



COLORADO DEPARTMENT OF EDUCATION

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CN10-G-014

TO: Food Service Directors, PK-2 Reduced Lunch System Users, & Early Childhood Coordinators

FROM: Herminia J. Vigil, Director, Nutrition & Transportation Unit, 303-866-6661
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DATE: September 29, 2009

SUBJECT: Senate Bill 09-033 – Early Childhood Education Programs and the National School Lunch Program

Questions have been asked about the implementation of SB09-033, *Concerning expanding the list of students who qualify to receive a free lunch in Colorado to include children in public school early childhood education programs who are eligible to receive a reduced-cost lunch under the federal "National School Lunch Act."*

There has been confusion regarding the implementation of SB 09-033, which expands the program for those students who qualify for reduced price meal benefits from Kindergarten through second grade (K-2) to Early Childhood Education Programs through second grade (PK-2).

This bill expands the program to students who are enrolled in *state-subsidized* early childhood education programs administered by public schools.

Based on language in the legislation, not all programs may be eligible to participate. As outlined in the attachment, to qualify, four conditions will have to be met:

- 1) Students attend a state-subsidized preschool program
- 2) Students attend a program administered by a public school
- 3) Students participate in the state funded program during times meals are provided at school
- 4) The household qualifies for reduced-price meals for children in grades PK-2

Please review the attachment; if you have any questions please contact this office.

Bill: Senate Bill 09-033

Title: *Concerning expanding the list of students who qualify to receive a free lunch in Colorado to include children in public school early childhood education programs who are eligible to receive a reduced-cost lunch under the federal "National School Lunch Act."*

Summary of Legislation: The Child Nutrition School Lunch Protection Program, created by SB08-123, provides at least \$850,000 toward eliminating the reduced price paid under the federal "National School Lunch Act." The program applies to children in Kindergarten through 2nd grade. This bill makes program moneys available to children who are enrolled in a Colorado public school.

Senate Bill 09-033 expands the program to Colorado students who are enrolled in state-subsidized early childhood education programs administered by public schools and who are participating in the National School Lunch Program.

In order to qualify for this support, children would have to meet four conditions:

1. Attend a state-subsidized preschool program: In the School Finance Act the state provides two groups of children funding to attend preschool. These include children funded by the Colorado Preschool Program (CPP) and children in early childhood special education (PK-Special Education).

These state subsidized preschool children would be included in the district's pupil count with an "81" (Full-Time, CPP), "83" (Part-Time, CPP), or "84" (Part-Time, PK-Special Education) Public School Finance Act Funding Status code.

2. Attend a program administered by a public school: The program would have to be licensed by the school district through the Colorado Department of Human Services, and the school district would have responsibility for the administration of the program.
3. Participate in the state funded program during times meals are provided at the school.
4. Qualify for reduced price meals pursuant to the provisions of the "Federal National School Lunch Act."

There are two funding sources available to programs to support young children's access to nutritionally balanced low cost or free lunches. The first is the Child and Adult Care Food Program (CACFP), and the second is the National School Lunch Program (NSLP). Below is a table that identifies a variety of scenarios for preschool children and the program that would support meals being made available to them if they qualify.

Scenario	Program
Child is being funded by CPP to participate in a full-day preschool program administered by the school district.	NSLP
Child is CPP funded or early childhood special education funded to participate in preschool in the morning, and parents pay tuition for children to stay for an extended day.	CACFP
Child is CPP funded or early childhood special education funded to attend a preschool program in the community.	CACFP

<i>Scenario</i>	<i>Program</i>
Child is being funded by CPP or early childhood special education to attend preschool, and the preschool program begins at a time or ends at a time that is inclusive of lunch.	NSLP
Child is attending a preschool program administered by the school district, but parents pay tuition for the child to attend.	CACFP
Child is attending a preschool program administered by the school district but is being funded by Title I funds or district general fund monies.	CACFP
Child is attending a preschool program that does not operate during the meal time.	N/A

*Please note: All children enrolled in Head Start are automatically eligible for free meal benefits.