Nondiscrimination Policy Statement
for Pricing Centers or Sponsors for Free and Reduced Price Meals

The _____ *(Sponsoring Organization)* agrees to participate in the Child and Adult Care Food Program and accepts responsibility for providing free and reduced-price meals in the center(s) under its jurisdiction.

The Program sponsor assures the Kansas State Department of Education that the center(s) will uniformly:

- Implement procedures to determine children's eligibility for free and reduced-price meals, and
- Accept Enrollment & Income Eligibility Form for free or reduced-price meal benefits on behalf of children regardless of whether their household receives Food Assistance or Temporary Assistance to Families (TAF) benefits.

In fulfilling its responsibilities, the program sponsor:

1. Agrees to serve free meals to children from households whose income is at or below the level for free meals on the USDA Income Guidelines.
2. Agrees to serve free meals to children who receive Food Assistance or TAF benefits.
3. Agrees to serve reduced-price meals not exceeding 40 cents for lunch or supper, 30 cents for breakfast, and 15 cents for each supplement to children from families whose income is above the level for free meals but at or below the level for reduced-price meals on the USDA Income Guidelines.
4. Agrees to provide these benefits to foster children, in certain cases, using the same criteria above and to children from families who are experiencing unemployment that may cause the household income to fall within the specified criteria.
5. Agrees that there will be no physical segregation of, nor any other discrimination against, any child because of his/her inability to pay the full price of the meal. The names of the children eligible to receive free and reduced-price meals shall not be published, posted, or announced in any manner and there shall be no overt identification of any such children. Further assurance is given that children eligible for free and reduced-price meals shall not be required to:
    - Work for their meals,
    - Use a separate lunchroom,
    - Go through a separate serving line,
    - Enter the lunchroom through a separate entrance,
    - Eat meals at a different location,
    - Eat meals at a different time, or
    - Eat meals different from the ones sold to children paying the full price.
6. Agrees that in the operation of child-feeding programs, no child shall be discriminated against because of race, color, national origin, disability, sex, or age.
7. Agrees to distribute the Parent Letter for Pricing Institutions, an Enrollment & Income Eligibility Form, and Notify Household about Meal Benefits to each child's parent or guardian.
    - Parents/guardians will be requested to complete the Enrollment & Income Eligibility Form and return it to the determining official if they feel their family qualifies for free/reduced-price meals. Such applications and documentation of action taken will be maintained for three years after the end of the fiscal year to which they pertain.
    - Enrollment & Income Eligibility Forms may be filed at any time during the year. Any parent enrolling a child in a center for the first time at any time during the year shall be supplied with such documents. If a child transfers from one center to another under the jurisdiction of the same program sponsor, his/her eligibility for free or reduced-price meals will be transferred to and honored by the receiving center.
    - Enrollment & Income Eligibility Forms will be approved for free or reduced-price meals when the information meets the USDA Income Guidelines. All children from an income household will receive the same benefits. Children's meals will be reimbursed at the free or reduced-price rate immediately upon establishment of the eligibility. The household shall be provided with written notification of the eligibility.
    - When an Enrollment & Income Eligibility Form is rejected, parents or guardians will be provided prompt written notification which shall include: (1) the reason for the denial of benefits; (2) notification of the right to appeal; (3) instructions on how to appeal; and (4) a statement reminding the parents that they may reapply for free and reduced-price benefits at any time during the year. The reasons for ineligibility shall be properly documented and retained on file.

8. Agrees to designate _____ *(Name, Title and Contact Information)* as the determining official to review applications and make determinations of eligibility. This official will use the criteria outlined in this policy to determine which individual children are eligible for free meals and reduced-price meals.
9. Agrees to establish and use a hearing procedure for parents' appeals of the center's decisions on applications. A record of all such appeals and challenges and their disposition shall be retained for three years. Prior to initiating the hearing procedure, the parent or guardian may request a conference to provide an opportunity for the parent or guardian and program sponsor to discuss the situation, present information, and obtain an explanation of data submitted in the application and decisions rendered. Such a conference shall not in any way prejudice or diminish the right to a fair hearing. The hearing procedure shall provide the following:
    - A publicly announced, simple method for making an oral or written request for a hearing.
    - An opportunity to be assisted or represented by an attorney or other person.
    - An opportunity to examine, prior to and during the hearing, the documents and records presented to support the decision under appeal.
    - Reasonable promptness and convenience in scheduling a hearing and adequate notice as to the time and place of the hearing.
    - An opportunity to present oral or documentary evidence and arguments to support a position without undue interference.
    - An opportunity to question and refute any testimony or other evidence and to confront and cross-examine any adverse witnesses.
    - That the hearing is conducted and the decision made by a hearing official who did not participate in the decision under appeal.
    - That the decision of the hearing official be based on the oral and documentary evidence presented at the hearing and made a part of the hearing record.
    - That the parties concerned and any designated representatives thereof be notified in writing of the decision of the hearing official.
    - That for each hearing a written record be prepared including the decision under appeal, any documentary evidence, a summary of any oral testimony presented at the hearing, the decision of the hearing official and the reasons therefore, and a copy of the notification to the parties concerned of the hearing official's decision.
    - That such written record be preserved for a period of three years and be available for examination by the parties concerned or their representatives at any reasonable time and place during such period.
10. Agrees to designate _____ *(Name, Title, Address)* as the hearing official. This person must be someone not involved in the original eligibility determination. Further, it is suggested that he/she hold a position superior to that of the determining official.
11. Assures the Kansas State Department of Education that all free and reduced-price meals claimed will be for eligible children with an approved application on file which documents that eligibility.
12. Agrees to establish a procedure to collect money from children who pay for their meals and to account for the number of free, reduced-price, and paid meals served. The procedures described on the attachment will be used so that no other child in the center will consciously be made aware of the identity of the children receiving free or reduced-price meals and these procedures will be attached and made part of the policy.
13. Agrees to provide the Media Release for Pricing Institutions to media serving the area from which the institution draws its attendance annually at the beginning of each program year.

_____ _____
(Signature of Sponsor Authorized Representative) (Date)

_____ _____
(Sponsoring Organization) (Sponsor Number)

USDA Nondiscrimination Statement

In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, religion, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity.

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotape, American Sign Language), should contact the responsible state or local agency that administers the program or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.

To file a program discrimination complaint, a Complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form which can be obtained online at: https://www.usda.gov/sites/default/files/documents/ad-3027.pdf, from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to USDA by:

(1) mail
U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410; or

(2) fax:
(833) 256-1665 or (202) 690-7442; or

(3) email:
program.intake@usda.gov

This institution is an equal opportunity provider.