



STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION



TO: Sponsors of the National School Lunch and Breakfast Programs

FROM: Cheryl Resha, Education Manager
Bureau of Health/Nutrition, Family Services and Adult Education

DATE: September 4, 2009

SUBJECT: Operational Memorandum #23-09

1. Q & As: Milk Substitution for Children with Medical or Special Dietary Needs (Non-Disability)
2. Extended Categorical Eligibility to Additional Children in a Household

1. Q & As: Milk Substitution for Children with Medical or Special Dietary Needs (Non-Disability)

Schools in the National School Lunch Program and School Breakfast Program have the option to offer a nondairy milk substitute to a student with a medical or special dietary need other than a disability. The final rule *Fluid Milk Substitutions in the School Nutrition Programs* (73 FR 52903, September 12, 2008) addresses the substitution of fluid milk for children whose non-disabling allergies, culture, religion or ethical beliefs preclude the consumption of cow's milk. The final rule sets nutrition standards for the nondairy milk substitutes that may be offered as part of the reimbursable meal. The attached Questions and Answers clarify various issues concerning the substitution of fluid milk in non-disability cases. **Note that this final rule does not apply in cases of disability.** For a student with a recognized disability who cannot consume cow's milk, the school must omit or substitute fluid milk based on the written statement from a licensed physician.

2. Extended Categorical Eligibility to Additional Children in a Household

In an effort to increase access to the child nutrition programs and streamline the eligibility process, the United States Department of Agriculture (USDA) has notified State Agencies that the policy related to categorical eligibility for free meals or free milk for children who are members of a household receiving assistance under the Supplemental Nutrition Assistance Program (SNAP) formerly known as Food Stamps, and Temporary Family Assistance (TFA) has been modified. Beginning in School Year 2009-10, for direct certification with SNAP or TFA and applications submitted with case numbers for these programs, ALL children in the family, as defined in 7 CFR 245.2 are categorically eligible for free meals. To the extent possible, the local education agency (LEA) must extend eligibility for free meals to all children in what would be considered a family for the purposes of applying for free or reduced price meals or free milk. If the LEA does not have an application as a reference, it may be able to use school district enrollment records to determine additional children who are part of the family who were not identified through direct certification. For households submitting applications with case numbers for some, but not all, of their children, the LEA must certify all children as categorically eligible for free meals or milk. Any income information on the application is disregarded. Further, for purposes of carry-over into the new school year, categorical eligibility must, to the extent feasible, be extended to newly enrolled siblings.

This information supersedes the policy provided in January 2008 edition of the *Eligibility Manual for School Meals* concerning categorical eligibility.

Questions pertaining to this memorandum may be directed to:

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CR:tdd

Attachment