



United States
Department of
Agriculture

Food and
Nutrition
Service

3101 Park
Center Drive

Alexandria, VA
22302-1500

DATE: August 16, 2012

MEMO CODE: SP 42-2012

SUBJECT: Application and Other Household Materials for Limited English Proficient Households - Reminder

TO: Regional Directors
Special Nutrition Programs
All Regions

State Directors
Child Nutrition Programs
All States

This memorandum acts as a reminder to State agencies and Local Educational Agencies (LEAs) of their responsibilities to Limited English Proficient (LEP) households in the upcoming 2012-2013 school year. It reflects the guidance issued by the Food and Nutrition Service (FNS) in December of 2011, which may be referenced under SP 06 – 2012, “Applications and Other Household Materials for Limited English Proficient Households.” LEAs and State agencies are responsible for ensuring that their applications and other household materials (letter, application, instructions, notices, and verification materials) are available in a language the LEP household can understand. The following information has been provided to assist LEAs to determine the appropriate means of communication with LEP households:

- **Identify the primary language of households that may be free or reduced-price eligible and communicate in that language.** Most schools have a system in place to identify parents’ primary language for communications regarding the child’s education. LEAs can use information gained from using a Home Language Survey, which is conducted at enrollment to determine the dominant language in the home. As an alternative, LEAs could use FNS’ “I speak” list (<http://www.fns.usda.gov/cnd/frp/Ispeak.pdf>) to identify the appropriate language for communications regarding school meals.
- **Ensure that all LEP households applying receive language services; simply offering the most common alternative language is not sufficient.**
- **Serve parents or guardians with limited literacy.** It is important for State agencies and LEAs to ensure that individuals with limited literacy can understand the household materials. The Department of Agriculture’s (USDA) prototype materials are designed to be comprehensible to someone with low literacy. The Federal government’s guidelines for plain writing are available at:

<http://www.plainlanguage.gov/howto/guidelines/bigdoc/TOC.cfm>. For parents or guardians who are unable to read, State agencies and LEAs are expected to provide assistance so that parents can understand and complete the application, certification, and verification process.

- **Provide written translations.** State agencies or LEAs may choose to develop written translations of their own materials (including applications submitted online) in the most prevalent languages of households in their district. At a minimum, State agencies **must** make FNS' translations of prototype materials available to their LEAs through a link on the web site where household materials are posted and by providing printed copies of the materials as appropriate. FNS also expects LEAs to take appropriate measures to ensure that language and communication are not barriers to program participation. If LEAs do not have their own translated application materials they must at a minimum make FNS' prototype translations available. Currently the FNS application package contains many materials the LEA may need to send out and we understand this has deterred some from making these materials available directly to the households. We are preparing an application in all currently available translations that contains only the information generally made available when a household applies. We will notify State Agencies and post the applications online as soon as this option is available.
- **Provide oral interpretation services.** For parents that speak less prevalent languages or who have limited literacy, State agencies or LEAs should identify oral interpretation services available within the school that can be used to communicate with households about school meal benefits. Parents should not need to rely on family members (especially children) or friends as these people are not always able to provide quality and accurate interpretations.

State agencies and LEAs are encouraged to also partner with other local resources, such as migrant or refugee assistance agencies, when available.

- **Assist with verification.** State agencies and LEAs are expected to have a system in place to provide verification notices to each household in the primary language of the parents or guardians in the household, follow up with households that do not respond to the initial verification request, and provide oral assistance if the parent or guardian has difficulty understanding the written request. USDA translations of prototype verification materials are available on the FNS web site.
- **Include the required non-discrimination statement.** Parents need to understand that they will be treated fairly if they apply for free or reduced price school meals. The letter to households or the application itself **must** include the non-discrimination statement that appears on USDA's prototype application.

Regional Directors

State Directors

Page 3

States are reminded that compliance with the LEP requirements is considered part of the general areas for review in a Coordinated Review Effort. LEAs are reminded that the nonprofit food service account is a legitimate funding source to pay for translation services for food service purposes if there is a need to translate materials in a language that is not currently available.

State agencies are reminded to distribute this memo to program operators immediately. LEAs should contact their State agencies for additional information. State agencies may direct any questions concerning this guidance to the appropriate Food and Nutrition Service Regional Office.

Sincerely,

Original Signed

Cynthia Long
Director
Child Nutrition Division