

Free and Reduced-Price School Meals and Debts: Issues to Watch in Massachusetts

All MA public schools, and most charter and some parochial schools participate in the National School Lunch Program (NSLP).ⁱ School Districts sign an agreement with the MA Department of Early and Secondary Education (DESE) to administer the program and abide by the NSLP rules.

Here's what you should know in determining if your School District is following the NSLP free and reduced-price school meals rules.

- **Children in TAFDC or SNAP households should be automatically approved for free meals without having to file a separate application!**

A couple times a year, DESE notifies School Districts in MA which local families are receiving SNAP or TAFDC benefits. The School Districts then must “directly certify” all school-age children in these families for free school meals – including any children who are not also SNAP or TAFDC recipients. With “direct certification,” TAFDC and SNAP families should not be required to also complete a paper application.

► MA schools do not have a good track record of directly certifying eligible children for free mealsⁱⁱ. DESE is piloting a new on-line data program in some School Districts to access updated information.ⁱⁱⁱ In a number of cases reported to Legal Services, School Districts continue to get it wrong. To be safe, encourage all TAFDC or SNAP families to fill out a paper application unless they get a notice from the school approving free meals (see below).

- **Foster children should be automatically approved too!**

Foster children also should be automatically approved for free meals without an application and without counting the foster family's income. The Department of Children and Families (DCF) should notify School Districts of local, school-age foster children. To be safe, encourage all foster families to also notify the School District of the foster placement or they can self-declare the child's foster status on the NSLP application.

► If non-foster children live in the home and the family is submitting an application, the foster children should be counted as members of the household, giving the family a higher income threshold in determining the eligibility for the non-foster children.

- **Homeless, runaway and migrant children should be automatically approved.**

Homeless, runaway and migrant children known to the School District are automatically approved for free meals. This can also be self-declared on the NSLP application form.

- **Once approved, a child is eligible for the entire school year and the first 30 days of the next school year!** That's right, through the end of September!

Families are NOT required to report any changes in income or loss of TAFDC or SNAP benefits once approved. Unless the family is on reduced-price meals and is now eligible for free meals, there is no need to report a change. Schools cannot change NSLP status unless the family asks them to or verification (properly requested) proves that the original eligibility determination was incorrect.

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- **Families do not need SSNs to file an application for school meals.**

Families need not have a Social Security Number (SSN) to qualify children for free or reduced-price school meals too. The parent will need to check off on the form that he or she does not have an SSN, but there is no reporting to immigration authorities.

- **Families are not required to provide wage stubs, tax returns or other proof of income with the application.**

Any family that fills out a NSLP application self-declares their gross income on the application. School districts are required to randomly select 3% of all applications for verification, but not up front and not all applicants.

► Families receiving TAFDC or SNAP benefits never have to provide income verification. If they file an application, the family should include the “Agency ID” number (found on the upper right of all DTA notices sent to recipients - not the EBT card number or SSN).

- **Families who receive TAFDC or SNAP benefits need only provide their DTA Agency ID number, not gross income information, on the application.**

If the School District has not confirmed TAFDC or SNAP status using the DESE data (through “direct certification”, a family need only provide their DTA Agency ID number (not the SSN) on the NSLP application form. The school then uses the Agency ID number to confirm benefits status. No income information or verification is required.

► Any household that qualifies for SNAP benefits gets free meals – even if their gross income exceeds 130% FPL! If you see families getting reduced-price school meals, tell them about SNAP! Not only can they get SNAP benefits, their kids can get free meals! The gross income test for SNAP is 200% of the FPL, but the amount a family gets depends on their countable net income.

- **School districts should process school meal applications within 10 days of receipt.**

Schools cannot delay NSLP applications or refuse to issue a school lunch card or PIN to a child. They are required to process NSLP applications within 10 days of receipt – no matter when the application is received during the school year

Are you seeing problems in your School District? Contact your Local Legal Services program. You can find your local program at www.masslegalservices.org

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ⁱ These rules apply to school breakfast and milk programs as well.

ⁱⁱ USDA reports MA as 4th worst in U.S for “direct certification”, School Year 2010/11 See: <http://www.fns.usda.gov/ora/menu/published/CNP/FILES/DirectCert2011.pdf>, Figure 4, pg 14.

ⁱⁱⁱ Some school districts are now participating in a “Virtual Gateway” pilot to access on-line, real-time information on SNAP or TAFDC status of households. The state is planning to expand this pilot to more school districts in 2012