

**Food and Consumer Service, USDA**

**§ 245.14**

embezzled, willfully misapplied, stolen, or obtained by fraud, shall be subject to the same penalties provided in paragraph (a) of this section.

(Sec. 10(a), Pub. L. 95-627, 92 Stat. 3623 (42 U.S.C. 1760); sec. 14, Pub. L. 95-627, 92 Stat. 3625-3626)

[Amdt. 14, 44 FR 37901, June 29, 1979]

**§245.13 Special responsibilities of State agencies.**

(a) State agencies shall require School Food Authorities of schools selected for participation in the Department of Health, Education, and Welfare Public School Civil Rights Survey to gather information on the race and ethnic background of children for whom applications for free and reduced price meals are filed.

(b) To comply with the provisions of §245.13(a) of this part, State agencies at their discretion may permit such School Food Authorities the option of requesting parents on application forms to voluntarily identify the race or ethnic background of their child for whom application is being made. Parents' provision of this information is purely voluntary and failure to provide this information will not affect the eligibility for benefits of the child for whom application is made. School Food Authorities shall develop alternative means of providing racial and ethnic data for applicants when such information is not voluntarily provided by parents on the application.

(c) School Food Authorities for such survey schools which are granted the option by the State agency and wish to request that the parents voluntarily identify the race or ethnic background of their children on the application form shall include the following statement on the letter to parents: "A survey is being conducted in your child's school to collect racial and ethnic data on applicants. This information is voluntary and will not affect your child's eligibility. This information is being collected to be sure everyone receives school meals on a fair basis, without regard to race, color, or national origin." Such schools shall also include the following statement on the application: "Please check in the space provided the racial or ethnic identity of your child(ren). This information is

voluntary and will not affect your child's eligibility. This information is being collected only to be sure that everyone receives school meals on a fair basis, without regard to race, color, or national origin." Schools which provide for racial and ethnic identification data collection of applicants by means other than parental self-identification need not include the above statements on the application or parental letter.

(d) Participation in the survey shall not affect reimbursement or individual eligibility for program participation or benefits. The data collected shall be confidential and shall be used solely to determine the equitable distribution of benefits without regard to race, color, or national origin.

(Sec. 602, Pub. L. 88-352, 78 Stat. 252 (42 U.S.C. 2000d-1))

[45 FR 1000, Jan. 4, 1980]

**§245.14 Information collection/record-keeping—OMB assigned control numbers.**

7 CFR section where requirements are described	Current OMB control number
245.3 (a), (b) .....	0584-0026
245.4 .....	0584-0026
245.5 (a), (b) .....	0584-0026
245.6 (a), (b), (c), (e) .....	0584-0026
245.7(a) .....	0584-0026
245.9 (a), (b), (c) .....	0584-0026
245.10 (a), (d), (e) .....	0584-0026
245.11 (a), (a-1), (b), (c), (d), (f) .....	0584-0026
245.13(a)-(c) .....	0584-0026

[50 FR 53258, Dec. 31, 1985]

**PART 246—SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS AND CHILDREN**

**Subpart A—General**

Sec.

- 246.1 General purpose and scope.
- 246.2 Definitions.
- 246.3 Administration.

**Subpart B—State and Local Agency Eligibility**

- 246.4 State Plan.
- 246.5 Selection of local agencies.
- 246.6 Agreements with local agencies.