

FREE AND REDUCED PRICE MEALS

The Governing Board recognizes that adequate nutrition is essential to the development, health and learning of all students. The Superintendent or designee shall facilitate and encourage the participation of students from low-income families in the district's food service program.

The district shall provide at least one nutritionally adequate meal each school day, free of charge or at a reduced price, for students whose families meet federal eligibility criteria.

To provide optimal nutrition and reduce the administrative burden of food service operations, the Superintendent or designee shall assess the eligibility of district schools to provide breakfast and/or lunch free of charge to all students at the school under a federally funded universal meal service provision, such as Provision 2 or the Community Eligibility Provision, pursuant to 42 USC 1759a.

If any district school meets the criteria for a "very high poverty school" through its eligibility for the federal Community Eligibility Provision reimbursement rate pursuant to 42 USC 1759a, the district shall apply to the California Department of Education (CDE) to operate a universal meal service, unless the Board adopts a resolution stating that the district is unable to comply with this requirement due to fiscal hardship. The resolution shall be part of the public agenda for at least two consecutive Board meetings, first as an information item and then as an action item. The Board shall reconsider the resolution at least once every four years. (Education Code 49564; 42 USC 1759a)

The Superintendent or designee shall ensure that all meals provided through the free and reduced-price meal program meet applicable state and/or federal nutritional standards in accordance with law, Board policy and administrative regulation.

Schools participating in the Special Milk Program pursuant to 42 USC 1772 shall provide milk at no charge to students who meet federal eligibility criteria for free or reduced-price meals.

The Board shall approve and shall submit to the California Department of Education for approval, a plan that ensures that students eligible to receive free or reduced-price meals and milk are not treated differently from other students. (Education Code 49557)

Confidentiality/Release of Records

All applications and records related to eligibility for the free or reduced price meal program shall be confidential and may not be released except as provided by law *and authorized by the Board or pursuant to a court order.* (Education Code 49558)

~~If a student transfers from the district to another district or to a private school, the Superintendent or designee may release the student's eligibility status or a copy of his/her free and reduced price meal application to the other district or school to assist in the continuation of the student's meal benefits.~~

The Board authorizes designated employees to use individual records pertaining to student eligibility for any free and reduced price meal program for the purpose of: (Education Code 49558)

1. Disaggregation of academic achievement data

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2. In any school identified for program improvement under Title I of the No Child Left Behind Act, identification of students eligible for school choice and supplemental educational services

(cf. [5125](#) - Student Records)

(cf. [6162.51](#) - Standardized Testing and Reporting Program)

(cf. [6171](#) - Title I Programs)

The Board further authorizes the release of information on the school lunch program application to the local agency that determines Medi-Cal program eligibility, provided that the student is approved for free meals and the parent/guardian consents to the sharing of information as provided by Education Code 49557.2.

If a student transfers from the district to another district, charter school, county office of education program, or private school, the Superintendent or designee may share the student's meal eligibility information to the other educational agency to assist in the continuation of the student's meal benefits.

The Superintendent or designee may release the name and eligibility status of a student participating in the free or reduced-price meal program to another school district, charter school, or county office of education that is serving a student living in the same household for purposes related to program eligibility and data used in local control funding formula calculations. (Education Code 49558)

The Superintendent or designee may release the name and eligibility status of a student participating in the free or reduced-price meal program to the Superintendent of Public Instruction for purposes of determining allocations under the local control funding formula and for assessing accountability of that funding. (Education Code 49558)

The Superintendent or designee may release information on the school lunch program application to the local agency that determines eligibility for participation in the Medi-Cal program if the student has been approved for free meals or, if included in the agreement with the local agency, for reduced-price meals. He/she also may release information on the school lunch application to the local agency that determines eligibility for CalFresh or another nutrition assistance program authorized under 7 CFR 201.1 if the student has been approved for free or reduced-price meals. Information may be released for these purposes only if the student's parent/guardian consents to the sharing of information and the district has entered into a memorandum of understanding with the local agency which, at a minimum, includes the roles and responsibilities of the district and local agency and the process for sharing the information. After sharing information with the local agency for purposes of determining eligibility for that program, no further information shall be shared unless otherwise authorized by law. (Education Code 49557.2, 49557.3, 49558)

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Legal Reference:

EDUCATION CODE

[48980](#) *Notice at beginning of term*

[49430-49436](#) *Pupil Nutrition, Health, and Achievement Act of 2001*

[49490-49494](#) *School breakfast and lunch programs*

[49500-49505](#) *School meals*

[49510-49520](#) *Nutrition*

[49530-49536](#) *Child Nutrition Act of 1974*

[49547-49548.3](#) *Comprehensive nutrition service*

[49550-49561](#) *Meals for needy students*

CODE OF REGULATIONS, TITLE 5

[15510](#) *Mandatory meals for needy students*

[15530-15535](#) *Nutrition education*

[15550-15565](#) *School lunch and breakfast programs*

UNITED STATES CODE, TITLE 20

[1232g](#) *Federal Educational Rights and Privacy Act*

[6301-6514](#) *Title I programs*

UNITED STATES CODE, TITLE 42

[1751-1769h](#) *School lunch program*

[1771-1791](#) *Child nutrition, especially:*

[1773](#) *School breakfast program*

CODE OF FEDERAL REGULATIONS, TITLE 7

[210.1-210.31](#) *National School Lunch Program*

[220.10-220.21](#) *National School Breakfast Program*

[245.1-245.13](#) *Determination of eligibility for free and reduced-price meals and free milk price meals*