



WISCONSIN SCHOOL NUTRITION IN A NUTSHELL

Disclosure

When a child's free or reduced price meal eligibility status is used for purposes other than the school meal programs, there are specific rules and regulations related to the disclosure of this information. The Determining Officials (DO) must be aware of these disclosure rules since it is very common for school personnel (i.e. school social worker, counselor, teachers, etc.) to request eligibility information for other programs or purposes. Disclosure includes, but is not limited to, access, release, or transfer of personal data about children by means of print, tape, electronic communication, or any other means. It includes eligibility information obtained through the Household Application, Direct Certification, or Alternate Household Income Form.

Need to Know

Confidentiality Requirements:

- The DO is responsible for keeping free and reduced meal eligibility information secure.
- The DO must adhere to disclosure restrictions as outlined in 7 CFR part 245.6.
 - Criminal penalties for improper release of eligibility information may apply.
- Local Education Agencies (LEAs) may in limited situations disclose student eligibility information to programs, activities, and individuals specifically authorized under the National School Lunch Act (NSLA).
- Refer to the *Disclosure Requirements* table on page 86 of the [Eligibility Manual](#) for circumstances for disclosing eligibility information.

Richard B Russell National School Lunch Act (NSLA)

- Disclosure of eligibility status is on a "need to know" basis.
 - Eligibility information cannot be made available to all school officials.
- Allows persons directly connected with the administration or enforcement of certain programs or activities to have access to children's eligibility information.
- Online systems need to have a masking or de-identification capability to limit access to eligibility information.
 - Districts may limit "role based" security access to those that "need to know."

Disclosure In Joint Custody Situations

- Both custodial parents have the right to know the meal eligibility of the student.
 - The parent that the meal benefits are not connected to does not need to know the basis of the benefit.
- It is encouraged that the DO is aware of the school policy for sharing information between custodial parents in joint custody situations.

Overt Identification

Any action that results in a child being recognized as potentially eligible to receive free or reduced price meals, by policy or practice, must be avoided by the school food authority (SFA).

This includes, but is not limited to:

- Distribution of applications
- Direct Certification
- Providing notification of eligibility to households
- Providing meals in the cafeteria, including payment systems and the point of service.

- Balance notifications to households.

Reporting

- Determining officials should always ask if aggregate data would suffice before disclosing names and eligibility status.
- In Wisconsin, WISEdata is used by public, private, and private schools participating in the choice programs to report data to the Department of Public Instruction (DPI) from their Student Information System (SIS). It is permissible to release names and student eligibility information in this portal.
- Student information sharing is allowed for Federal or State Education Programs, such as Title 1, Achievement Gap Reduction, and the ACT test series.
 - Overt identification cannot occur in administering any of these services.

Sharing of Information

Household Consent

- A disclosure of all eligibility information to any other Federal, State, or local program and individual not included in the NSLA requires household consent.
- Local level programs and activities require household consent. This may include:
 - Local health and education programs
 - Fee waivers for extracurricular activities, registration, state testing, etc.
- Household consent must be provided in writing.
- Required if sharing additional information besides student name and status to an authorized program.
 - For example, if a Federal education program requests family size or basis of eligibility, then household consent is required.

Self-Disclosure

- Parents or guardians may always provide consent for the disclosure of any or all the information related to their children's eligibility status.
- Parents or guardians have the right to limit the disclosure of eligibility information to specific programs.
 - LEAs may use a [Sharing of information Form](#) but must specify each program.
 - Blanket waiver statements are not acceptable.
- It is preferred that parents' self-disclosure eligibility for fee waivers.
 - Often this is the method done for field trips or special events like a holiday food basket.

Disclosure Agreements:

- Disclosure agreements should be on file.
- Persons that are allowed to receive eligibility information should sign a disclosure agreement.
- Intent:
 - Outlines who is accessing the information.
 - Explains how the information will be used.
 - Describes how the information will be protected from unauthorized users.
 - Includes the statement of penalties of misuse of eligibility information.

Templates

- [Disclosure Agreement for School Staff](#)
- [Disclosure Agreement for Outside Entities](#)