

REPUBLIC OF LITHUANIA
LAW ON SOCIAL ASSISTANCE FOR PUPILS

13 June 2006 No X-686

Vilnius

(As last amended on 1 December 2011 – No XI-1774)

CHAPTER ONE
GENERAL PROVISIONS

Article 1. Purpose and Scope of the Law

1. The purpose of this Law shall be to establish the types and the amount of social assistance for pupils as well as the conditions and the procedure for granting social assistance and the funding thereof.

2. This Law shall apply to pupils who study at general education schools, vocational schools, pre-school education schools or with any other education provider (except for a freelance teacher) (hereinafter referred to as the “school”) according to general education (primary, basic, secondary or special education) curricula or pre-primary curricula.

3. This Law shall not apply to pupils who study according to adult education curricula as well as to pupils who study according to the general education curriculum and the vocational training curriculum simultaneously.

4. This Law shall not apply to pupils who are maintained at establishments financed by the State or a municipality (receive accommodation, meals and school supplies free of charge) or who are granted a guardianship (custody) benefit in accordance with the procedure laid down by laws.

5. Free meals provided for under this Law shall not be granted to pupils, if their parents are exempt from a fee for meals provided for children at school dormitories.

Article 2. Definitions

1. **”Persons living together”** shall be interpreted as defined in the Law of the Republic of Lithuania on Cash Social Assistance for Poor Residents (hereinafter referred to as the “Law on Cash Social Assistance for Poor Residents”).

2. **“School supplies”** means individual learning aids (exercise books, calculators, writing, drawing, painting and other learning aids used individually by a pupil), sports clothes and footwear, clothes and other supplies essential for education of a pupil that are not supplied to pupils in accordance with the procedure laid down by the Law of the Republic of Lithuania on Education and other legal acts.

3. **“List of pupils”** means a list where a name, surname, personal code or the date of birth, the address of the declared place of residence or, in case the place of residence is not declared – the address of the actual place of residence, of a pupil who studies according to the pre-school curriculum or the primary education curriculum are specified.

4. **“Applicant”** means one of the parents, guardians (curators) of a pupil, a pupil of the age of majority or a pupil under the age of majority who is married or emancipated.

5. **“Product”** means a foodstuff used in making breakfast, lunch or afternoon meals.

6. **“Social risk”** shall be interpreted as defined in the Law on Cash Social Assistance for Poor Residents.

7. **“Single person”** shall be interpreted as defined in the Law on Cash Social Assistance for Poor Residents.

Article 3. Types of Social Assistance for Pupils

1. The following types of social assistance for pupils shall be established:

- 1) free meals for pupils;
- 2) assistance for purchase of school supplies.

2. The Government or an institution authorised by it shall, in the Profile of the Procedure for Providing Free Meals for Pupils at School, establish for founders of schools the recommended types of free meals for pupils (breakfast, lunch, afternoon meals, provision of meals at summer day camps organised at schools).

Article 4. Funding of Social Assistance for Pupils

1. Social assistance for pupils shall be funded from a special targeted subsidy of the state budget to municipal budgets, from general appropriations allocated from the state budget to the Ministry of Education and Science, funds of municipal budgets, funds allocated by founders of non-state schools and other funds received in accordance with the procedure laid down by laws.

2. There are the following types of expenses related to social assistance for pupils:

1) expenses for products (including the value added tax on the purchased goods) when pupils are provided with free meals;

2) expenses for school supplies (including the value added tax on the purchased goods);

3) expenses for preparation of meals (salaries of employees of the providers of catering services directly related to the provision of free meals for pupils, state social insurance contributions, utilities expenses, etc.);

4) expenses for administration of social assistance for pupils (salaries of employees of institutions administering such assistance and employees of schools responsible for the provision of such assistance, state social insurance contributions, communications expenses, postal expenses, etc).

3. The expenses specified in subparagraph 1 of paragraph 2 of this Article for pupils of municipal and non-state schools shall be funded from a special targeted subsidy of the state budget to municipal budgets, and the expenses for pupils of state schools - from general appropriations allocated from the state budget to the Ministry of Education and Science and other funds received in accordance with the procedure laid down by laws.

4. The expenses specified in subparagraph 2 of paragraph 2 of this Article shall be funded from a special targeted subsidy of the state budget to municipal budgets and other funds received in accordance with the procedure laid down by laws.

5. The expenses specified in subparagraph 3 of paragraph 2 of this Article shall be funded from municipal budgets, funds allocated by founders of non-state schools and from general appropriations allocated from the state budget to the Ministry of Education and Science and other funds received in accordance with the procedure laid down by laws.

6. 4% from the funds allocated to finance the expenses specified in subparagraphs 1 and 2 of paragraph 2 of this Article shall be additionally granted from a special targeted subsidy of the state budget to municipal budgets and from general appropriations allocated from the state budget to the Ministry of Education and Science for financing the expenses specified in subparagraph 4 of paragraph 2 of this Article.

7. The funds allocated to cover any of the expenses specified in subparagraphs 1, 2 or 4 of paragraph 2 of this Article in a form of a special targeted subsidy of the state budget to municipal budgets and general appropriations allocated from the state budget to the Ministry of Education and Science that were not used during the current year may be allocated additionally to cover other expenses specified in subparagraphs 1 or 2 of paragraph 2 of this Article.

CHAPTER TWO

SOCIAL ASSISTANCE FOR PUPILS

Article 5. Pupils' Right to Social Assistance

1. Pupils shall have the right to free meals and to the assistance in purchasing school supplies if the average monthly income per one of the persons living together or single person (hereinafter referred to as "average income per person") is less than 1.5 amounts of the state-supported income (hereinafter referred to as the "SSI").

2. In other cases established by the council of the municipality in which a decision is taken concerning the granting of social assistance for pupils (in the event of illness, accident, loss of the breadwinner, when persons living together raise three and more children or children are raised by disabled persons living together, etc.), taking into consideration the living conditions of persons living together or a single person, pupils shall have the right to free meals, if the average monthly income per person is less than 2 amounts of the SSI.

3. Free meals shall be provided to pupils referred to in paragraphs 1 and 2 of this Article during summer holidays at summer day camps organised at schools.

Article 6. Calculation of Income of Persons Living Together or a Single Person for Receiving Social Assistance for Pupils

1. The average monthly income of persons living together or a single person for receiving social assistance for pupils shall be calculated in the following manner:

1) according to income received during three calendar months before the month of applying for social assistance for pupils, as set out in Article 17 of the Law of the Republic of Lithuania on Cash Social Assistance for Poor Residents;

2) according to income of the month of applying for social assistance for pupils where the source of income of at least one of the persons living together or a single person, or the composition of the persons living together has changed if compared with the previous three calendar months.

2. The procedure set forth in subparagraph 2 of paragraph 1 of this Article shall not apply if a lump sum (a bonus, a lump sum compensation for the loss of capacity for work, severance pay upon termination of the employment contract, severance pay to a dismissed civil servant and other lump sum income actually received, except for compensation for unused leave) was received during three calendar months before the month of applying for social assistance for pupils or if monthly benefits were paid for two or more calendar months at a time.

3. When calculating income of persons living together, income of children under their guardianship (curatorship) shall not be included. Children who have been placed under guardianship or curatorship is established in accordance with the procedure laid down by laws

shall not be included in the composition of the persons living together who are appointed guardians or curators. Where a child has been placed under temporary guardianship or curatorship at the parents' request due to their temporary departure from the Republic of Lithuania, social assistance for pupils shall be granted to such children under the guardianship or curatorship upon evaluation of the parents' income.

4. Where during the month of applying for free meals for pupils the source of income of at least one of the persons living together or a single person, or the composition of the persons living together has changed if compared with the previous three calendar months, the pupils who were receiving free meals until the end of a calendar year or the end of a school year or at summer day camps organised at schools during summer holidays shall be provided with such meals until information about the changed income is received and a new decision on granting of free meals is adopted, but not longer than for a period of two months from the day of submitting the application.

5. Where persons living together or a single person receives cash social assistance under the Law of the Republic of Lithuania Law on Cash Social Assistance for Poor Residents, income of the persons living together or the single person for receiving social assistance for pupils shall be calculated according to income that was specified last when granting cash social assistance, including the amount of the granted social benefit and not including the amount of compensations for heating costs, drinking water costs and hot water costs.

Article 7. Setting of the Amount of Funds Allocated for Purchase of Products Intended for Free Meals

1. The amount of funds allocated for purchase of products intended for free meals for one pupil per day shall be established in accordance with a list, approved by the Government or an institution authorised by it, of sets of products required for preparing breakfast, lunch and afternoon meals according to age groups of pupils in accordance with the procedure of provision of free meals, as laid down by the Government or an institution authorised by it.

2. The sum in the amount ranging from 1.2 to 7 per cent of the base social benefit shall be allocated for purchase of products intended for free meals (including the value added tax on the purchased goods).

Article 8. Setting of the Amount of Funds Allocated for Purchase of School Supplies and Compilation of Sets of School Supplies

1. The sum in the amount of 120% of the base social benefit per pupil per calendar year shall be allocated for purchase of school supplies (including the value added tax on the purchased goods).

2. Where a pupil is at social risk, the individual learning aids shall be included in the sets of school supplies in accordance with a list of individual learning aids approved by the Government or an institution authorised by it. The sets of school supplies shall be compiled for each pupil according to his individual needs, taking into account the number of children raised by persons living together, the school supplies already held and in accordance with the procedure for the assistance for purchase of school supplies approved by a municipal council.

CHAPTER THREE

ADMINISTRATION OF SOCIAL ASSISTANCE FOR PUPILS

Article 9. Institutions Administering Social Assistance for Pupils

1. The Ministry of Education and Science shall administer free meals for pupils at state schools and the administrations of the municipalities shall administer free meals for pupils at schools established by these municipalities and at non-state schools established within the territories of these municipalities.

2. The administrations of the municipalities shall administer the assistance for purchase of school supplies for pupils who have declared their place of residence or who reside within the territories of these municipalities.

Article 10. Applying for Social Assistance for Pupils

1. An applicant shall apply for social assistance for pupils to the administration of the municipality where he has declared his place of residence or, in the case the place of residence is not declared, to the administration of the municipality where he resides and shall fill in an application for social assistance for pupils in the form approved by the Government or an institution authorised by it and shall attach the required documents prescribed by Article 20 of the Law of the Republic of Lithuania on Cash Social Assistance for Poor Residents, except for the data about the assets held by the persons living together or by the single person.

2. An applicant may also submit an application for granting free meals for a pupil to the administration of the school attended by the pupil or which organises summer day camps. In such case, the school shall forward the application to the administration of the municipality where the applicant has declared his place of residence or, in the case the place of residence is not declared, to the administration of the municipality where he resides.

3. For a pupil to receive free meals from the beginning of a school year and the assistance for purchase of school supplies, an applicant may apply starting from 1 July of the appropriate year. For a pupil to receive free meals during summer holidays at summer day camps organised at schools, an applicant may apply starting from 1 May of the calendar year except for the case stipulated in subparagraph 3 of paragraph 2 of Article 11 of this Law, where a separate application is not required.

4. If, at the time of applying for social assistance for pupils, the persons living together or a single person receive cash social assistance under the Law of the Republic of Lithuania on Cash Social Assistance for Poor Residents, the applicant shall submit to the administration of the school or the administration of the municipality of his place of residence an application for social assistance for pupils in a free-form format.

5. If social assistance is necessary for a pupil, but the parents, guardians (custodians) of the pupil do not apply for social assistance for pupils, the school shall inform in writing the administration of the municipality in which the pupil resides and shall submit the available information required for granting of social assistance for pupils. In such case, it is the school that applies for assistance.

Article 11. Granting of Social Assistance for Pupils

1. A decision concerning granting social assistance for pupils shall be adopted in accordance with the procedure laid down by the municipality wherewith the application has been submitted. It shall be required to fill in the decision on granting of social assistance for pupils in the form approved by the Government or an institution authorised by it.

2. Free meals for pupils shall be provided:

1) starting from the beginning of a school year till the end of the school year;

2) when submitting an application during a school year – from the day following the day the school receives information about the adopted decision on social assistance for pupils and until the end of the school year;

3) at summer day camps organised at schools during summer holidays, if a pupil was entitled, under paragraphs 1 or 2 of Article 5 of this Law, to free meals in the last month of a school year – from the beginning of the summer day camp organised at the school, without a separate application. Where the right to free meals under paragraphs 1 or 2 of Article 5 of this Law has arisen later, free meals at summer day camps organised at schools during summer holidays shall be provided pursuant to an application of the applicant from the day following the day the school receives information about the adopted decision on social assistance for pupils.

3. The assistance for purchase of school supplies shall be provided before the start of a school year or at the beginning of the school year but not longer than until 20 October.

4. A decision on granting of social assistance for pupils shall be adopted not later than within 10 working days from the receipt of the application and all the required documents (where a school applies for social assistance for pupils – from the day of receiving information provided in writing). During this period, a copy of the decision on social assistance for pupils shall be submitted to institutions specified in Article 9 of this Law. These institutions shall, not later than within three working days, inform schools in writing about the adopted decision on social assistance for pupils.

5. An applicant shall be informed about granting of social assistance for pupils not later than within five working days from the day of adopting the decision on social assistance for pupils. If social assistance is not granted for a pupil, the reasons for non-granting of the assistance and the procedure for appealing against the decision on social assistance for pupils shall be given. The documents submitted by the applicant shall be returned to him and copies of these documents shall remain at the institution which granted social assistance for pupils.

6. Where established that, during the period when a pupil receives social assistance for pupils, the pupil loses the right to this assistance due to the change in circumstances, or that an applicant has submitted incorrect data about the received income, persons living together or other data required when granting social assistance for the pupil, a decision to discontinue the provision of social assistance for pupils shall be adopted and, not later than within three working days from adopting this decision, submitted to institutions specified in Article 9 of this Law. Social assistance for the pupil shall not be provided from the next day after the school receives the decision to discontinue the provision of social assistance for pupils.

Article 12. Provision of Social Assistance for Pupils

1. Pupils shall be provided with free meals at the school that they attend, irrespective of their place of residence. Free meals for pupils of state schools shall be provided in accordance with the procedure for the provision of free meals for pupils at schools approved by the Minister of Education and Science and for pupils of municipal and non-state schools – in accordance with the procedure for the provision of free meals for pupils at schools approved by municipal councils.

2. During the summer holidays, free meals shall be provided for pupils at summer day camps organised at schools.-

3. The pupils may not receive cash instead of free meals.

4. Free meals on rest days, public holidays as well as vacation days during a school year for pupils of state schools shall be provided in accordance with the procedure for the provision of free meals for pupils at schools approved by the Minister of Education and Science and for pupils of municipal and non-state schools – in accordance with the procedure for the provision of free meals for pupils at schools approved by municipal councils.

5. In case of transfer to another school, free meals shall be provided for a pupil in the new school from the first day of attending it. The previous school shall submit a certificate regarding the pupil's right to receive free meals and inform the administration of the municipality of the pupil's place of residence about the transfer of the pupil to another school.

6. The assistance for purchase of school supplies shall be provided according to the place of residence of a pupil in accordance with the procedure for the assistance for purchase of school supplies approved by a municipal council.

7. The assistance for purchase of school supplies shall be provided:

- 1) in cash;
- 2) in non-monetary form if the pupil is at social risk.

Article 13. Identification of the Need for Funds for the Provision of Social Assistance for Pupils

1. The administration of a municipality shall identify the need for funds used to finance the expenses referred to in subparagraphs 1, 2 and 4 of paragraph 2 of Article 4 of this Law in accordance with the Methodology for Calculation of Funds Allocated for the Performance of State Functions that were Delegated to Municipalities approved by the Government or an institution authorised by it, and the Ministry of Education and Science shall identify the need for funds used to finance the expenses referred to in subparagraphs 1 and 4 of paragraph 2 of Article 4 of this Law in accordance with the Methodology for Planning the Need for the Provision of Free Meals for Pupils from the State Budget and Allocation thereof approved by the Government or an institution authorised by it.

2. Institutions administering the provision of free meals for pupils shall identify the need for funds required for covering of the expenses specified in subparagraph 3 of paragraph 2 of Article 4 of this Law pursuant to the Methodology of Planning the Need for Funds and Allocation thereof to Schools.

Article 14. Rights and Duties of Institutions Administering and Organising Social Assistance for Pupils

1. Founders of schools, except for founders of non-state schools, shall:

1) allocate to schools the funds received from the state and municipal budgets for the implementation of this Law, and other funds received in accordance with the procedure laid down by laws;

2) approve the procedure for providing free meals for pupils at schools and in the Profile whereof they have a right to specify the cases of granting social assistance for pupils from their own funds and other funds received in accordance with the procedure set forth by legal acts in cases other than those established by this Law.

2. Municipal councils shall:

1) approve the procedure for applying for social assistance for pupils;

2) approve the procedure for the provision of free meals for pupils in non-state schools;

3) establish cases when pupils have the right to social assistance for pupils pursuant to paragraph 2 of Article 5 of this Law;

4) approve the procedure for purchase of school supplies.

3. Administrations of municipalities and the Ministry of Education and Science shall:

1) be responsible for purposeful use of funds allocated from the state and municipal budgets for the implementation of this Law;

2) set the amount of funds allocated for purchase of products in accordance with Article 7 of this Law;

3) submit data about the substantiated need for funds from the state budget required for the implementation of this Law to the Ministry of Social Security and Labour in accordance with the procedure for the provision of data on the need for funds from the state budget for the provision of social assistance for pupils adopted by the Government or an institution authorised by it;

4) collect and accumulate the data on the provided social assistance for pupils, carry out the analysis of data on the pupils who receive social assistance and the use of funds at schools and timely calculate the additionally required funds or funds likely to remain unused during the current year;

5) submit the data on the provided social assistance for pupils to the Ministry of Social Security and Labour in accordance with the procedure for the provision of data about the provided social assistance for pupils adopted by the Government or an institution authorised by it and, where necessary, any other information;

6) having received information about any changes in the circumstances that influence granting of social assistance for pupils, or in the event of a suspicion that incorrect information was provided or some information has been concealed, notify thereof the director of the

administration of the municipality wherein a decision on granting of social assistance for pupils is adopted, or a civil servant of the administration authorised by him.

4. Administrations of municipalities shall:

1) verify information provided by an applicant which may influence the right to social assistance for pupils;

2) under the circumstances set out in paragraph 2 of Article 5 or paragraph 5 of Article 10 of this Law or in the event a suspicion that incorrect information was provided, inspect the living conditions of the persons living together or a single person and conclude the living conditions inspection report. In such case, this report shall be one of the documents required for establishing the right to social assistance for pupils;

3) compile the sets of school supplies in accordance with Article 8 of this Law.

4) in the cases established by the council of the municipality in which a decision is taken concerning the granting of social assistance for pupils (in the event of illness, accident, loss of the breadwinner, when persons living together raise three and more children or children are raised by disabled persons living together, etc.), upon the inspection of the living conditions of the persons living together or the single person and the conclusion of the living conditions inspection report, shall have the right to provide free meals in accordance with the procedure laid down by the municipality. Up to two per cent of the funds of the state budget allocated to finance the expenses provided for in subparagraphs 1, 2 and 4 of paragraph 2 of Article 4 of this Law may be used for the said purpose.

5. Administrations of non-state schools shall:

1) be responsible for purposeful use of funds allocated from the state budget for the implementation of this Law;

2) submit information to the administration of the municipality in the territory whereof the school is founded about the substantiated need for funds from the state budget required for the implementation of this Law;

3) submit information to the administration of the municipality in the territory whereof the school is founded about the use of funds allocated for the provision of free meals for pupils;

4) collect and accumulate the data on the provided social assistance for pupils.

Article 15. Provision of Information

1. At the request of the administration of a municipality, state and municipal institutions and establishments and other legal persons must provide, free of charge, information required for granting of social assistance for pupils.

2. Legal and natural persons shall, within 10 working days from the receipt of an application submitted by an applicant who applies for social assistance for pupils, present to the applicant, free of charge, the requested documents required for establishing the right to social assistance for pupils.

CHAPTER FOUR

DUTIES OF AN APPLICANT AND RECOVERY OF ILLEGALLY RECEIVED SOCIAL ASSISTANCE FOR PUPILS

Article 16. Duties of an Applicant

An applicant must:

- 1) provide full and correct information required for establishing the right to social assistance for pupils;
- 2) notify about any changes in the circumstances that influence the right to social assistance for pupils;
- 3) create a possibility for the administration of the municipality to inspect living conditions of the persons living together or a single person and to conclude a living conditions inspection report.

Article 17. Recovery of Illegally Received Social Assistance for Pupils

1. An applicant, who has concealed some data or has submitted incorrect data required for granting of social assistance for pupils and therefore has illegally received it, must repay monetary funds in the amount of the received social assistance for pupils to the institution that has granted this assistance. Illegally received and not repaid monetary funds in the amount of the received social assistance for pupils shall be recovered in accordance with the procedure set forth by legal acts.

2. Monetary funds in the amount of the received social assistance for pupils illegally granted through the fault of institutions specified in Article 9 of this Law shall be recovered in accordance with the procedure laid down by legal acts.

Article 18. Appeals against Decisions on Granting of Social Assistance for Pupils

A decision on granting of social assistance for pupils may be appealed against in accordance with the procedure laid down by the Law of the Republic of Lithuania on Administrative Proceedings.

I promulgate this Law passed by the Seimas of the Republic of Lithuania.

PRESIDENT OF THE REPUBLIC