

Mike DeWine, Governor
Dr. Stephanie Siddens, Interim Superintendent of Public

To: National School Lunch Program Sponsors
From: Brigitte Hires, Director, Office of Nutrition
Date: April 27, 2023
Re: Migrant Student Eligibility in the National School Lunch Program

Introduction

On June 30, 2004, the Child Nutrition and WIC Reauthorization Act of 2004 (Public Law 108-265) was signed into law. The law, which reauthorized child nutrition programs, included a provision which makes migrant children, properly identified under Title I, Part C, Migrant Education Program (MEP), automatically eligible for free school meals without the need for the migrant family to fill out an application.

Policy

Children are generally eligible for the MEP when they meet the following criteria:

1. They have moved across school district lines within the last three years, and
2. They are accompanying their parent or guardian, and
3. The parent or guardian is seeking or has obtained employment in seasonal or temporary agricultural work.

Children properly identified by the Ohio Migrant Education Center (OMEC) as meeting the definition of migrant and have a certificate of eligibility on file are categorically eligible for free school meals. School food service directors should work with OMEC to identify MEP-eligible students as early as possible in the school year, ideally prior to a household completing a free or reduced-price household meal application. Students who are determined free meal eligible remain eligible for the balance of the school year regardless of any change in circumstances.

More information about the migrant eligibility determination may be found in the U. S. Department of Education Eligibility Manual <https://www.fns.usda.gov/cn/eligibility-manual-school-meals>.

For additional information on National School Lunch Program eligibility, please contact your assigned education program specialist or the Office of Nutrition at (614) 466-2945. For additional information on Migrant Education in Ohio, please contact the Ohio Migrant Education Center at (419) 332-6007 or visit them at OMECohio.org.

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