



900 S.W. Jackson Street, Suite 102
Topeka, Kansas 66612-1212
(785) 296-3201
www.ksde.gov

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To: Senate Committee on Government Efficiency
From: Frank Harwood, Deputy Commissioner
Gabrielle Hull, Legislative Coordinator
Re: Verifying household gross income for students who qualify for free meals

Chair Erickson and Members of the Committee,

Kansas school sponsors that participate in the lunch program receive reimbursement from USDA for each meal served to eligible students. In return, they must serve lunches that meet federal requirements and offer reduced price and free lunches to eligible students.

Federal law requires that children from households with incomes at or below 130 percent of the Federal poverty level are eligible for free school meals. Children from households with incomes between 130 and 185 percent of the poverty level are eligible for reduced-price meals.

Application process of Free Lunch

At the beginning of each school year, a letter about the school nutrition programs must be distributed to each household with children attending school. This letter tells families which school nutrition programs are available, that meals may be available free or at a reduced price, or that milk may be available free. The application is based on income eligibility guidelines prescribed annually by the Secretary of Agriculture.

Categorical Eligibility

Under federal law, children may automatically be eligible for free meals or free milk due to a child's (or any household member's) receipt of benefits under a federal assistance program [7 CFR 245.6(b)(7)] or because of a child's designation as Other Source Categorically Eligible [7 CFR 245.6(b)(8)].

- Participation in an Assistance Program: A child or any of the member of the household receives benefits from a federal assistance program, as determined through direct certification or an application with appropriate case number.
 - Supplemental Nutrition Assistance Program (SNAP),
 - Temporary Assistance for Needy Families (TANF),
 - Food Distribution Program on Indian Reservations (FDPIR), or
 - beginning in the 2022-2023 school year, Medicaid.
- Other Source Categorically Eligible designation: A child is documented as:
 - Homeless, runaway, or migrant child;
 - Foster child; or
 - Enrolled in a federally-funded Head Start or comparable State or Indian Tribal Organization funded Head Start or pre-kindergarten program

Kansas leads the world in the success of each student.

Community Eligibility Provision (CEP): Schools participating in the CEP program provide free meals to all students regardless of eligibility. Rather than collecting school meal applications to make individual eligibility determinations, schools that adopt CEP are reimbursed using a formula based on the percentage of students who are normally certified for free school meals without an application, such as students who participate in the Supplemental Nutrition Assistance Program and homeless students.

As reflected in the Kansas Legislative Division of Post Audit's July 2025 report on free lunch student counts, during the 2023-2024 school year, approximately 80% of students who qualified for free lunch did so through direct certification.

The 2023-2024 school year, 895 (73%) of Kansas public schools were eligible to participate in the Community Eligibility Program.

Verifying Eligibility for Free & Reduced Priced Meals

Under federal law, each Sponsor must annually verify eligibility of children from a random sample of household applications approved for free and reduced price benefits for that school year. The sample pool uses the total number of approved applications on file as of October 1 of the current school year.

The sample size is the lesser of:

- Three percent of all applications approved by the Sponsor for the school year as of October 1 or
- 3,000 applications approved by the Sponsor for the school year as of October 1.

Verification is only required when eligibility is determined through the application process, not through direct certification conducted with an Assistance Program or with agencies or officials who documented Other Source Categorical Eligibility (Migrant, Homeless, Runaway, Head Start, certain Medicaid benefits). Sponsors are limited to using verification data provided by the family.

In the 2023-24 school year, approximately 16% of students who qualified for free lunch qualified by submitting an application.

For more information, contact:

Frank Harwood

Deputy Commissioner
Division of Fiscal and Administrative Services
Frank.Harwood@ksde.gov
(785) 296-3871

Gabrielle Hull

Legislative Coordinator
Division of Fiscal and Administrative Services
Gabrielle.Hull@ksde.gov
(785) 296-7840