



LIMITED DISCLOSURE OF CHILDREN'S FREE OR REDUCED PRICED MEAL ELIGIBILITY INFORMATION

Bear Creek Community Charter School will comply with all Federal and State statutes and regulations regarding the dissemination or sharing of information related to the National School Lunch Program.

The Healthy Meals for Healthy Americans Act of 1994, P.L. 103-448, allows schools, without consent, to disclose limited information about free or reduced price meal or free milk eligibility to Federal, State and local program operators directly connected with the administration or enforcement of the program or programs receiving the information. Schools may only disclose the name of the participant and eligibility status, and the receiving organization may use the information only for the purpose intended and may not share the information. This must be a "need to know" for legitimate purposes.

The following programs may obtain student name and eligibility status and do not require household consent:

- Federal education programs, such as Title I and the National Assessment of Educational Progress.
- Services provided by the Perkins Vocational and Technical Education Act of 1990.
- State health or State education programs provided a State agency or a local education agency administers the program, and State education programs offered at the local level; i.e., free textbooks or reduced fees for summer school.

The following programs require consent:

- Federal health programs, such as Medicaid or the Children's Health Insurance Program (CHIP).
- Local health programs.
- Any Federal, State or local program or individual not included in the statute.
- All the items listed on the Household Meal Benefit Application for Free/Reduced Price Meals or Free Milk.

Disclosing all eligibility information obtained through the free or reduced price meal or free milk eligibility process without consent is permissible for the following:

- Persons directly connected with the administration or enforcement of the programs authorized under the NSLA or Child Nutrition Act of 1966 (CNA) (42 U.S.C. 1771). This includes the National School Lunch Program (NSLP), School Breakfast Program (SBP), Special Milk Program (SMP), Afterschool Snack Program (ASP), Child and Adult Care Food Program (CACFP), Summer Food Service Program (SFSP) and the Special Supplemental Nutrition Program for Women, Infants and Children (WIC). This means the program eligibility information may be shared among Child Nutrition Programs. However, in most situations, SFSP sponsors need only obtain the eligibility status of the child being served.
- The Comptroller General of the United States for purposes of audit and examination.
- Federal, State and local law enforcement officials investigating alleged violations of any of the programs under the NSLA and CNA, or investigating violations of any programs authorized to have access to names and eligibility status.

In obtaining household consent to share information, the following shall apply:

- The statement must be in writing.
- It must identify the information that will be shared and how the information will be used.
- The parent or guardian of the child must sign and date the statement to participate in the program. If the participant is an adult, they must sign the consent statement unless a guardian has been appointed.
- The consent statement must state that failure to sign will not effect the eligibility or participation in the nutrition program.
- The consent form must state that the information will not be shared by the receiving program with any other program.
- The parent/guardian/adult must have the opportunity to limit consent to only those programs with which he/she wishes to share information; i.e., a check off system.