

ACTION BY: Regional Directors
Special Nutrition Programs

SOURCE CITATION: Parts 210 and 220

Partial Implementation of the School Meal
Programs in an Individual School

This Instruction sets forth the policy that partial implementation of the National School Lunch and Commodity School Programs is not allowed, but that partial implementation of the School Breakfast Program may be allowed under certain circumstances.

National School Lunch and Commodity School Programs - In general, school food authorities must make program benefits available during meal service periods to all children attending participating schools. The practice of requiring students who live near a school to eat lunch at home denies the opportunity to participate in the program and is inconsistent with the intent of the law. Discrimination on the basis of the proximity of a child's home to the school is unallowable. While a school may have legitimate problems accommodating all students within a given time or space, it is improper to arbitrarily deny a certain segment of the student body access to the lunch program.

However, there is no requirement to provide lunch to partial day students (e.g., pre-school, kindergarten, half-day high school students) who are not scheduled to be in school during the lunch hours.

School Breakfast Program - There are some circumstances, such as transportation schedules, that may prevent some children from participating in the school breakfast program. However, in general, all children in attendance during the breakfast period should have access to the breakfast program in participating schools.

There are three situations in which partial implementation of the breakfast program is allowed. First, a school food authority may phase the program into an individual school and limit its operation to students of a selected number

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of grades or classrooms, as long as the school food authority has a plan of action or has stated its intent to expand program access to enrolled students in all grades or classes in the building within a reasonable period of time. Second, a school food authority may provide the breakfast program only to special education students who must leave their homes much earlier than the other enrolled children in order to be bussed to their class location. Finally, a school food authority may provide the breakfast program only to kindergarten, pre-kindergarten and other partial day students when students do not have access to another school meal.



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