

# Request for Information on Eligibility for Child Nutrition Program Benefits

Date: \_\_\_\_\_

Person Requesting Information: Name \_\_\_\_\_

Title \_\_\_\_\_

School or Site \_\_\_\_\_

This request for student names and Child Nutrition Program eligibility status (i.e. reduced price/free status) is for the purpose of:

- Title I
- National Assessment of Education Progress
- Quality Performance Accreditation
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If others must view this list, list their names and purpose (e.g. John Doe, data processing). The information must be protected from unauthorized users and further disclosures. The number of individuals who have access to this information must be limited.

\_\_\_\_\_  
\_\_\_\_\_

## Agreement of Understanding

I acknowledge and agree that children's free and reduced price meal and free milk eligibility information obtained under provisions of the Richard B. Russell National School Lunch Act (42 USC 1751 et seq.) (NSLA) or Child Nutrition Act of 1966 (42 USC 1771 et seq.) (CNA) and the regulations implementing these Acts is confidential information. This Agreement is intended to ensure that any information disclosed about children's eligibility for free and reduced price meals or free milk will be used only for purposes specified in this Agreement. I will not duplicate this list. I will keep this list in a secured location during its use and dispose of it in an appropriate manner when the information is no longer needed. Any person who publishes, divulges, discloses, or makes known in any manner, or to any extent not authorized by Federal law (Section 9(b)(6)(C) of the National School Lunch Act; 42 USC 1758(b)(6)(C)) or a regulation, any information about a child's eligibility for free and reduced price meals or free milk, shall be fined not more than a \$1,000 or imprisonment of not more than 1 year or both.

Signed \_\_\_\_\_

## Food Service Office Use

I authorize \_\_\_\_\_ to have a copy of the reduced price/free eligibility list for the following school(s) or site(s) \_\_\_\_\_

Date Request Received \_\_\_\_\_ Date List(s) Sent \_\_\_\_\_

Signature of Determining Official: \_\_\_\_\_

Signature of Food Service Director: \_\_\_\_\_

## **Policy on Confidentiality of Eligibility Information for Child Nutrition Program Benefits**

The National School Lunch Act (NSLA) protects the confidentiality rights of participants. Disclosure of eligibility information about participants beyond that authorized by (Section 9(b)(6)(C) of the NSLA; 42 USC 1758(b)(6)(C)) is a criminal act punishable by a fine of not more than \$1,000 or imprisonment of not more than one year, or both.

Section 9(b)(6)(A) of the NSLA (42 USC 1758(b)(6)(A)) authorizes limited disclosure of student reduced price/free Child Nutrition Program benefit eligibility status to persons who are directly responsible for the administration or enforcement of the following programs:

1. Federal education programs such as Title I and National Assessment of Education Progress
2. State health or state education programs such as Quality Performance Accreditation (QPA) and "At Risk" state funding. The programs must be established by a state agency and administered by a state agency or local agency.
3. Federal, state or local means-tested nutrition programs with eligibility standards comparable to the National School Lunch Program (i.e. assist households with income at or below 185 percent of the federal poverty level, such as the Food Assistance Program or a state or local nutrition program)

Applications for Child Nutrition Program benefits ARE NOT part of a student's educational records under the Family Education Rights and Privacy Act (FERPA), because FERPA does not govern the administration of the Child Nutrition Programs. Therefore, reduced price and free Child Nutrition Program benefit information cannot be released with other educational records.

The limitations apply to all Child Nutrition Programs and to all eligibility information regardless of the manner in which the information is maintained including, but not limited to, print, tape, microfilm, microfiche and electronic communication.

Applications and rosters of eligible students should NEVER be faxed. Faxing does not protect the confidentiality of the information.

To request students' reduced price or free meal eligibility status, complete the attached Request for Information on Eligibility for Child Nutrition Program Benefits form. No information will be provided without this completed form. The Food Service Director in conjunction with the Sponsor's Determining Official for the Child Nutrition Programs can authorize the release of this information.