



MEMORANDUM

To: School Food Authorities

From: ***Lindsey Palmer***

Lindsey Palmer, RDN, LD
School Programs Manager

Date: April 1, 2015

Re: Guidance on Prohibition of Separation of Gender during Child Nutrition Program Meal Service

State Agency Memo

NSLP #11-15

This memorandum is to provide guidance around the prohibition on separation by gender during Child Nutrition Program meal service. These guidelines are for any School Food Authority (SFA), organization or institution that operates the following programs: National School Lunch Program (NSLP), School Breakfast Program (SBP), Fresh Fruit and Vegetable Program (FFVP), Special Milk Program, Child and Adult Care Food Program (CACFP) and Summer Food Service Program (SFSP).

In general, the separation of children by gender in any of the above mentioned programs is not permitted, in keeping with the Federal non-discrimination laws and policies outlined in the Department of Agriculture's (USDA) 7 CFR Parts 15, 15a and 15b. Federal law prohibits discrimination based on gender at any education institution receiving Federal assistance.

While these laws apply to most SFAs, organizations and institutions, there are some exceptions to the prohibition of gender-separated meal service: These include:

- Religious institutions operating under the dictates of the religion with which they are affiliated;
- Juvenile correction facilities where combining members of the opposite gender would present a potential safety risk;
- Facilities that are fully separated by gender as part of their normal operations

The above listed exemptions are the only acceptable bases for gender separation during Child Nutrition Program Meal service and any gender separation not based on the ED and/or FNS approval processes is strictly prohibited.

All question should be sent to your designated Program Specialist.