

SEPTEMBER 18, 1996

SUBJECT: State Agency Public (Media) Release on behalf of Child and Adult Care Food Program (CACFP) Institutions

TO: Regional Directors  
Special Nutrition Programs  
All Regions

Recently, we were asked whether State agencies (SAs) are required to make public release announcements on behalf of their CACFP institutions. If the State is not required to do so, does the State have the option to publish an announcement for CACFP institutions in conjunction with other child nutrition programs, and if so, does this announcement relieve the institutions of their responsibility for releasing a public notification? As part of this request, it was stated that under the National School Lunch Program (NSLP) eligibility guidance, FNS-274--Eligibility Guidance for School Meals Manual, States are allowed the option of making public release statements on behalf of school food authorities (SFA).

The language in this NSLP eligibility guidance further states that if the SA does volunteer to make the public release notification, it must be stated in the free and reduced-price policy statement that is part of the SA-SFA agreement, and the policy statement must specify exactly what responsibilities the SA will assume. Those responsibilities could include sending the public release to the local media, employment office, etc., and identifying the names of the schools affected by this policy.

As you are aware, Section 226.15 (Institution provisions) requires institutions to submit to the SA, as part of the application process, a nondiscrimination and free and reduced-price policy statement, and information regarding a public release in accordance with Section 226.23 (Free and reduced-price meals). However, neither the CACFP regulations nor any guidance for CACFP requires or allows the SA the option to make a public announcement for its institutions.

Consistent with our goal of simplifying the Program, we believe the CACFP SAs should be allowed the same flexibility as those established for the other child nutrition programs (National School Lunch Program, School Breakfast Program, and Special Milk Program). We are therefore permitting SAs the option to release a public media release notification on behalf of their CACFP institutions, and to include this disclosure in the free and reduced-price policy statement which is part of the agreement between the State and the institution.

We wish to emphasize that the public release must contain the same information supplied in the letter or notice to households, except the public release must contain both the free and the reduced-price income eligibility guidelines, and copies of the public release must be made available upon request to any interested person.

If the State assumes this responsibility, the State would be required to release the information to the media as specified in Section 226.23(d) which would include information on pricing and nonpricing programs, the names and addresses of the applicable institutions, as well as information that households currently certified to receive food stamps or Aid to Families with Dependent Children are automatically eligible to receive free meal benefits.

If you need further assistance, please contact Norma Ball or Ed Morawetz at (703) 305-2621.

/ORIGINAL SIGNED/

ALBERTA C. FROST  
Director  
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