejected, parents or guardians will be provided written notification and will include: (a) the reason for the denial of benefits, e.g., income in excess of allowable limits or incomplete applications; (b) notification of the right to appeal; (c) instructions on how to appeal; and (d) a statement reminding parents that they may reapply for free to reduced price meal at any time during the school year. The reasons for ineligibility will be properly documented and retained on file at CCSD Foodservice level.

15. Agrees to submit a public release containing both the free and reduced price eligibility guidelines and all other information outlined in the parent letter to the local news media, local unemployment offices and major employers contemplating or experiencing large layoffs.

16. Agrees to establish a procedure to collect money from children who pay for their meals, establish and follow a daily point of service meal counting procedure, and to account for the number of free, reduced price, and full price meals served. The procedure described in the collection and coding attachment, will be used so no other child in the school will consciously be made aware of the identity of the children receiving free or reduced price meals.

17. Agrees to submit to CDE/CN any alterations to the attachments of this policy before implementation. Such changes will be effective only upon approval from CDE/CN.

Revised: May 9, 2011
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