



COLORADO DEPARTMENT OF EDUCATION

201 East Colfax Avenue • Denver, Colorado 80203-1799
303.866.6600 • www.cde.state.co.us

Dwight D. Jones
Commissioner of Education

Robert K. Hammond
Deputy Commissioner

Kenneth R. Turner
Deputy Commissioner

CN09-G-006

TO: Nutrition Service Directors

FROM: Herminia J. Vigil, Director, Nutrition and Transportation Unit - 303.866.6661

DATE: July 18, 2008

SUBJECT: Child Nutrition School Lunch Protection Program Act – SB08-123

On May 29, 2008, Governor Ritter signed into law Senate Bill 08-123, the Child Nutrition School Lunch Protection Program Act. This legislation will have a welcome impact on the National School Lunch Program (NSLP) operations for grades K-2 beginning with the 2008-09 school year. The bill was sponsored by Senator Sandoval, and co-sponsored by Representative Madden, at the request of the Colorado School Nutrition Association.

The legislation effectively eliminates the \$0.40 co-payment for reduced price lunch for grades K-2, and instead, districts will receive \$0.40 from state funds. The \$0.40 co-pay has been one of the major barriers for the children of many eligible families to consistently participate in the lunch program. Shifting the \$0.40 co-payment to the state will have a positive effect, and increase participation of eligible children.

This change will require districts to make a few modifications to the free and reduced price meal process.

District action needed:

Effective July 1, you may no longer charge a meal price to grades K-2 reduced price students for lunch (previously a maximum of \$0.40). They must receive their meal free of charge. Note that this change applies only to K-2 students participating in the National School Lunch Program. You must continue to count and claim lunches according to the student's eligibility status (paid, free or reduced). The \$0.40 payment from state funds will be input either via the internet or by Excel spreadsheet; more information will follow. The reporting will not be part of the online claim system at this time.

If you have not yet printed your free and reduced price meal application materials for the 2008-09 school year:

Substitute the revised *Letter to Parents* (posted on the Nutrition web site <http://www.cde.state.co.us/cdenutritran/nutriformsbook.htm>) for the one included in the original packet sent to you earlier this spring. This now reflects the elimination of reduced price for lunch for grades K-2, and clarifies that parents are still responsible to pay the reduced price for lunch for all other grades (maximum of \$0.40).

If you utilize a software system for this process, please make the necessary changes to these documents, contacting your software provider as needed.

Await notification regarding the method for reporting the meals claimed for reduced price students for grades K-2. These instructions will include the new claim submission requirements, and the account codes for the new funding source. The notification will be sent under separate cover.

If your materials are already printed:

Substitute the revised *Letter to Parents* (posted on the Nutrition web site <http://www.cde.state.co.us/cdenutritran/nutriformsbook.htm>) for the one included in the original packet sent to you earlier this spring, ***as it becomes practical to do so for new students during the year.*** Although you may choose to reprint, it is not required to do so for this coming year. This now reflects the elimination of reduced price lunch for grades K-2, and clarifies that parents are still responsible to pay the reduced price for lunch for all other grades (maximum of \$0.40).

If you utilize a software system for this process, please make the necessary changes to these documents, contacting your software provider as needed.

Await notification regarding the method for reporting the meals claimed for reduced price students for grades K-2. These instructions will include the new claim submission requirements, and the account codes for the new funding source. The notification will be sent under separate cover.

Districts/schools that have been approved for Provision 2 for lunch will be handled on a case by case basis.

Please note that these state funds are subject to appropriation each year. CDE will be including the funds in the annual budget request, but they are not guaranteed.

You may access a copy of SB08-123 on the General Assembly web site at <http://www.leg.state.co.us/>.

If you have any questions, or have a situation that is not addressed in this memo, please contact Herminia Vigil at 303.866.6661, or 888.245.6092 (outside the Denver Metro area).