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To: Members of the Task Force on Implementation of Pupil Weighting Factors Report
From: Anore Horton, Executive Director, Hunger Free Vermont
Date: October 29, 2021
Subject: Recommendations for specifying what to include and what to exclude from a new "Household Information (Income) Form" for use by Vermont schools to identify students from economically deprived backgrounds

Thank you for your thoughtful consideration of how best to identify students from economically deprived backgrounds. We recognize the complexity of the issues you are addressing, and appreciate your commitment to equity as a fundamental part of Vermont's educational system.

We hope that you will consider recommending the requirement for all schools to offer universal school meals (breakfast and lunch) as a first step toward equity. Making sure that each student has the nutrition they need to be focused and ready to learn will go a long way toward leveling the playing field for all students. Reports from Vermont's educators and parents from the ongoing two-year experience of statewide universal school meals strongly supports this claim.

We are also hoping you will decide to recommend the statewide use of the Household Income Form to collect the information needed for pupil weighting, and possibly for other uses as well. As such, we have been working with our national affiliate, the Food Research & Action Center (FRAC) to collect some information for you, and to develop our recommendations for potential policy language related to the form. As you know, one of the exciting things about this form is that it can eliminate the stigma associated with filling out a form targeted only at low-income families. It can also be used to collect information that can help you make future policy decisions.

It will be important to employ best practices and to have a standard form template that is used across the state to ensure that the stigma is removed and that the state gets the information it needs. We recommend language to this effect:

School districts will use the Household Information Form to collect data from families in order to identify economically deprived students for the purposes of pupil weighting. The form shall be titled "Household Information Form" and each school district will collect information for every student, regardless of household income. The form will employ best practices, including being accessible for people with disabilities, being available online, using plain language, and offering choices for income questions rather than blank spaces. The form shall not require any attestation or indicate any potential consequences for inaccurate information. The form shall have a clear statement that it is to be filled out for every student and the information will be used to calculate educational funding allocated to school districts. The form shall not require a social security number for any student or household member. The form may include a section for the school to ask questions in order to provide the student/family with information about specific programs or services that they may qualify for. This section should be marked as optional and should clearly state what it is for.

Working with FRAC, Hunger Free Vermont has developed the following list of guidelines for the form. We are recommending that it be called the “Household Information Form” to further reduce stigma associated with income information.

Suggested Guidelines for New Household Information Form

- The form will collect the following student information for all students in the household:
 - First name
 - Last name
 - School
 - Birthdate
- The form will collect the following household information:
 - Household size
 - Household income (provide checkboxes for multiple income ranges)
 - Parent or guardian printed name
- The form will provide the following information in plain language:
 - Definition of household
 - Definition of household income
 - Instructions that one form should be completed per household and the form should include all students living in that household
 - The school year that the form is for
- The form will not include the following:
 - Social security numbers for any member of the household
 - Any information that does not have a specific purpose
- The following formatting considerations will be taken into account. The form will:
 - Whenever possible, provide boxes that can be checked (for example, to select an income range or to request other program information), instead of blank spaces or lines that must be filled in.
 - Accommodate families with multiple sources of income
 - Accommodate families with seasonal employment
 - Provide enough space for families to enter their information
 - Be accessible digitally and in hard copy
- Overall the form will:
 - Use plain language
 - Provide explanation of why the form is important for families to complete
 - Be as easy as possible for schools to administer
 - Include space for school districts to customize to offer the family more information on programs they may be eligible for

Memo

To: Anore Horton, Hunger Free Vermont
From: Crystal FitzSimons and Alexis Bylander, Food Research & Action Center
Date: October 26, 2021
Subject: School Collection of Student Household Information

Introduction

School leaders across the country are interested in identifying the students who come from low-income households in their school or school district so the information can be used to access education funding, qualify students for School Nutrition Programs and connect students and their families to additional support programs that they may qualify for such as the Supplemental Nutrition Assistance Program and Medicaid.

There are multiple strategies for identifying students from low-income households. The school meals application forms have often been used to collect household size and income information from families. These forms are not the only tool available, and they are not a flawless measure. They miss some eligible students due to lack of outreach, stigma felt by parents in filling out school meals applications, and language and literacy barriers. Additionally, some students are incorrectly certified (e.g. certified for reduced-price meals when eligible for free) during the school meals application process.

Community Eligibility Schools Do Not Collect School Meals Forms

The Community Eligibility Provision (CEP) allows high-poverty schools and districts to provide breakfast and lunch at no charge to all students and eliminates the collection of free and reduced-price school meals applications for participating schools. At this point, more than 15,000 schools are no longer collecting school meals applications.

Instead, the federal reimbursement is based upon the students who are certified for free school meals outside of the application process—called Identified students. This includes children directly certified through data-matching because their households receive the Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance for Needy Families (TANF) or the Food Distribution Program for Indian Reservations (FDPIR), as well as children who are certified for free meals without an application because they are homeless, migrant, enrolled in Head Start, or in foster care.

Alternate Household Income Forms Replace School Meals Applications

Community eligibility schools no longer collect school meals applications. There has been guidance from the U.S. Department of Education and other federal agencies on how to document poverty within a school outside of the school meals applications. Schools can choose to collect household income information, and some states require it for state education funding purposes. If the forms are not being used for certifying children for free or reduced-price meals, the forms do not have to follow the federal rules. In other words, the forms can collect basic information such

as household income and size. USDA does not provide guidance on what an alternate household form should like or what information it should collect because it is outside of the agency's authority. It is important to consider the definition from the U.S. Department of Education.

The [Elementary and Secondary Education Act of 1965](#) Uses the Following Definition for Low-Income Family

(B) LOW-INCOME FAMILY.—For purposes of subparagraph (A), the term “low-income family” means a family—
(i) in which the children are eligible for a free or reduced-price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.);
(ii) receiving assistance under the program of block grants to States for temporary assistance for needy families established under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.); or
(iii) in which the children are eligible to receive medical assistance under the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.).

States Can Use Alternate Household Forms to Connect Families to Multiple Programs

If states are developing a form for their own purposes, they can determine what information they need to collect from families and do not need to follow the guidelines of the school meals forms. The same form that identifies household income and size could also determine if households are likely eligible for programs such as SNAP or the state's Medicaid program.

Although, states do not need to follow the federal rules for the school meals applications, it is important to note that there are strong confidentiality protections for the information collected through school meals applications. States should consider this and require a Memorandum of Understanding for the sharing and receiving of this information to protect children and families and ensure that they feel comfortable filling out the forms.

Background on the School Meals Program and Certification for Free and Reduced-Price School Meals

The United States Department of Agriculture (USDA) administers the School Nutrition Programs, which provides a federal reimbursement for each meal served based on whether a student has been determined eligible (certified) for free or reduced-price school meals. Because nearly all public schools participate in the School Nutrition Programs, a child's certification for free or reduced-price school meals and by extension the school's percentage of students that are certified for free or reduced-price school meals has historically been used as a proxy for poverty data for the school. This already existing data source often is used to determine funding for other federal and state education programs and funding streams.

There are two ways to certify students for free or reduced-price meals. Some children are categorically eligible for free school meals because their household participates in SNAP, TANF, FDPIR or are homeless, migrant, in foster care or in head start and can be certified without submitting a school meals application. The other way to certify an eligible child is through a school meals application.

USDA requires that schools use a school meals application form to determine if students will receive meals at the free, reduced-price or paid reimbursement rate. USDA provides a [prototype school meals application](#) that school districts can use as well as sample instructional documents intended to assist state and local officials in the design and distribution of their own application materials.

For the school meals application, [federal regulations \(7 C.F.R. § 245.6\(a\)\)](#) require what must be included in the form including the names of household members, the last four digits of the social security number for the parent or guardian signing the form or indication that the person does not have a social security number, household income and type and adult signature. Or, if a member of the household receives assistance under SNAP, or is in a FDPIR or TANF household, the parent or guardian can provide the SNAP or TANF case number or FDPIR identifier in lieu of the names of all household members, income and social security number. Specifically, the regulatory language is as follows.

§ 245.6 Application, eligibility and certification of children for free and reduced price meals and free milk.

General requirements - content of application and descriptive materials. Each local educational agency, as defined in [§ 245.2](#), for schools participating in the National School Lunch Program, School Breakfast Program or Special Milk Program or a commodity only school, shall provide meal benefit forms for use by families in making application for free or reduced price meals or free milk for their children.

(1) ***Household applications.*** The State agency or local educational agency must provide a form that permits a household to apply for all children in that household who attend schools in the same local educational agency. The local educational agency must provide newly enrolled students with an application and determine eligibility promptly. The local educational agency cannot require the household to submit an application for each child attending its schools. The application shall be clear and simple in design and the information requested therein shall be limited to that required to demonstrate that the household does, or does not, meet the eligibility criteria for free or reduced price meals, respectively, or for free milk, provided by the local educational agency.

(2) ***Understandable communications.*** Any communication with households for eligibility determination purposes must be in an understandable and uniform format and to the maximum extent practicable, in a language that parents and guardians can understand.

(3) **Electronic availability.** In addition to the distribution of applications and descriptive materials in paper form as provided for in this section, the local educational agency may establish a system for executing household applications electronically and using electronic signatures. The electronic submission system must comply with the disclosure requirements in this section and with technical assistance and guidance provided by FNS. Descriptive materials may also be made available electronically by the local educational agency.

(4) **Transferring eligibility status.** When a student transfers to a new school district, the new local educational agency may accept the eligibility determination from the student's former local educational agency without incurring liability for the accuracy of the initial determination. As required under [paragraph \(c\)\(3\)](#) of this section, the accepting local educational agency must make changes that occur as a result of verification activities or coordinated review findings conducted in that local educational agency.

(5) **Required income information.** The information requested on the application with respect to the current income of the household must be limited to:

(i) The income received by each member identified by the household member who received the income or an indication which household members had no income; and

(ii) The source of the income (such as earnings, wages, welfare, pensions, support payments, unemployment compensation, social security and other cash income). Other cash income includes cash amounts received or withdrawn from any source, including savings, investments, trust accounts, and other resources which are available to pay for a child's meals or milk.

(6) **Household members and social security numbers.** The application must require applicants to provide the names of all household members. In addition, the last four digits of the social security number of the adult household member who signs the application must be provided. If the adult member signing the application does not possess a social security number, the household must so indicate. However, if application is being made for a child(ren) who is a member of a household receiving assistance under the SNAP, or is in a FDPIR or TANF household, the application shall enable the household to provide the appropriate SNAP or TANF case number or FDPIR case number or other FDPIR identifier in lieu of names of all household members, household income information and social security number.

(7) **Adult member's signature.** The application must be signed by an adult member of the family. The application must contain clear instructions with respect to the submission of the completed application to the official or officials designated by the local educational agency to make eligibility determinations. A household must be permitted to file an application at any time during the school year. A household may, but is not required to, report any changes in income, household size or program participation during the school year.

Provision 2 Schools Do Not Collect School Meals Applications Every Year

Provision 2 is an option for schools participating in the National School Lunch and School Breakfast Programs to reduce paperwork, simplify the logistics of operating school meals programs, and offer meals at no charge to all students. Any school that participates in either or both school meal programs may opt for Provision 2. Schools using Provision 2 do not have to collect, process, or verify school meal applications or keep track of meals served by fee category (free, reduced-price, and paid) for at least three out of every four years.

Eligibility Guidelines

The [Richard B. Russell National School Lunch Act](#) states that students from households at or below 130 percent of the federal poverty level will receive free school meals and students from households at or below 185% of the federal poverty level will receive reduced-price school meals. Specifically, the statutory language is as follows.

Nutritional and Other Program Requirements

(b)(1)(A) Not later than June 1 of each fiscal year, the Secretary shall prescribe income guidelines for determining eligibility for free and reduced price lunches during the 12-month period beginning July 1 of such fiscal year and ending June 30 of the following fiscal year. The income guidelines for determining eligibility for free lunches shall be 130 percent of the applicable family size income levels contained in the nonfarm income poverty guidelines prescribed by the Office of Management and Budget, as adjusted annually in accordance with subparagraph

(B). The income guidelines for determining eligibility for reduced price lunches for any school year shall be 185 percent of the applicable family size income levels contained in the nonfarm income poverty guidelines prescribed by the Office of Management and Budget, as adjusted annually in accordance with subparagraph (B). The Office of Management and Budget guidelines shall be revised at annual intervals, or at any shorter interval deemed feasible and desirable.