

Sources for Verification

When a household is selected for verification, it must provide “sources of information” to the LEA to confirm current income or participation in a categorically eligible program. According to 7 CFR 245.6a(a)(7), sources of information may include written evidence, collateral contacts, and systems of records. Households which dispute the validity of information acquired through collateral contacts or a system of records must be given the opportunity to provide other documentation [7 CFR 245.6a(a)(7)(iv)].

Acceptable documentation of income or receipt of assistance from any of the following sources may be provided for any point in time between the month prior to application and the time the household is required to provide income documentation.

Written Evidence

Written evidence is the primary source of eligibility confirmation for all households [7 CFR 245.6A(A)(7)(i)]. Written evidence most often includes pay stubs from employers or award letters from assistance agencies or other government agencies.

- For **income eligible applications**, acceptable written evidence contains: the name of the household member; the amount of income received; the frequency received; and the date the income was received. A pay stub with no dates would be insufficient written evidence for an income eligible application.
- For **categorically eligible Assistance Program applications**, an official letter or notice indicating the child or any household member is receiving benefits from the program, such as a notice of eligibility, would be acceptable written evidence. A document from an Assistance Program that does not specify the certification period does not meet the documentation for verification. For example, an identification card from an Assistance Program (SNAP or TANF) is not acceptable as verification unless it contains an expiration date [7 CFR 245.6a(f)(3)].
- For **Other Source Categorically Eligible applications**, an official letter, notice, or list from the appropriate State agency, social service agency, program office or coordinator, or court would be acceptable written evidence.

The verifying official should examine the documentation provided to ensure the child for whom the application was made is part of a household currently participating in an eligible program or is a foster child. EBT cards cannot be used to confirm eligibility in SNAP and therefore cannot be used for categorical eligibility purposes.

If a household does not have satisfactory documentation, the household may request a signed, dated letter from the appropriate office to verify the child is part of a household currently receiving benefits. If written evidence is insufficient to confirm the income information on the application, the LEA may require use of collateral contacts.

Collateral Contacts

A collateral contact is a person outside of the household who is knowledgeable about the household's circumstances and can confirm a household's income level or participation in Assistance Programs or Other Source Categorical Eligibility Programs [7 CFR 245.6a(a)(7)(ii)]. Collateral contacts include employers, social service agencies, migrant workers' agencies, and religious or civic organizations. The verifying official should request a collateral contact only in cases when the household has not been able to provide adequate written evidence.



The verifying official must give the household the opportunity to designate the collateral contact. However, the verifying official may select a collateral contact if the household fails to designate a collateral contact or designates a contact that is unacceptable to the verifying official. In either case, no contact may be made without first notifying the household and obtaining its consent. At the time of the notice, the household may consent to the contact or provide acceptable documentation in another form. If the household refuses to choose one of these options, the household's eligibility will be terminated in accordance with normal verification procedures.

All information provided by collateral contacts (written or oral) must be documented, dated, and initialed. The LEA will examine any written information provided by the collateral contact or evaluate any oral information. If the collateral contact is unwilling or unable to provide the requested information, the LEA must contact the household to complete the verification process.

Verification of eligibility for Assistance Program households that provided a case number on the application may be accomplished by submitting a list of names and case numbers to the local Assistance Program office for confirmation of certification of receipt of benefits from agency records. More information can be found in *Direct Verification*.

Agency Records

A household's eligibility may be confirmed through the use of information maintained by other government agencies to which the State agency, LEA, or school has legal access [7 CFR 245.6a(a)(7)(iii)]. These records are not considered collateral contacts. Although Program regulations do not require LEAs to notify households of selection when verification is made through agency records, such agencies may have their own notification requirements.

If available to the verifying official, wage and benefit information maintained by the State employment agency may be used to verify households. Such records are State records, and the release of information maintained by State employment offices is governed by State law. Other examples of agency records include information concerning SNAP, FDPIR, or TANF eligibility, or information from agencies serving foster, homeless, migrant, or runaway children. If the LEA contacts the other agency to obtain agency records well in advance of the November 15 deadline and the other agency does not respond, the LEA has a valid reason to ask the State agency to extend the deadline. More information can be found in *Direct Verification*.

When a Household Provides Pay Stubs

Households may provide pay stubs with income from employment. If a weekly pay stub is representative of what the household normally receives each week, one pay stub is sufficient.

If the household submits a pay stub including overtime, the determining official should work with the household to determine whether the overtime for the month being verified is representative of overtime received in other months. If overtime is a one-time or sporadic source of income, income should be calculated based on the regular monthly income without overtime.

Indication of "No Income"

If a household is selected for verification, and the household's application indicates zero income, the LEA must request an explanation of how living expenses are met and may request additional written documentation or collateral contacts. The collateral contact may be asked to document the duration and type of assistance that is provided to the household.

Direct Verification

Section 9(b)(3)(F) of the NSLA and Program regulations at 7 CFR 245.6a(g) permit LEAs to "directly" verify approved applications selected for verification. Direct verification involves using records from public agencies to verify household income or household participation in an eligible program, helping relieve families of additional paperwork and reducing the gap in meal benefits for eligible children resulting from non-response. Direct verification may be completed at the State or local level, or through a joint effort at both levels.

LEAs are not required to conduct direct verification. However, State agencies and LEAs are encouraged to expand use of direct verification. Any LEA that intends to conduct direct verification must contact the State agency for assistance with establishing a direct verification method. Direct verification may be used when the household application, certified based on case number, is subject to verification under the LEA's use of alternative sample size.

LEAs may conduct direct verification activities with Assistance Programs and with the agency that administers Medicaid and CHIP at the State level. Direct verification must be conducted prior to contacting the household for documentation. The public agency's records may document income for any point in time between the month prior to application and the time the household is required to provide income documentation.

If verification results in an increase in benefits (for example a child who is moved from the reduced price to free category) the change is effective immediately and must be implemented no later than three operating days from the date verification was completed. Households should be promptly notified through the method the LEA uses to notify the household of approval for benefits. For more information, see: SP 32-2006: *Clarification of Direct Verification*, <http://www.fns.usda.gov/sp32-2006-clarification-direct-verification>.

Names Submitted for Direct Verification

The LEA must only submit the names of children certified for meal benefits and listed on the application when submitting names to the agency administering an eligible program [7 CFR 245.6a(g)(1)]. The names of other household members (all adults, children who are not attending school, or children not approved for free and reduced price benefits) cannot be submitted for direct verification purposes. For purposes of direct verification, when the data indicates one child is participating in an eligible Assistance Program, all eligible children in the household are verified. If none of the children in the household are confirmed through direct verification, regular verification procedures must be followed.

Types of Direct Verification

Direct Verification with Assistance Programs

If information obtained through direct verification of an application for meal benefits indicates a child is participating in an eligible Assistance Program, no additional verification is required. The eligibility status of the child (or children) listed on the application is considered verified [7 CFR 245.6a(g)(2)].

Direct Verification with Medicaid and CHIP

If information obtained through direct verification with Medicaid or CHIP confirms a child’s eligibility status, no additional verification is required. Medicaid and CHIP records that may be used to verify eligibility will depend upon State income limits for these programs.

- If the State income limit for participation is at or below 133 percent of the Federal poverty line, verification for children approved for **FREE MEALS** is complete.
- If the State income limit for participation is at or below 185 percent of the Federal poverty line, verification for children approved for **REDUCED PRICE MEALS** is complete.

Please see the following table, Direct Verification with Medicaid or CHIP, for more information about direct verification with Medicaid and CHIP.

Direct Verification with Medicaid or CHIP	
States with Medicaid or CHIP Income Limits of 133 Percent or Less [7 CFR 245.6a(g)(3)]:	If the income limit for Medicaid or CHIP is at or below 133 percent of the Federal poverty line, or if households with income at or below 133 percent of the Federal poverty line can be identified through Medicaid or CHIP participation, records from these agencies may be used to verify eligibility.
States with Medicaid or CHIP Income Limits Between 133 and 185 Percent [7 CFR 245.6a(g)(4)]:	If the income limit used for Medicaid or CHIP is between 133 and 185 percent of the Federal poverty line, direct verification information must include: <ul style="list-style-type: none">• The percentage of the Federal poverty line upon which the applicant’s participation is based; or• The income and household size used by Medicaid or CHIP to determine that the applicant is either at or below 133 percent or between 133 and 185 percent of the Federal poverty line.

Documentation Timeframe

The NSLA requires information used for direct verification to be the most recent information available. This information may not be dated more than 180 days prior to the date of the application. To be consistent with policy established for “regular” verification, direct verification efforts may use information from any point in time between the month prior to application and the time the LEA conducts direct verification.

For direct verification, LEAs and State agencies may use:

- The latest available information for one month, within the 180-day requirement; or
- Information for all months from the month prior to application through the month direct verification is conducted.

For example, a State agency or LEA could use data for the month of September or (if available) data for all months August through October.

If information provided by the public agency does not verify eligibility (i.e. the public agency provides incomplete or inconsistent information) the LEA must proceed with regular verification activities. Households may dispute the validity of income information acquired through direct verification and shall be given the opportunity to provide other documentation. [7 CFR 245.6a(g)(6)].

Verification Follow-Up

The NSLA requires LEAs to conduct verification follow-up activities. To continue the verification process after household notification, the LEA must either determine:

- If the household has submitted adequate information to complete its individual verification activity; or
- If follow-up with the household is needed.

Following Up with Households

The LEA must make at least one attempt to contact the household when the household does not adequately respond to the request for verification [7 CFR 245.6a(f)(6)]. “Non-response” includes no response and incomplete or ambiguous responses that do not permit the LEA to resolve children’s eligibility for free and reduced price meals. The required follow-up attempt may be in writing (mail or e-mail) or by telephone or text message. The LEA must document contact was attempted. Additionally, the LEA must ensure LEP households are provided adequate language assistance and understand the need to respond to the verification request, as outlined in Section 9(b)(8) of the NSLA and USDA LEP guidance.

The LEA must make a follow-up attempt when:

- The household does not respond to the initial request for verification;
- The household submits insufficient or obsolete written evidence;
- The household does not designate collateral contacts; or
- The collateral contacts are unable or unwilling to provide the requested evidence.

When following up with households, the LEA:

- Must inform the household that failure to provide adequate written evidence or failure to designate an adequate collateral contact will result in termination of benefits;
- Must attempt to obtain the missing written evidence or collateral contact information; and
- Must contact the household to complete the verification process, if the collateral contact is unwilling or unable to provide the requested information.

If, after at least one follow-up attempt, the household responds and provides all needed evidence, verification is considered complete for the household. As appropriate, the LEA would complete verification by:

- Informing the household there is no change in benefits;
- Notifying the household its benefits will be increased; or
- Sending notice of adverse action.



LEAs are encouraged but not required to conduct additional follow-up if a household fails to provide adequate documentation after the first required follow-up. LEAs are permitted to contract with a third party to assist with the required follow-up activity. Any third party is subject to the confidentiality requirements outlined in Program regulations. For more information, see: SP 13-2005: *Verification Activities - Reauthorization 2004 Implementation Memo*, <http://www.fns.usda.gov/verification-activities-%E2%80%93-reauthorization-2004-implementation-memo-sp-13>.

If the household does not respond or fails to provide adequate documentation after the required follow-up (and, if applicable, additional follow-ups), verification is considered complete for

the household when notice of adverse action is sent. A household's refusal to cooperate with efforts to verify will result in the termination of household benefits. Households refusing to complete the verification process are counted toward meeting the LEA's required sample of verified applications [7 CFR 245.6a(f)4]

When Verification is Considered Complete

The following examples demonstrate how the LEA determines whether or not a household response is adequate and whether follow-up is required.

- Household Action: The household submits either adequate written evidence or collateral contact corroboration of income or categorical eligibility.
 - Verification Status and Action: Verification is considered complete for this household.
- Household Action: The household submits either adequate written evidence or collateral contact corroboration of income indicating that the children should receive either a greater or lesser level of benefits.

- Verification Status and Action: Verification is considered complete for this household when the household is notified that its benefits will be increased or decreased. If benefits are decreased, a notice of adverse action must be sent before verification is considered complete.
- Household Action: The household indicates, verbally or in writing, that it no longer wishes to receive free or reduced price benefits.
 - Verification Status and Action: Verification is considered complete when the notice of adverse action is sent.
- Household Action: The application provided case numbers. It is determined that no household member is receiving benefits from an Assistance Program.
 - Verification Status and Action: Verification is considered complete when the notice of adverse action is sent.

Households must be notified of any reduction in benefits, and must be informed of their right to reapply for benefits at any time [7 CFR 245.6a(f)(7)]. If benefits are decreased, a notice of adverse action must be sent. LEAs must provide 10 days advance notification to households that are to receive a reduction or termination of benefits, prior to the actual reduction or termination [7 CFR 245.6a(j)].

Record Retention

All verified applications must be readily retrievable on an individual school basis. All documents submitted by the household for the purpose of confirming eligibility, reproductions of those documents, or annotations made by the determining official indicating which documents were submitted by the household and the date of submission also must be retained, along with all relevant correspondence between the households selected for verification and the school or LEA [7 CFR 245.6a(h)]. This documentation, including documentation concerning any appeals, must be kept by the LEA to demonstrate compliance with the verification requirements when LEAs are reviewed by State or Federal officials. The documentation must be kept for a minimum of three years, after the date of the fiscal year to which they pertain.

LEAs must also maintain a description of their verification efforts. The description must include:

- A summary of the verification efforts including the selection process;
- The total number of applications on file on October 1; and
- The percentage or number of applications that are/will be verified by November 15.

The LEA must also be able to demonstrate compliance with the confirmation review requirement and provision of a no-cost telephone number for assistance in the verification process.