



DEPARTMENT OF EDUCATION

The Townsend Building
401 Federal Street Suite 2
Dover, Delaware 19901-3639
DOE WEBSITE: <http://www.doe.k12.de.us>

Susan S. Bunting, Ed.D.
Secretary of Education
Voice: (302) 735-4000
FAX: (302) 739-4654

January 27, 2020

MEMORANDUM

TO: School Nutrition Supervisors
Single Unit and Special School Administrators

FROM: Aimee F. Beam, MS, RD, LDN 
Education Associate, Child Nutrition Programs

RE: **SY 2019 - 2020 Operational Memo #30**
Paid Lunch Equity: Guidance for School Year 2020-21

USDA has released SP 07-2020 "Paid Lunch Equity: Guidance for School Year 2020-21." This memorandum provides notice that any School Food Authority (SFA) with a positive or zero balance in its nonprofit school food service account as of December 31, 2019, is exempt from PLE pricing requirements for school year 2020-2021. The memo is attached for your review.

If you have any questions, please contact us at (302) 857-3356.

Attachment: SP 07-2020 Paid Lunch Equity

cc: SNP Team



Food and
Nutrition
Service

DATE: January 22, 2020

Braddock
Place

MEMO CODE: SP 07-2020

1320
Braddock
Place
Alexandria
VA 22302

SUBJECT: Paid Lunch Equity: Guidance for School Year 2020-21

TO: Regional Directors
Special Nutrition Programs
All Regions

State Directors
Child Nutrition Programs
All States

In Section 747 of Division B of the Further Consolidated Appropriations Act, 2020 (P.L. 116-94) (the Appropriations Act), enacted on December 20, 2019, Congress provides that only school food authorities (SFAs) that had a negative balance in the nonprofit school food service account as of December 31, 2019, shall be required to establish prices for paid lunches according to the Paid Lunch Equity (PLE) provisions in Section 12(p) of the Richard B. Russell National School Lunch Act, 42 U.S.C. 1760(p) and implemented in National School Lunch Program regulations at 7 CFR 210.14(e).

Consistent with the terms of the Appropriations Act, this memorandum provides notice that any SFA with a positive or zero balance in its nonprofit school food service account as of December 31, 2019, is exempt from PLE pricing requirements found at 7 CFR 210.14(e) for school year (SY) 2020-21. SFAs that had a negative balance in the nonprofit school food service account as of December 31, 2019, must follow PLE requirements when establishing their prices for paid lunches in SY 2020-21. This flexibility is currently in place for SY 2019-2020 (see <https://www.fns.usda.gov/nslp/paid-lunch-equity-guidance-school-year-2019-20>).

Because the Appropriations Act affects one school year only, FNS recommends that State agencies maintain documentation that includes which SFAs are using the PLE exemption for SY 2020-21 in order to demonstrate State agency oversight of this provision. This documentation should include a record that each SFA implementing the exemption had a positive or zero balance in the nonprofit school food service account as of December 31, 2019. This documentation may be reviewed by FNS upon request and during a Management Evaluation.

While SFAs that meet the Appropriations Act's criteria are exempt from the PLE pricing requirements, all State agencies and SFAs must continue to report paid lunch prices as required in regulations at 7 CFR 210.14(e)(7). SFAs still maintain the discretion to

Regional Directors
State Director
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complete the steps necessary to determine their target SY 2020-21 paid lunch price, consistent with Program regulations at 7 CFR 210.14(e), and adjust their paid meal prices accordingly. Please note, the SY 2020-21 PLE tool and instructions will be provided in a separate communication.

State agencies are reminded to distribute this memorandum to Program operators. Program operators should direct any questions concerning this guidance to their State agency. State agencies with questions should contact the appropriate FNS Regional Office.

A handwritten signature in black ink, appearing to read "Angela Kline". The signature is fluid and cursive, with the first name "Angela" written in a larger, more prominent script than the last name "Kline".

Angela Kline
Director
Policy and Program Development Division
Child Nutrition Programs