



**Office for Safety, Health and Nutrition**  
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## POLICY STATEMENT

### VERIFICATION ACTIVITIES – REAUTHORIZATION 2004 IMPLEMENTATION MEMO

**Source:** USDA Memo SP 13-2005, and  
SP 18-2005

**Code:** NSLP-02-08

**Audience:** All SFAs

**Effective Date:** 8/13/2007

**Replaces:** N/A

**Program:** NSLP

## INTRODUCTION

This memorandum states the National School Lunch Program (NSLP) policy for Ohio Local Educational Agencies (LEAs) in the implementation of verification process requirements including:

- Confirmation review of free and reduced-price student meal applications selected for verification
- Ability to decline verification of certain applications
- Follow-up of applications selected for verification

## STATEMENT OF POLICY

### A. OVERVIEW OF THE VERIFICATION PROCESS

1. Per the Richard B. Russell National School Lunch Act (NSLA), LEAs, on a yearly basis, must verify the eligibility of children in a sample of approved free and reduced-price school meal applications on file as of October 1<sup>st</sup>.
2. The Child Nutrition and WIC Reauthorization Act of 2004 amended the NSLA to include a confirmation review of applications selected for verification, provide LEAs an opportunity to decline to verify certain applications, and require LEAs to conduct follow up activities for applications in which households fail to respond. These provisions are detailed in the subsequent sections of this memorandum.

### B. CONFIRMATION REVIEW OF FREE AND REDUCED-PRICE STUDENT MEAL APPLICATIONS SELECTED FOR VERIFICATION

1. LEAs must review all free and reduced-price school meal applications selected for verification prior to conducting any verification activities. This review is designed to check the accuracy of the initial eligibility determination.
2. This review of applications is referred to as the “confirmation review”.
3. The confirmation review must be conducted by someone other than the person who made the initial eligibility determination. This individual is referred to as the confirming official.
4. Per LEA option, the confirmation review may be conducted immediately after the initial review of all applications and consequently be part of the certification process, or be part of the verification process only. In this case, only applications selected for verification would be reviewed by the confirming official.
5. LEAs with high-accuracy technology based application approval systems may contact the Ohio Department of Education to request a waiver to the confirmation review requirement.
6. If the confirmation review of an application concludes that the initial determination is correct, the LEA may proceed with verification activities for that application.
7. If the confirmation review reveals an error in eligibility determination to the favor of the household (i.e. student movement from reduced to free eligibility or similar), the LEA must make the change as soon as possible and proceed with verification activities for that application.
8. If the confirmation review reveals an error in eligibility determination of which would decrease household benefits, the LEA should proceed with and complete verification of that application before any notification of a new eligibility status is given to the household. This procedure is designed to avoid a possible unnecessary reduction in benefits.

#### **C. ABILITY TO DECLINE VERIFICATION OF CERTAIN APPLICATIONS**

1. LEAs have the option to decline to verify up to 5% of applications in their selected verification sample, as specified by Public Law 108-265.
2. LEAs should consider factors such as household stability and communication difficulties when declining applications.
3. If an application is removed, the LEAs must replace the application with another approved application.

#### **D. FOLLOW-UP PROCEDURES FOR APPLICATIONS SELECTED FOR VERIFICATION**

1. LEAs must provide all households selected for verification with a telephone number that the household may use to respond free of charge.
2. LEAs must assign a school or LEA official to respond to requests for verification assistance.
3. If households fail to respond to the initial request for verification, the LEA must conduct at least one follow up attempt to contact the household. This follow up attempt may be in the form of mail correspondence, telephone call, email message, or through personal contact.
4. The LEA must document follow up attempt(s) and the results, if any.
5. If the LEA is unable to verify the household’s eligibility status after follow up attempt(s), the household’s benefits must be terminated through a notice of adverse action.
6. The LEA may contract with a third party to assist with the required follow up activities. Any third party is subject to the confidentiality requirements outlined in the current regulations.

Please keep this memo on file for reference. A copy of the memo and Verification Instruction Packet are available for downloading from the ODE website at: <http://www.ode.state.oh.us/> . If you have any questions regarding this memo, please contact your NSLP regional consultant.

**Prepared by:**   
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