



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF EDUCATION

P.O. BOX 2120  
RICHMOND, VA 23218-2120

August 20, 2012

TO: Mrs. Sue F. Hirsh  
Superintendent  
Bath County Schools

FROM: Catherine Digilio Grimes, MS, RD, LDN, SNS  
Director  
School Nutrition Programs

*Catherine Digilio Grimes*

SUBJECT: Approval of 2012-2013 Annual Agreement to Participate in the School Nutrition Programs

The 2012-2013 Annual Agreement to participate in the School Nutrition Programs has been approved by the Department of Education (DOE). A signed copy of this agreement has been sent to the division's school nutrition program director/supervisor or contact person. The completed online School Food Authority (SFA) Agreement, site applications, and supporting documents are part of this agreement. Changes to the agreement must be submitted to DOE via the School Nutrition Program Web-based (SNPWeb) system for review and approval before implementation.

The signed agreement packet must be maintained in the school nutrition program's central office for the current year and three years beyond the year to which it applies. School divisions may also choose to send a copy of the agreement packet to each school nutrition manager and/or school principal. The agreement provides a reference for the federal and state regulations each participating school has agreed to follow.

School nutrition program claims for reimbursement must be entered into the SNPWeb system and submitted to DOE by the 15th of the month following the claim month. Federal regulations require original claims to be submitted within 60 days beyond the close of the claim month. Claims not submitted within 60 days may not be paid (7 CFR 210.8b (1)). The school division may request a waiver to this requirement by submitting a letter providing justification of why the 60 day deadline was missed and the corrective action taken to prevent a future occurrence. Once DOE grants the waiver the claim may be paid. No more than one waiver may be granted in a 36-month period. Changes to meal counts, free and reduced eligibility data, attendance, or membership discovered after the claim has been processed must be submitted by the division as a revision to the original claim. Upward revisions (increases in the number of meals claimed) must be submitted within 60 days of the last day of the claim month; there is no time limit for downward revisions.

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Data reported via SNPWeb for membership, attendance, and the number of students eligible for free and reduced price meals must be supported by appropriate documentation on file in the school division. Please note, membership and attendance for some programs, such as pre-school and at risk 4-year-old programs, may not be included in the *Principal's Monthly Report of Attendance*. The membership and attendance data for these programs must be included in the figures reported in SNPWeb if these students participate in the reimbursable USDA school nutrition programs.

Students' eligibility for free or reduced price meals is confidential information. The release of this information is governed by federal regulations. Specific guidelines regarding the sharing of this confidential information are outlined in Regulatory Superintendent's Memorandum Number 3, dated June 1, 2001. This memo describes the requirements for protecting the confidentiality of a student's eligibility for free or reduced price meals, specific authorizations for the limited disclosure of this information to certain programs without parental consent and to certain other programs with written parental consent, and the legal penalties for unauthorized release of this information. Information may also be found in the *USDA Eligibility Manual for School Meals*.

The federal statute and the department's policy do not intend that programs or individuals have unlimited access to eligibility information. Programs, activities, individuals, or agencies may not have access to a student's eligibility without the written permission of parents or guardians unless authorized by federal regulation. Students' eligibility for free or reduced price meals may not be stored or used in any computerized file or database unless the information and/or data field is protected and requires the use of a controlled password. This protected file may only be accessed by the determination officials, persons who issue benefits, and those authorized by federal regulation.

If there are questions or assistance is required, please contact the school nutrition program specialist assigned to the division, Lynne Fellin, associate director, or me, at (804) 225-2074.

CDG/idl

c: Lumina Shifflett, Food Service Supervisor  
Karen Howard, SNP Specialist  
Lynne Fellin, Associate Director