



STATE OF CONNECTICUT
STATE DEPARTMENT OF EDUCATION



To: Pupil Personnel and Special Education Directors

From: Bryan E. Klimkiewicz, Division Director, Bureau of Special Education
John D. Frassinelli, Division Director, Office of Student Support Services

Date: May 22, 2026

Subject: Operational Memorandum No. 26-01
Providing Meals to Students Outplaced Pursuant to Individualized Education Programs

This operational memorandum provides guidance to local educational agencies (LEA) regarding the provision of meals to students with disabilities who have been placed in an out-of-district placement setting by the student's Planning and Placement Team (PPT), in accordance with the student's individualized education program (IEP).

Under federal and Connecticut law, it is well established that once a child is determined to have a disability – and, as the result, the student requires specialized instruction in order to make reasonable educational progress – an LEA is required to develop and implement an IEP designed to provide the student with a free appropriate public education (FAPE). FAPE is a central tenet of the Individuals with Disabilities Education Improvement Act of 2004 (IDEA) and is defined in relevant part as special education and related services that are provided “**without charge**” and “in conformity with an individualized education program.” 34 C.F.R. §300.17 (emphasis added). Similarly, the IDEA requires that each “child with a disability who is placed in or referred to a private school or facility by a public agency...is provided special education and related services . . . in conformance with an IEP . . . and . . . **at no cost to the parents.**” 34 C.F.R. §300.146 (emphasis added).

Consequently, when a PPT determines that a student requires an out-of-district placement in order to implement the student's IEP, the LEA must ensure that the placement does not result in a cost for school meals for students eligible for free or reduced-price school breakfast and lunch that they would not incur if they were attending their home district schools. Furthermore, for students who are not eligible for free or reduced-price meals, the cost to families cannot exceed what they would be paying at their home district school.

The examples below illustrate this requirement:

- If a student has access to school meals, including breakfast, lunch and snack, the student must continue to have access to breakfast, lunch and snack in the out-of-district program.
- If a student is eligible for free meals in his or her home district school, the student must not incur any cost for meals in the out-of-district program. In this example, “eligibility” means students who are directly certified (on SNAP, TANF, etc.) or income eligible for free meals as well as students in Community Eligibility Provision (CEP) schools and are subsequently receiving meals at no cost, regardless of direct certification or income.
- If a student is eligible for reduced-price meals, the cost of the student's meals must not exceed .40 cents for lunch and .30 cents for breakfast.

- Lastly, if, for example, a student's home district school charges \$4.00 for lunch and \$2.00 for breakfast, and the student is *not* eligible for free or reduced-price meals, that student cannot incur a cost greater than \$4.00 for lunch and \$2.00 for breakfast at the out-of-district program.

The Connecticut State Department of Education (CSDE) advises LEAs that when they are crafting placement contracts with private, out-of-district programs as required under Section 10-76d(d) of the Connecticut General Statutes, they must consider and address in these agreements how school meals will be provided to the outplaced students in accordance with this guidance. Agreements in which parents would be required to pay the cost of school meals and then be reimbursed by LEAs are discouraged, particularly for students whose family income levels qualify them for free or reduced-price meals, as this would create an economic hardship upon the family. Additionally, the obligation to effectuate out-of-district placements "at no cost to the parents," 34 C.F.R. §300.146, is the obligation of the LEAs, not the parents or guardians.

Should you have any questions regarding this guidance, feel free contact the CSDE's Director of Legal and Governmental Affairs, Michael P. McKeon, at mike.mckeon@ct.gov or Shannon Yearwood, Child Nutrition Programs Bureau Chief, at shannon.yearwood@ct.gov regarding questions on school meals.

cc: Michael P. McKeon, Legal Director, Legal and Governmental Affairs, CSDE
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