

To: All School Superintendents and Child Nutrition Directors
From: Jane McLucas, Director of Child Nutrition
Date: February 15, 2024
RE: Regulations regarding the reimbursement of meals for students who attend off-site programs

As recent flexibilities and waivers from COVID-19 are no longer in place, the Child Nutrition Office is providing a reminder of required USDA regulations so that you may prepare prior to the upcoming 2024/2025 school year.

Questions have arisen regarding the eligibility for reimbursement of meals served to children who are placed by a public-school SAU in special purpose private schools or institutions (sometimes termed “pupil placement”) which are either not eligible to participate or choose not to participate in the National School Lunch Program (NSLP) and/or the School Breakfast Program (SBP).

Whether meals served to children may be claimed for reimbursement depends on whether the school **at which the meal is served**, participates in the NSLP/ SBP. Meals may not be claimed for reimbursement by the placement school, the home SAU, or another participating school (even if the home SAU or another participating school provides the meal), if the meal is served in:

- Schools that are not eligible to participate in the NSLP/SBP, or
- Schools that choose not to participate.

Only those meals served to children in an eligible “school” that participates in the NSLP and/or the SBP may be reimbursed.

This would include, but not limited to Special Purpose Private Schools, Regional Career Technical Education (CTE) Schools, Regional Behavioral Schools, and to PreK programs outside of the public school building.

In the case of work-study, including CTE Schools, take-out school meals meeting program requirements may be served to students and claimed for reimbursement by their home school. These meals may be picked up by the student and taken to go. The provision of such meals is at the option of the school, since school food authorities are only required to make meals available to students who are present during meal service.

If a SAU places students in a school which is not participating in the NSLP/SBP, the SAU may wish to consider expanding the contract to include meal service for its pupil placements. However, such meals are not reimbursable under the NSLP/SBP.

Further questions can be directed to jane.mclucas@maine.gov