



COMMONWEALTH of VIRGINIA
Department of Education

DATE: September 28, 2018

TO: Division Superintendents

FROM: James F. Lane, Ed.D., Superintendent of Public Instruction

SUBJECT: Verification of Household Eligibility for Free or Reduced Price Meals 2018-2019

The purpose of this memorandum is to provide guidance to local educational agencies (LEAs) and school food authorities (SFAs) on the annual requirements for verification activities.

Section 9(b)(3)(D) of the Richard B. Russell National School Lunch Act (NSLA), 42 USC 1758(b)(3)(D), and regulations at 7 CFR 245.6a(c)(1) require LEAs to verify a sample of applications approved for free and reduced price meals each school year. Verification is not required when eligibility is determined through direct certification in accordance with program provisions in Section 9(b)(4) and (5) of the NSLA, 42 USC 1758(b)(4) and (5), and regulations at 7 CFR 245.6(b).

The [*USDA Eligibility Guidance Manual*](#) (July 18, 2017 edition), Section 6: Verification provides detailed guidance and USDA requirements for the verification process. Please refer to this resource for additional information. Requirements specific to Virginia, along with highlights of the USDA guidance, are provided for LEAs in this memorandum. Additional details on Virginia verification reporting requirements will be provided in a technical assistance memorandum from the Office of School Nutrition Programs (SNP) which will be sent directly to the LEA point of contact for the program.

Annual Timelines

- **October 1** - The total number of approved free and reduced price applications on file as of October 1 (excluding previous year's applications carried over into the current year) must be used to calculate the required standard verification sample size.
- **November 15** - Deadline for all verification activities to be completed by the LEA.
- **December 15** - Deadline for LEAs to report data and results of verification in the School Nutrition Program Web-based (SNPWeb) software, Verification Collection Report.
- **December 16** - SNPWeb Verification Collection Report locked to data entry. LEAs must contact the Office of School Nutrition Programs (SNP) at the Virginia Department of Education (VDOE) to enter or edit verification data on or after this date.

Prototype Letters and Forms

Prototype letters and forms for verification, including the required Racial/Ethnic Data Report, are posted in SNPWeb in the Applications menu under *Download Forms*. School Food Authorities must use these VDOE prototypes unless customized verification letters and forms have been approved as part of the annual SFA application packet in SNPWeb.

Sample Size and Method to Calculate

The *standard* sample size for verification must be used unless the SFA qualifies to use an alternative sample size. Use of alternative sample sizes must be approved in advance by VDOE-SNP. The *standard* sample size is three percent of all approved applications on file as of October 1, or 3,000 applications, whichever is less. SFAs are required to draw the standard sample from error-prone applications. Error-prone applications are those with reported total household income within \$100 per month or \$1,200 per year of the income eligibility guideline limits for free or reduced price meals for the applicable household size.

To determine and validate the correct sample size, the SFA must enter the required preliminary verification data in the SNPWeb Verification Collection Report by October 1. The required data to report is in Section 4, Questions 4-1, 4-2, and 4-3, Column A., *Students approved as free or reduced price eligible through a household application*, and Section 5, Question 5-3, *Type of Verification process used*. The required sample size will populate in Question 5-5, *Number of applications selected for Verification sample*. This data entry should be completed by the SFA on or immediately after October 1 to determine the number of applications selected for verification meets the required standard sample size. The remaining data in the report will be entered by the SFA after the verification process is completed.

The SFA is prohibited from verifying more or less than the required standard sample of applications, with the exception of those applications verified for cause. Applications verified for cause are reported in a separate section of the report. If the verification sample calculated and pulled by the SFA is more or less than the number calculated in Question 5-5 of the SNPWeb report, the SFA must adjust the sample size pulled for verification to meet the requirements. Contact the SNP regional specialist assigned to the SFA with questions.

Confirmation Review of the Verification Sample

Prior to conducting verification, SFAs are required to conduct a confirmation review of all applications selected for verification. The purpose of the review is to check the accuracy of the initial free or reduced price eligibility determination or to make corrections, if necessary. An individual, other than the one who made the initial eligibility determination, must conduct the confirmation review prior to household notification of their selection for verification. Documentation of the confirmation review and any resulting changes in eligibility status must be maintained.

If the initial determination is found to be incorrect, the SFA must correct the household eligibility status and notify the household of the change in eligibility through a notice of adverse action letter. A sample letter is included in the VDOE prototype forms. If the correction results in the application no longer being eligible for verification, it must be replaced by another eligible

application within the error-prone guidelines (i.e., a correctly approved application within \$100 of the monthly income eligibility limit). Upon completing the confirmation review, the division should proceed with verification of applications with confirmed eligibility, those with corrected eligibility that remain eligible for benefits, and those selected to replace incorrectly determined applications.

Household Notification and Follow-up

Households selected for verification must be informed, in writing, of their selection and must be provided a list of the documents or other forms of evidence the household must submit. A prototype notification letter is available in SNPWeb. Households must be given a telephone number to call for assistance; the number must permit the call to be free for all households in the division. The notification letter must also include the name of a school official(s) to act as a point of contact for the household, either to directly assist them or to refer the caller to a specific person for help.

A second follow-up is required for households that fail to respond to the initial request for verification information. At least one attempt, through mail, by telephone, or personal contact must be made. A prototype second notice letter is available in SNPWeb. Written documentation of the required second notification, including all follow-up attempts and the results, must be maintained. If the household's eligibility status cannot be verified after the follow-up attempt(s), the household's benefits must be terminated through a notice of adverse action letter.

Reapplication

Households that reapply for benefits after termination due to non-response to verification are required to submit income documentation or proof of participation in assistance programs at the time of reapplication. All households terminated as a result of non-response to verification that reapply at any time during the same school year must meet verification requirements, including submission of documentation of household income sources. SFAs must track the households terminated as a result of non-response to verification for the remainder of the same school year. Tracking is required to assure households that reapply for benefits during the same school year provide income documentation at the time of reapplication.

Verification Reporting

The SNPWeb Verification Collection Report is the data collection tool required for Virginia SFAs to report verification data and results. The data from this report for each SFA will be consolidated to submit the required state summary verification information to USDA in form FNS-742. Detailed instructions for completing the SNPWeb Verification Collection Report will be provided to SNP points of contact in a separate technical assistance memorandum from the Director of the Office of School Nutrition Programs.

If you have questions regarding verification, please contact the regional SNP specialist assigned to your division or submit the question by email to SNPPolicy@doe.virginia.gov.

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