



STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION



TO: Sponsors of the National School Lunch, School Breakfast and Special Milk Programs

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

DATE: March 11, 2010

SUBJECT: Operational Memorandum #9-10
Use of Free and Reduced Price Student Meal Eligibility Status

Limiting the disclosure of free and reduced price meal information has historically been of paramount importance in school child nutrition programs and the National School Lunch Act (NSLA) sets forth the disclosure limits for these programs. Although a person or program may be authorized under the NSLA to receive free and reduced price eligibility information, there *must be a legitimate need to know to provide a service or carry-out an authorized activity*. **Disclosure is always an option, never a requirement.**

The Food and Nutrition Service’s (FNS) *Eligibility Manual for School Meals* which may be downloaded at <http://www.sde.ct.gov/sde/lib/sde/PDF/DEPS/Nutrition/EligibilityManual.pdf> addresses the privacy and disclosure concerns relating to this information. This manual also includes a disclosure chart based on the NSLA that shows the circumstances for disclosing this information and addresses the No Child Left Behind (NCLB) Act. Because NCLB is a federal education program, it is eligible to receive a child’s free and reduced price meal eligibility status in order to administer the program. However, the intent of the confidentiality provisions in the NSLA is to limit the disclosure of individual eligibility status to those with a “need to know.”

Several states are looking at using a child’s free or reduced price meal eligibility status as part of the process used by teachers or others at the local level to develop learning plans and make improvements to curriculum. The FNS is currently reviewing this usage to determine if it should be an authorized activity. However, until this determination has been made, the FNS does not feel there is a valid “need to know” and Local Educational Agencies are not allowed to disclose individual free and reduced price meal eligibility status to any local level staff.

Questions may be directed to:

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