Center for Students, Families & Communities

Susan Tave Zelman

Superintendent of Public Instruct

Office for Safety, Health and Nutrition
Cecelia Torok
Associate Director of Nutrition Programs

POLICY STATEMENT

30-Day Carryover and Delayed Implementation for Provision 2

Source:	USDA Memo SP 37-2008
Code:	NSLP-15-08
Audience:	School Food Authorities participating in Provision 2
Effective Date:	**10/27/2008**
Replaces:	N/A
Program:	**NSLP**

INTRODUCTION

This memo provides clarification of the relationship between delayed implementation of Provision 2 as permitted in 7 CFR 245.9(b)(6)(ii), and use of a child's prior year's eligibility status for the first 30 operating days in the new school year as permitted in 7 CFR 245.6(c)(2).

STATEMENT OF POLICY

A. **OVERVIEW OF PROVISION 2 DELAYED IMPLEMENTATION**

1. Delayed Implementation permits schools establishing claiming percentages for Provision 2 to charge participating students for meals in the first claiming period of the base year.
2. This exception is permitted to assist schools in securing completed free and reduced price applications from households which might not otherwise submit an application if there is no charge for meals.
3. With State Agency approval, schools may delay implementing Provision 2 for a period not to exceed the first claiming period of the base year.

B. **ISSUES INVOLVED WITH THE 30-DAY CARRY OVER REQUIREMENT DURING DELAYED IMPLEMENTATION OF A PROVISION 2 BASE YEAR**

1. 7 CFR 245.6(c)(2) requires School Food Authorities to use a child's prior year eligibility status for the first 30 operating days in a new school year.
2. Carrying over a child's individual eligibility status for free and reduced price meals could diminish the effectiveness of delayed implementation as households may not realize the importance of submitting applications because their children continue to receive school meals for no charge or at a reduced charge.

C. **WAIVER OF THE 30-DAY CARRY OVER REQUIREMENT DURING DELAYED IMPLEMENTATION OF A PROVISION 2 BASE YEAR**

1. The 30-day carry over of a child's prior year eligibility status is not required when schools are approved to use delayed implementation in relation to Provision 2.
2. The 30-day carry over provision is only applicable to delayed implementation of Provision 2 in the initial base year because carry over is based on a child's individual eligibility.
3. In establishing a new base year or a streamlined base year after operating under Provision 2, there is no basis for the 30-day carry over of a child's individual eligibility status because the individual eligibility was not established the prior school year.

Please keep this memo on file for reference. A copy of the memo is available for downloading from the ODE website at: http://www.ode.state.oh.us/ . If you have any questions regarding this memo, please contact your Ohio Department of Education, School Meal Programs Regional Consultant.

Prepared by: Brigette Hires
Approved by: Cecelia Torok

File Attachment