

TO: Dr. Richey and Board Members

FROM: Sabrina Jewell, Child Nutrition Director

DATE: September 15, 2010

RE: Prototype Agreement/Free & Reduced Disclosure

I am requesting approval of the annual Agreement with Kentucky Department of Education/Division of Nutrition and Health Services allowing restricted access to Free & Reduced Price Eligibility information. Names and titles of those with access are listed in the attached agreement.

**PROTOTYPE
DISCLOSURE OF FREE AND REDUCED PRICE INFORMATION
AGREEMENT**

I. PURPOSE AND SCOPE

Henderson County Child Nutrition and Henderson County Board of Education acknowledge and agree that children's free and reduced price meal and free milk eligibility information obtained under provisions of the Richard B. Russell National School Lunch Act (42 USC 1751 et. seq.) (NSLA) or Child Nutrition Act of 1966 (42 USC 1771 et. seq.) (CNA) and the regulations implementing these Acts is confidential information. This Agreement is intended to ensure that any information disclosed by the Henderson County Child Nutrition to the Henderson County Board of Education about children eligible for free and reduced price meals or free milk will be used only for purposes specified in this Agreement and that the Henderson County Child Nutrition and Henderson County Board of Education recognize that there are penalties for unauthorized disclosures of this eligibility information.

II. AUTHORITY

Section 9(b)(6)(A) of the NSLA (42 USC 1758(b)(6)(A)) authorizes the limited disclosure of children's free and reduced price meal or free milk eligibility information to specific programs or individuals, without prior parent/guardian consent. Except that, the parent/guardian must be provided the opportunity to decline to share eligibility information prior to the disclosure for identifying children eligible for benefits under or enrolling children in the State Medicaid Program and the State children's health insurance program. Additionally, the statute specifies that for any disclosures not authorized by the statute, the consent of children's parents/guardians must be obtained prior to the disclosure.

The *requesting* agency certifies that it is currently authorized to administer the following program(s) and that information requested will only be used by the program(s) indicated:

Check all that
apply

Program

Information authorized

	<i>Medicaid</i> or the <i>State children's health insurance program (KCHIP)</i> , administered by a State or local agency authorized under titles XIX or XXI of the Social Security Act. Specify Program:	All eligibility information, unless parents elect not to have information disclosed.
	<i>State health program</i> other than Medicaid/KCHIP, administered by a State agency or local education agency. Specify Program:	Eligibility status only; consent not required.
	<i>Federal health program</i> other than Medicaid/KCHIP Specify Program:	NO eligibility information, unless parental consent is obtained.
	<i>Local health program</i> Specify Program:	NO eligibility information, unless parental consent is obtained.
X	<i>Child Nutrition Program</i> under the National School Lunch Act or Child Nutrition Act Specify Program:	All eligibility information; consent not required.
	<i>Federal/State or local means tested nutrition program</i> with eligibility standards comparable to the National School Lunch Program Specify Program:	Name and eligibility status only; consent not required.
X	<i>Federal education program</i> Specify Program: NAEP, NCLB	Name and eligibility status only; consent not required.
X	<i>State education program</i> administered by a State agency or local education agency Specify Program (i.e. SEEK): SEEK, Title I, FRYSC, CACFP	Name and eligibility status only; consent not required.

Disclosure Chart by What May be Released

All Eligibility Information

Recipient of Information	Information that May be Disclosed to Recipient	Required Notification and Consent
<i>Child Nutrition Programs</i> under the National School Lunch Act or Child Nutrition Act (NSLP, SBP, SMP, CACFP, SFSP, and WIC)	All eligibility information	Prior notice and consent not required
<i>Federal, State or local law enforcement officials</i> investigating alleged violations of any of the programs under the NSLA and CNA or investigating violations of any of the programs authorized to have access to names and eligibility status	All eligibility information	Prior notice and consent not required
<i>Comptroller General</i> of the United States for purposes of audit and examination	All eligibility information	Prior notice and consent not required
<i>Medicaid</i> or the <i>State children's health insurance programs (KCHIP)</i> , administered by a State or local agency authorized under titles XIX or XXI of the Social Security Act to identify and enroll eligible children	All eligibility information, unless parents elect not to have information disclosed	Must give prior notice to parents and opportunity for parents to decline to have information disclosed

Eligibility Status Only

Recipient of Information	Information that May be Disclosed to Recipient	Required Notification and Consent
<i>Federal/State or local means tested nutrition programs</i> with eligibility standards comparable to the NSLP	Name and Eligibility status only	Prior notice and consent not required
<i>Federal education programs</i>	Name and Eligibility status only	Prior notice and consent not required
<i>State education programs</i> administered by a State agency or local education agency	Name and Eligibility status only	Prior notice and consent not required
<i>State health programs</i> other than Medicaid/KCHIP, administered by a State agency or local education agency	Eligibility status only	Prior notice and consent not required
No Eligibility Information, Unless Parental Consent Is Obtained		
<i>Local education programs</i>	NO eligibility information, unless parental consent is obtained	Must obtain parental consent
<i>Federal health programs</i> other than Medicaid/SCHIP	NO eligibility information, unless parental consent is obtained	Must obtain parental consent
<i>Local health program</i>	NO eligibility information, unless parental consent is obtained	Must obtain parental consent

Note: Section 9(b)(6)(A) specifies that certain programs may receive children's eligibility status **only**, without parental consent. Parental consent must be obtained to disclose any additional eligibility information. Section 9(b)(6)(A)(iv) specifies that for State Medicaid or SCHIP, parents must be notified and given opportunity to elect not to have information disclosed. Social security numbers may only be disclosed if households are given notice of the disclosure and the uses to be made of their social security numbers as required by Sec. 7 of the Privacy Act.

III. RESPONSIBILITIES

Henderson County Child Nutrition will:

When required, secure parents/guardians consent prior to any disclosure not authorized by the National School Lunch Act or any regulations under that Act, unless prior consent is secured by the receiving agency and made available to the determining agency;

For State Medicaid and KCHIP notify parents/guardians of potential disclosures and provide opportunity for parents/guardians to elect not to have information disclosed;

Disclose eligibility information only to persons directly connected to the administration or enforcement of programs authorized access under the National School Lunch Act or regulations under the Act or to programs or services for which parents/guardians gave consent.

Henderson County Board of Education will:

Ensure that only persons who are directly connected with the administration or enforcement of the *(insert name of the Program)* and whose job responsibilities require use of the eligibility information will have access to children's eligibility information:

See attached lists

Use children's free and reduced price eligibility information for the following specific purpose(s):

Assessment, testing

Inform all persons that have access to children's free and reduced price meal eligibility information that the information is confidential, that children's eligibility information must

only be used for purposes specified above, and the penalties for unauthorized disclosures.

Protect the confidentiality of children's free and reduced price meal or free milk eligibility information as follows:

Printed copies are available only for Child Nutrition personnel and school Principal/designee. Infinite Campus administrator limits access through IC to personnel approved by SFA.

Description of Procedures to Transfer Meal Eligibility Information (May be completed by either the determining agency or receiving agency)

Describe the procedures for transferring students' meal eligibility information from the determining agency to the requesting agency/program so as to limit the number of individuals who have access to the information.

Printed copy is in sealed envelope through inter-department courier. Designated personnel keep copies in folder or binder. Infinite Campus access is "read-only" and limited to approved personnel.

IV. EFFECTIVE DATES

This agreement shall be effective from October 1, 2010 to September 30, 2011.

V. PENALTIES

Any person who publishes, divulges, discloses, or makes known in any manner, or to any extent not authorized by Federal law (Section 9(b)(6)(C) of the National School Lunch Act; 42 USC 1758(b)(6)(C)) or a regulation, any information about a child's eligibility for free and reduced price meals or free milk shall be fined not more than a \$1,000 or imprisonment of not more than 1 year or both.

VI. SIGNATURES

The parties acknowledge that children's free and reduced price meal and free milk eligibility information may be used only for the specific purposes stated above; that

unauthorized use of free and reduced price meal and free milk information or further disclosure to other persons or programs is prohibited and a violation of Federal law which may result in civil and criminal penalties.

Requesting Agency/Program Administrator

Printed Name: _____
Title: _____ Phone: _____
Signature: _____
Date: _____

Determining Agency Administrator

Printed Name: Sabrina Jewell
Title: Child Nutrition Director Phone: 270-831-5015
Signature: Sabrina Jewell
Date: 9-15-10

***Any attachments will become part of this agreement.**

Free and Reduced Price Meal Eligibility Disclosure Training

I certify that I have been informed of the basic requirements of the confidentiality of children's free and reduced price meal and free milk eligibility information obtained under provisions of the Richard B. Russell National School Lunch Act (42 USC 1751 et. seq.)(NSLA) or Child Nutrition Act of 1966 (42 USC 1771 et. seq.) (CNA) and the regulations implementing these Acts.

I will inform all authorized persons who have access to children's free and reduced price meal and free milk eligibility that the information is confidential, that the children's eligibility information must only be used for purposes specified, of the penalties for unauthorized disclosures, and of proper destruction of eligibility information.

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Printed Name	Title	Need to Know Reason	Signature	Date
Amy Brown	counselor		Amy Brown	9-1-10
Janet Culver	Secretary		Janet Culver	9-1-10
Pam McGill	Staff Support Secretary		Camela McGill	9-1-10
Emily Boston	Family Resource Director		Emily Boston	9-1-2010
Brian Gardner	Principal		Brian Gardner	9-1-10
Janet Kellon	teacher		Janet Kellon	9-1-10
Camilla Sadler	curriculum specialist		Camilla Sadler	9-1-10

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Printed Name	Title	Need to Know Reason	Signature	Date
Juli Collins	Principal	KECT	Juli Collins	9/7/10
Patricia Cummings	CS	KECT	Patricia Cummings	9/2/10
Jill Deibler	Secretary	Data Input	Jill Deibler	9-8-10
Mary Ann Cass	Secretary	Data Input	Mary Ann Cass	9-8-10
Chandra Hagan	Title I	Data Input	Chandra Hagan	9-8-10
Samantha Sigler	FRC	Data Input	Samantha Sigler	9-8-10
Debby Wilson	Counselor	Data Input	Debby Wilson	9-8-10

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Printed Name	Title	Need to Know Reason	Signature	Date
LESLI WERNER	LEAD TEACHER	DATA ENTRY	<i>[Signature]</i>	9-2-10
Shanon Thomson	Data Entry/Teacher	Data Entry	<i>[Signature]</i>	9-2-10
Cindy Tracy	Data Entry/Teacher	Data Entry	<i>[Signature]</i>	9-7-10
Janet Gluck	Data Entry	Data Entry	<i>[Signature]</i>	9-7-10

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Printed Name	Title	Need to Know Reason	Signature	Date
Patty Sellers	Principal	Administering Educational Program	Patty Sellers	9/4/10
Leah King	Staff Sec.	Administration	Leah King	9/7/10
Lori O'Nan	School Secretary	Administration	Lori O'Nan	9/7/10
Doria Bugg	Curriculum Specialist	Administering Educational Program	Doria Bugg	9.7.10
Greg Pirthe	Guidance	Administering Special Programs	Greg Pirthe	9/7/10

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Printed Name	Title	Need to Know Reason	Signature	Date
Leo Pesterbaugh	Principal	Assistance	Leo Pesterbaugh	9/2/10
Kathy Givens	WSC Coordinator	Help Children meet needs	Kathy Givens	9/2/10
Kelly C. Stoner	Clerical Asst. 1	Assistance	Kelly C. Stoner	9/2/10
REBECCA JOHNSON	ASST PRINCIPAL		Rebecca Johnson	9/2/10
MAKSHA CARVER	Cook Specialist	DATA / Assistance	MAKSHA CARVER	9/2/10
Breasha Pruitt	21st Ccs Director	DATA for Scholarships	Breasha Pruitt	9/2/10
Jill Alexander	Gifted Sp.	Data	Jill Alexander	9/2/10
Tracy S. Brown	Gifted Sp	Data	Tracy S. Brown	9/2/10

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Printed Name	Title	Need to Know Reason	Signature	Date
Carrie A. Robin	Registrar	Data	Carrie Robin	9-2-10
Stacey Lynam	Counselor	Data	Stacey Lynam	9-7-10
Jodi Prieden	Counselor	Data	Jodi Prieden	9-7-10
Nicole Newland	GT Teacher	Data	Nicole Newland	9-7-10
Deena Jones	GT Teacher	Data	Deena Jones	9-25-10
Leslie Stuen	GT Teacher	Data	Leslie Stuen	9-7-10

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Printed Name Title Need to Know Reason Signature Date

Terry Adkins	Principal	School Admin.	T. Adkins	08/31
Stacie Lacer	Secretary II	Office Staff	Stacie A. Lacer	8/31
Chiquita Duncan	Staff Support Sec.	Office Staff	Chiquita Duncan	8/31
Alice E Bassett	ESS Coordinator		Alice E Bassett	8-31
Kim White	Cumulative Specialist		Kim White	8/31/10
Lynn Swanson	FRC Coord.	FRC	M. Lynn Swanson	9/10/10
Lynn Dawson	Guidance Counselor	Guidance	Lynn Dawson	9/10/10

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Printed Name	Title	Need to Know Reason	Signature	Date
Jama Hatfield	Secretary		Jama Hatfield	9/2/10
Beth Harbert	Staff Support Sec		Beth Harbert	9-2-10
Steve Steiner	Principal		Steve Steiner	9-2-10
Kathy Batcke	Liaison		Kathy Batcke	9-2-10
Lynn Swanson	ERC Coordinator		Lynn Swanson	9-2-10
Connie Stover	Dir of Childcare		Connie Stover	9-8-10
Christiane H. Mattingly	RTI specialist	Assess Data	Christiane H. Mattingly	9-8-10
Amy Simpson	Asst. Principal	Asst. Principal	Amy Simpson	9-8-10

Free and Reduced Price Meal Eligibility Disclosure Training

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Printed Name	Title	Need to Know Reason	Signature	Date
Kasey C. Tanner	Principal		Kasey C. Tanner	9/13/10
Shasta P. Norman	Curriculum Spec.		Shasta P. Norman	9/13/10
Emily R. Boston	FRC Coordinator		Emily R. Boston	9/13/10
Dana Stone	Sec/Bookkeeper		Dana Stone	9/13/10
Jana Spaulward	Staff Secy.		Jana Spaulward	9-13-10

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Printed Name	Title	Signature	Date
Mary Hazelwood	Monitor	Mary Hazelwood	8-3-10
Cassie Westerman	Sub	Cassie Westerman	8-3-10
Carla Alexander	Sub	Carla Alexander	8-3-10
Marsha Harmon	Sub	Marsha Harmon	8-3-10
Wilinda Ward	Sub	Wilinda K. Ward	8-3-10
Boby Bell	Sub	Boby Bell	8-3-10
JACKIE BULMAN Jackie Bulman	Sub	Jackie Bulman	8-3-10

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Printed Name	Title	Signature	Date
Kathy St. Pletch	Instructor II childcare	Kathy St. Pletch	8/4/10
Carol Lawson	monitor/Instructor II	Carol Lawson	8/4/10
Dorothy Phillips	COOK-DARE	Dorothy A. Phillips	8-3-10
Suzanna M. Moore	Sub-	Suzanna M. Moore	8-3-10
Amye London	Sub-	Amye R. London	8/3/10
Kathy Wolf	Sub	Kathy Wolf	8/3/10
Michael London	Sub	Michael London	08-03-2010

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ANN G. PIKE	Cook/Baker	Ann G Pike	8-3-10
L. Bernice Tolbert	Sub.	L Bernice Tolbert	8-3-10
Sheila F. Roberts	SUBCOOK/Baker	Sheila F. Roberts	8-03-10
LORRAINE H. DIXON	SUB.	LH Dixon	8-3-10

SIGN IN SHEET

Child Nutrition Re-certification Training

August 3, 2010 Extension Office Expo Center

Name

Position

[illegible]

Free and Reduced Price Meal Eligibility Disclosure Training

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Printed Name	Title	Signature	Date
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Ahloma Slaughter	COOK/BAKER	Ahloma Slaughter	8-2-10
Kathy Chrisman	Food Service Asst. II	K. Chrisman	8-2-10
VICKI STONE	COOK/BAKER	Vicki Stone	8-2-10
Carolyn Duncan	Cook-Baker	Carolyn Duncan	8-2-10
TARA COOMES	COOK-BAKER	Tara Coomes	8-2-10
Kelly Burns	Cafe Manager	Kelly Burns	8-2-10
Brenda Ramsey	Food Ser. Asst. II	Brenda Ramsey	8-2-10
Priscilla Johnson	Lunchroom Monitor	Priscilla Johnson	8-2-10
Leslie Everhart	Lunchroom Monitor	Leslie C. Everhart	8-2-10

Free and Reduced Price Meal Eligibility Disclosure Training

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Printed Name	Title	Signature	Date
Vivian Stuckey	MANAGER	<i>Vivian Stuckey</i>	8-2-10
Teresa Labadd	COOK/Baker	<i>Teresa Labadd</i>	8-2-10
Janice Stocking	COOK/Baker	<i>Janice Stocking</i>	8-2-10
Inez Sue Priest	COOK/Baker	<i>Inez Sue Priest</i>	8-2-10
Ola Keown	COOK/Baker	<i>Ola Keown</i>	8-2-10
Sherry Knight	COOK/Baker	<i>Sherry Knight</i>	8-2-10
Federal Grisham Monitor		<i>Federal Grisham</i>	8-2-10

Free and Reduced Price Meal Eligibility Disclosure Training

I certify that I have been informed of the basic requirements of the confidentiality of children's free and reduced price meal and free milk eligibility information obtained under provisions of the Richard B. Russell National School Lunch Act (42 USC 1751 et. seq.)(NSLA) or Child Nutrition Act of 1966 (42 USC 1771 et. seq.) (CNA) and the regulations implementing these Acts.

I will inform all authorized persons who have access to children's free and reduced price meal and free milk eligibility that the information is confidential, that the children's eligibility information must only be used for purposes specified, of the penalties for unauthorized disclosures, and of proper destruction of eligibility information.

Any person who publishes, divulges, discloses, or makes known in any manner, or to any extent not authorized by Federal law (Section 9(b)(6)(C) of the National School Lunch Act; 42 USC 1758 (b)(6)(C) or a regulation, any information about a child's eligibility for free and reduced price meals or free milk shall be fined not more than \$1000 or imprisonment of not more than 1 year or both.

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Printed Name	Title	Signature	Date
Cindy Downey	Cook/Baker	Cindy Downey	8-2-10
Joyce Whitlow	Lunchroom Manager	Joyce Whitlow	8-2-10
JoAnn Bennett	Cook/Baker	JoAnn Bennett	8/2-10
Vicki Norman Echols	Cook/BAKER	Vicki Echols	8/2/10
Becky Willett	Adm. Secretary	Becky Willett	8/2/10

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Printed Name	Title	Signature	Date
Brandi Dabbs	Cook/Baker	Brandi Dabbs	8-2-10
Cheryl Wadlington	Cook/Baker	Cheryl Wadlington	8-2-10
Rebecca Wicker	FSA II	Rebecca Wicker	8-2-10
Nancy E. Crowley	Manager	Nancy E. Crowley	8-2-10

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Connie Crenshaw	Cook/Baker	Connie Crenshaw	8-2-10
Debbie Waller	Food Service Manager	Debbie Waller	8-2-10
Debbie Grant	Cook/Baker	Debbie Grant	8-2-10
Phyllis Carr	Food Service Asst.	Phyllis F. Carr	8-2-10

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Printed Name	Title	Signature	Date
Katherine Higgins	Lunchroom m.	Katherine Higgins	8-2-2010
Carol Houston	monitor	Carol Houston	8-2-10
Christine Slaughter	Cook/Baker	Chr. Slaughter	8-2-10
Patricia Springston	Cook/Baker	Patricia Springston	8-2-10
Sue Owens	Cook/baker	Sue Owens	8-2-10
Cathy Best	Cook/Baker	Cathy Best	8-2-10

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Printed Name	Title	Signature	Date
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Maria Willingham	Cook/Baker	Maria Willingham	8-2-10
Jo Ann Lacer	Mgr	Jo Ann Lacer	8-2-10
Kathy Wolfe	cook/baker	Kathy Wolfe	8-2-10
Mary Eblen	cook/baker	Mary Eblen	8-2-10
Kathy Septer	monitor	Kathy Septer	"
Doris Chaney	Food Service Asst. II	Doris Chaney	8-2-10

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Printed Name	Title	Signature	Date
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Kathryn Mays	Foodservice	Kathryn Mays	Aug 2, 2010
Jimmy Thomas	Foodservice	Jimmy Thomas	8-2-10
Crystal Halstead	Foodservice	Crystal Halstead	8-2-10
Penni Foster	Monitor	Penni Foster	8-2-10
Maria Sweeney	Monitor	Maria Sweeney	8-2-10

Dana Thompson	Food Serv. Asst.-II	Dana Thompson	8-2-10
Maureen Sword	Food Service Manager	Maureen Sword	8-2-10
Judy Nunn	Cook/Baker	Judy Nunn	8-2-10
Mary S Ryster	Cook/Baker	Mary S. Ryster	8-2-10

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Trina Duncan	monitor	Trina Duncan	8-2-10
Rose Pritchett	Cook/Baker	Rose Pritchett	8-2-10
Jane Roberson	cook/Baker	Jane Roberson	8-2-10
CAROLYN MORRIS	COOK/BAKER	CAROLYN MORRIS	8-2-10

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Printed Name _____ Title _____ Signature _____ Date _____

Melinda Webb	monitor	Melinda Webb	8/2/10
Sandra Glick	monitor	Sandra Glick	8/2/10
SHARON WOODS	COOK/BAKER	Sharon Woods	8-2-10
Vickie Butte	Manager	Vickie Butte	8/2/10

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Printed Name	Title	Signature	Date
Delores Posey	cook/BAKER	Delores Posey	8-2-10
Jeanette New	cook/Baker	jeanette New	8-2-10
Charlene CARRILLO	cook/Baker	Charlene Carrillo	8-2-10

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Printed Name _____ Title _____ Signature _____ Date _____

Alice Thompson	Cook/Baker	Alice Thompson	8/2/10
Gloria McLaughlin	cook/baker	Gloria McLaughlin	8-2-10
Kathy Hope	Cook-Baker	Kathy Hope	8-2-10
Linda Rayburn	Cook/Baker	Linda Rayburn	8-2-10

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Printed Name	Title	Signature	Date
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Judy K. Wilkerson	Food Ser. Asst #2	Judy Wilkerson	8/2/10
Angel Pierce	cook/Baker	Angel Pierce	8-2-10
Carolyn Nelson	cook/Baker	Carolyn Nelson	8-2-10
Michelle Woodard	Cook/Baker	Michelle Woodard	8-2-10
Shirley Jo Duggins	cook/Baker	Shirley Jo Duggins	8-2-10
Rosie Mitchell	cook/Baker	Rosie Mitchell	8-2-10

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Printed Name	Title	Signature	Date
Pamela Johnson	Cook/Baker	Pamela Johnson	8-2-10
Neil Diamond	Monetizer	Neil Diamond	8-2-10
Amy Sinnett (HHS)	Manager	Amy Sinnett	8-2-10
Christie Dowell	cook/Baker	Christie Dowell	8-2-10
Ann Reynolds	Asst. Manager	Ann Reynolds	8-2-10

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Printed Name	Title	Signature	Date
Roxanne Cobb	Cook/Baker	Roxi Cobb	8/2/2010
Stephanie Somers	Cook/Baker	Stephanie Somers	8/2/10
Sheila McKee	Food Serv Asst II	Sheila McKee	8-2-10
Larry Halderman	Monitor	Larry Halderman	8-2-10
Deanna Ritzler	Food Service Manager	Deanna Ritzler	8-2-10
Yalonda Glassco	Cook/Baker	Yalonda Glassco	8-2-10
Sondra E Brown	Monitor	Sondra E Brown	8-2-10
Sondra E Brown			

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Printed Name	Title	Signature	Date
Irene Burton	Cook/Baker	Irene Burton	8-2-10
Sharon Carver	cook/Baker	Sharon Carver	8-2-10
Shirley Harmon	cook/Baker	Shirley Harmon	8-2-10
Sylvia Patterson	Cook/Baker	Sylvia Patterson	8-2-10
Patricia Callerton	Cook/Baker	Patricia Callerton	8-2-10
Amanda L. Whitmore	Food Serv. mgr.	Amanda L. Whitmore	8-2-10

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