

Section 10 of the Child Nutrition Act of 1966 (42 U.S.C. 1779) requires the Secretary of Agriculture to prescribe such regulations as deemed necessary to carry out this Act and the Richard B. Russell National School Lunch Act (NSLA) (42 U.S.C. 1751 et seq.). The NSLA, as amended, authorizes the National School Lunch Program (NSLP) to safeguard the health and well-being of the Nation's children and provide free or reduced-price school lunches to eligible students through subsidies to schools. As required, the Secretary of Agriculture issued 7 CFR Part 210, which sets forth policies and procedures for the administration and operation of the NSLP.

Section 9, Paragraph 9(b) of the NSLA provides that the income guidelines for determining eligibility for free school meals must be 130 percent, and reduced price school meals must be 185 percent, of the applicable family size income levels contained in the non-farm income poverty guidelines prescribed by the Office of Management and Budget, as adjusted annually. The Code of Federal Regulations (CFR), Title 7 CFR Part 245, Determining Eligibility for Free and Reduced-Price Meals and Free Milk in Schools, sets forth policies and procedures for implementing these provisions.

Section 104 of the Child Nutrition and WIC Reauthorization Act of 2004 added section 9(b)(4) to the NSLA (42 U.S.C. 1758(b)(4)) to require school food authorities to directly certify, without further application, any child who is a member of a household receiving Supplemental Nutrition Assistance Program (SNAP) benefits. In addition, provisions from Section 101(b) of the Healthy, Hunger-Free Kids Act of 2010 (HHFKA), Public Law 111-296 (<http://www.gpo.gov/fdsys/pkg/PLAW-111publ296/pdf/PLAW-111publ296.pdf>), amended section 9(b)(4) of the NSLA (42 U.S.C. 1758(b)(4)) to define required percentage benchmarks for directly certifying children who are members of households receiving assistance under Supplemental Nutrition Assistance Program (SNAP) and further amended the NSLA to require, beginning with SY 2011-2012, that each State agency that does not meet the benchmark for a particular school year develop, submit, and implement a continuous improvement plan (CIP) to fully meet the benchmarks and to improve direct certification for the following school year.

The Program is administered at the State and local educational agency (LEA) / school food authority (SFA) levels. States, LEAs/SFAs, and schools under this Act are required to keep accounts and records as may be necessary to enable FNS to determine whether the program is in compliance with this Act and the regulations.

State agencies are required to report program data to FNS using FNS forms. The reporting burden for some of these reporting forms is associated with the information collection for the Food Programs Reporting System (FPRS), OMB Control #0584-0594, expiration date 9/30/2019 and is not duplicated in this information collection. However, the recordkeeping burden is still maintained in this collection. The FNS forms that are collected via FPRS are FNS-10 (Report of School Operations), FNS-13 (Annual Report of State Revenue Matching), FNS-777 (Financial Status Report), and FNS-828 (School Food Authority Paid Lunch Price Report), FNS-640 (Coordinated Review Data Report), FNS-742 (School Food Authority Verification Collection Report), FNS-874 (Local Educational Agency Second Review of Applications Report), and FNS-834 (State Agency Direct Certification Rate Data Element Report).

FNS-640 Administrative Review Report: [National School Lunch Regulations \(7CFR Part 210\): 210.20\(a\)\(5\) & 210.18\(n\)](#)

FNS-742 School Food Authority Verification Collection Report: [Regulations - DETERMINING ELIGIBILITY FOR FREE AND REDUCED PRICE MEALS AND FREE MILK IN SCHOOLS \(PART 245\): 7 CFR 245.6a \(h\) & 7 CFR 245.11 \(i\)](#)

FNS-828 School Food Authority Paid Lunch Price Report: [National School Lunch Regulations \(7CFR Part 210\): 210.14\(e\)\(7\) & 210.20\(b\)\(12\)](#)

FNS-834 State Agency (NSLP/SNAP) Direct Certification Rate Data Element Report: Regulations - DETERMINING ELIGIBILITY FOR FREE AND REDUCED PRICE MEALS AND FREE MILK IN SCHOOLS (PART 245): **7 CFR 245.13(c)**

FNS-874 Local Educational Agency Second Review of Applications: DETERMINING ELIGIBILITY FOR FREE AND REDUCED PRICE MEALS AND FREE MILK IN SCHOOLS (PART 245): **7 CFR 245.11(b)(2) & 7 CFR 245.11(c)(3)**