

# Serving Meals to Students Off-Site in the National School Lunch Program FAQ



This document provides general questions and answers regarding reimbursement of meals served to students “off-site”, meaning not at the school where they are enrolled.

## Definitions

**Child** (7 CFR §210.1) –

(1) A student of high school grade or under as determined by the State educational agency, who is enrolled in an educational unit of high school grade or under as described in paragraphs (1) and (2) of the definition of “[School](#)” in this section, including students with a disability who participate in a school program established for persons with disabilities.

(2) A person under 21 chronological years of age who is enrolled in an institution or center as described in paragraph (3) of the definition of “[School](#)” in this section.

**Local Educational Agency (LEA)** – The administrative authority that sets and enforces the rules and regulations set forth by the Department of Education. This is determined by the organization ID # that [can be found on the Maine DOE website](#).

**School Administrative Unit (SAU)** (State of Maine Title 20-A: Chapter 1: §1. Definitions) – A state-approved unit of school administration and includes only the following:

A. A municipal school unit; [PL 2007, c. 668, §1 (NEW).]

B. A regional school unit formed pursuant to [chapter 103-A](#); [PL 2007, c. 668, §1 (NEW).]

C. An alternative organizational structure as approved by the commissioner and approved by the voters; [PL 2009, c. 580, §1 (AMD).]

D. A school administrative district that does not provide public education for the entire span of kindergarten to grade 12 that has not reorganized as a regional school unit pursuant to [chapter 103-A](#); [PL 2007, c. 668, §1 (NEW).]

E. A community school district that has not reorganized as a regional school unit pursuant to [chapter 103-A](#); [PL 2007, c. 668, §1 (NEW).]

F. A municipal or quasi-municipal district responsible for operating public schools that has not reorganized as a regional school unit pursuant to [chapter 103-A](#); [PL 2011, c. 414, §2 (AMD).]

G. A municipal school unit, school administrative district, community school district, regional school unit or any other quasi-municipal district responsible for operating public schools that forms a part of an alternative organizational structure approved by the commissioner; and [PL 2011, c. 414, §3 (AMD).]

H. A public charter school authorized under [chapter 112](#) by an entity other than a local school board. [PL 2011, c. 414, §4 (NEW).]

[PL 2011, c. 414, §§2-4 (AMD).]

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**Student Eligibility** (State of Maine Title 20-A: Chapter 213: §5201) – The following are minimum ages necessary for student enrollment in an SAU:

- A person who will be at least five years old on October 15 of the school year may enroll in school.
- A person who will be at least three years of age on October 15 of the school year may enroll in a public preschool program prior to kindergarten if it is offered.

**School** (7 CFR §210.1) –

(1) An educational unit of high school grades or under, recognized as part of the educational system in the State and operating under public or nonprofit private ownership in a single building or complex of buildings.

(2) Any public or nonprofit private classes of pre-primary grade when they are conducted in the aforementioned schools; or

(3) Any public or nonprofit private residential child care institution, or distinct part of such institution, which operates principally for the care of children, and, if private, is licensed to provide residential child care services under the appropriate licensing code by the State or a subordinate level of government, except for residential summer camps which participate in the Summer Food Service Program for Children, Job Corps centers funded by the Department of Labor, and private foster homes.

## Guidance Documents

- [FNS Instruction 776-7 Rev.1](#): Eligibility of Schools and Institutions to Participate in School Nutrition Programs
- [SP 17-2025](#): Reimbursement for Off-Site Meal Consumption
- [USDA Memo 11/1/2002](#): Meals Served to Students Placed in Schools Not Participating in the National School Lunch Program
- [Maine DOE Schools and SAUs](#): a listing of Maine schools and SAUs

## Questions and Answers

**When can my SAU serve and claim meals?**

School meals can only be served and claimed:

- to students enrolled in the SAU, and
- served and consumed at [an approved school building in that SAU recognized by the Maine DOE](#)
  - on an in-person academic school day, and
  - in a congregate setting.

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## Are childcare centers eligible to participate?

Childcare centers are not eligible to operate the National School Lunch Program (NSLP) or the School Breakfast Program (SBP).

## What are the eligibility criteria for public pre-K participating in the National School Lunch Program (NSLP)?

To participate in the NSLP, the public pre-K program must be in a building on school grounds that is under the legal authority of an SAU that is recognized by the Maine DOE.

- Students must be four years of age on October 15 of the school year or a three-year-old with an IEP.
- Students must be enrolled in and in regular attendance at the public pre-K program.

## Our SAU has a public pre-K program. Can we serve and claim meals to these students under the National School Lunch Program (NSLP) and the School Breakfast Program (SBP)?

For a School Nutrition Program sponsor to be eligible to claim meals served to public pre-K students in the NSLP or SBP, the following criteria must be met:

- The public pre-K program must be in a building on school grounds that is under the legal authority of a SAU that is recognized by the Maine DOE.
- The public pre-K students must be enrolled in and in regular daily attendance in the public pre-K program.
- The public pre-K program students must be four years old on October 15 of the school year or a three-year-old with an IEP and eligible for kindergarten the following year.

## Our SAU has a public pre-K program that operates in its own building, not with other K-12 students from our SAU. Can we serve and claim meals to these students under the National School Lunch Program (NSLP) and the School Breakfast Program (SBP)?

If the public pre-K program is in a building on school grounds that is under the legal authority of an SAU that is recognized by the Maine DOE, then the SAU can serve and claim meals under the NSLP and SBP. The pre-K building must be listed as an approved site in CNPweb under the SAU/Sponsor, and all other criteria for pre-K programs must be met.

If the public pre-K program operates in a building that is not on school grounds and under the legal authority of an SAU recognized by the Maine DOE, then the SAU cannot serve and claim meals under NSLP or SBP.

## Our school rents or provides space to another entity that operates a childcare center with a pre-K classroom in our school building. Can we serve and claim meals to children in this childcare program?

Childcare programs are not eligible to participate in the NSLP or SBP but may apply to participate in the Child and Adult Care Food Program (CACFP). If a pre-K program is not

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operated under the school or SAU, regardless of being in the same building, they are not eligible to participate in the NSLP or SBP.

*The following section applies to regional programs, special purpose schools, and other situations. It does not apply to Career and Technical Education (CTE) schools.*

## **Students in our SAU attend another school that is not part of our SAU. Can I feed them?**

You cannot serve and claim meals to students who attend a school or program off-site. Students must be enrolled and in regular attendance at a Maine DOE-approved school building in your SAU for you to serve and claim meals for reimbursement.

## **Can regional programs and special purpose schools participate in the National School Lunch Program (NSLP)/School Breakfast Program (SBP)?**

If the regional program or special purpose school meets the definition of a school and is recognized as a school by the Maine DOE, they may be eligible to be a sponsor of the NSLP/SBP. With specific questions, please contact [child.nutrition@maine.gov](mailto:child.nutrition@maine.gov).

## **Our SAU is the fiscal agent for a program/school. Can we serve and claim meals to all students at this program/school?**

Meals may only be served and reimbursement claimed for students enrolled in the SAU and in regular attendance at a school building approved by the Maine DOE within the same SAU. If the program/school is recognized by the Maine DOE, it may choose to apply to participate in the National School Lunch Program (NSLP)/School Breakfast Program (SBP). If you are interested in participating in NSLP or SBP, please contact [child.nutrition@maine.gov](mailto:child.nutrition@maine.gov).

## **What if the student is enrolled at their home school but attends a specialized school/regional program?**

School meals must be served on site, in a congregate setting. If the specialized school/regional program meets the definition of a school and is an approved school by the Maine DOE, it may apply to participate in the National School Lunch Program (NSLP) and serve meals to students receiving programming/instruction.

*The only exception to the above situations is for CTE schools. Please see below.*

*The following section applies to Career and Technical Education (CTE) schools.*

## **Our SAU operates a CTE school where students from our SAU and students from nearby SAUs attend. Can I serve and claim meals to these students under the National School Lunch Program (NSLP) and School Breakfast Program (SBP)?**

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If the CTE school participates in the NSLP/SBP and students attend the CTE school during the part of the school day that includes meal service, the CTE school may feed and claim the CTE students. Eligibility of each student is determined by the sending school where the student is enrolled, and this information may be shared with the CTE school nutrition program.

**Our students attend a CTE school that operates independently. The CTE school does not participate in the National School Lunch Program (NSLP)/School Breakfast Program (SBP). Can I send them with a meal?**

If the CTE school does not participate in the NSLP/SBP, the sending school may provide a reimbursable take-out meal that meets program requirements for only their enrolled students that attend the CTE school.

**There is a childcare program at our CTE school building. Can we serve and claim meals to the children attending the childcare program?**

You may not serve and claim meals to children attending a childcare program.

**There is a public pre-K program at our CTE school building. Can we serve and claim meals to the children attending the pre-K program?**

You may serve and claim meals for students attending a public pre-K program in a CTE school within the same SAU.

## *Other Situations*

**Can meals be sent with students who are going on a field trip?**

Field trips are occasional school-sponsored events occurring during the school day. If a field trip is scheduled during mealtimes, meals may be sent for students and claimed for reimbursement if the following criteria are met:

- Field trip meals must meet the meal pattern requirements for the appropriate grade group.
- Field trip meals must be documented on the school's daily food production record.
- Field trip lunches must be served between the hours of 10 a.m. and 2 p.m.
- Meals must be counted and documented by staff when each complete meal is distributed to students. This is referred to as "point of service."
- Only meals served to students may be claimed.
- Appropriate food safety practices must be followed.