



Food and
Nutrition
Service

DATE: June 10, 2019

Park Office
Center

MEMO CODE: SP 30-2019

3101 Park
Center Drive
Alexandria
VA 22302

SUBJECT: Reminder: Requirements for Students Transferring from
Provision to non-Provision Schools¹

TO: Regional Directors
Special Nutrition Programs
All Regions

State Directors
Child Nutrition Programs
All States

On July 29, 2016, USDA's Food and Nutrition Service published the final rule "*National School Lunch Program and School Breakfast Program: Eliminating Applications Through Community Eligibility as Required by the Healthy, Hunger-Free Kids Act of 2010*" (81 FR 50194). This memorandum reminds State and local Program operators about a provision in the final rule effective on July 1, 2019, relating to free and reduced price eligibility for students transferring between LEAs during the school year. Regulations at 7 CFR 245.9(l) require local educational agencies (LEAs) to provide free, reimbursable meals to students who receive free meals at a Provision school and, during the school year, transfer to a school using standard counting and claiming procedures. Schools must provide these students with free, reimbursable meals for up to 10 operating school days or until a new eligibility determination for the current school year is made, whichever comes first. This is an existing requirement for transfers within the same LEA, and is required for transfers *between* LEAs effective July 1, 2019. State agencies have discretion to extend the provision of free meals for up to 30 operating days or until a new eligibility determination for the current school year is made, whichever comes first.

State agencies are reminded to distribute this memorandum to Program operators immediately. LEAs and other Program operators should direct any questions concerning this guidance to their State agency. State agencies with questions should contact the appropriate FNS Regional Office.

Angela Kline
Director
Policy and Program Development Division
Child Nutrition Programs

¹ Pursuant to the Congressional Review Act (5 U.S.C. §801 et seq.), the Office of Information and Regulatory Affairs designated this rule as not a major rule, as defined by 5 U.S.C. § 804(2).