



NEW YORK STATE SENATOR

Sean M. Ryan

Senator Sean Ryan: Expedited Federal Rule Change Will Provide Free School Meals To More New York Students

SEAN M. RYAN | October 16, 2023

| ISSUE: [FREE SCHOOL MEALS](#), [NYS SENATOR SEAN RYAN](#), [NYS SENATE DISTRICT 61](#)



Previous State Investment Expanded Free School Meal Program to Nearly 300,000 Additional New York Students This Year – Federal Rule Change Will Make Even More Schools Eligible Before End of School Year

BUFFALO – Today, October 16, 2023, New York State Senator Sean Ryan highlighted a federal rule change that will expand the list of New York schools eligible to offer two free meals to all students every day. More than 400 additional New York schools are expected to become eligible as a result of the rule change, which would mean over 80% of the state’s school

children would have access to free school meals. In addition to approving a rule change to expand Community Eligibility Provision eligibility, the U.S. Department of Agriculture has also opened a special mid-year election period to allow newly eligible schools to immediately apply so that their students can begin receiving free meals during the current school year.

The Community Eligibility Provision (CEP) allows schools and school districts with high concentrations of low-income families to serve free breakfast and lunch to every student without requiring an application for the benefit. In March, the USDA proposed the rule to lower the minimum threshold used to determine a school or district's CEP eligibility. Last month, with the proposed rule change set to take effect in April 2024, [Senator Ryan urged the USDA to expedite the rulemaking process and enact the new threshold sooner](#). Previously, at least 40% of enrolled students had to live in households participating in certain income-based federal assistance programs, in order for a school or school district to be eligible for CEP. Under the new rule, which takes effect on Oct. 26, the threshold has been reduced from 40% to 25% of enrolled students.

Schools in New York that adopt CEP are reimbursed by the USDA using a formula based on the percentage of students eligible for free meals. Because the program does not fully cover all of the costs to provide meals to students, schools must cover the cost difference. This has traditionally kept many eligible schools from participating. In the 2023-2024 state budget, New York invested \$135 million to reimburse participating schools for those costs, helping ensure that all eligible schools could participate. Prior to the USDA rule change, the funding has already provided an estimated 294,000 additional students with breakfast and lunch at no cost to their families or to the school during this school year.

Senator Sean Ryan said, "Making more schools eligible to offer free meals to all students will make a big difference for families across the country. Here in New York, thousands of families have already benefited from our investment to ensure all eligible schools in the

state can afford to participate in the free school meals program. With this change, even more families will be able to rely on free breakfasts and lunches for their children five days a week with no strings attached.”