



Office for Prekindergarten through Grade 12 Education  
Child Nutrition Program Administration  
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TO: School Food Service Directors/Managers

FROM: Paula Tyner-Doyle, Coordinator

DATE: March, 2015

SUBJECT: **Eligibility of Statewide Universal Full-Day Prekindergarten Program and Half-Day Prekindergarten Programs for Child Nutrition Programs**

Chapter 53 of the Laws of 2014 appropriated prekindergarten grants to incentivize and fund universal full-day prekindergarten programs (UPK) in New York State, in accordance with Section 3602-ee of the Education Law.

School districts and non-profit organizations, community-based organizations, charter schools, libraries and museums were provided funding to support the creation of new full-day universal prekindergarten programs or conversion of existing half-day prekindergarten placements to full-day placements.

Section 3602-e of Education Law defines an “eligible child” for UPK programs as a child who resides within a UPK participating school district who is four years of age on or before December 1 or otherwise eligible to attend kindergarten the following school year.

UPK is a voluntary program open to all four year olds in the district. No preference can be given to children who are from families that are disadvantaged. Children must be selected on a random basis when there are more children than UPK spots available for a given year.

Consequently, since children in these programs are not primarily from families with household incomes at or below poverty, UPK programs are not automatically eligible for free meal benefits. To be deemed free or reduced price eligible, a UPK student would have to be directly certified or have an approved income application on file.

One of the requirements of the UPK grant is that all students in full-day prekindergarten placements be provided access to meals and snacks. There are a number

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of variables that must be evaluated to ensure that full-day prekindergarten student meals are claimed appropriately in the Child Nutrition Programs including the School Breakfast Program (SBP), National School Lunch Program (NSLP), and if applicable, Snacks in the After School Care Program.

If a school district houses full-day prekindergarten students in buildings that are currently participating in any of the Child Nutrition Programs, the students must be provided access to meals. If the prekindergarten students do not arrive until after the SBP meal service time, they do not have to be provided access to the SBP, but must be provided access to the NSLP. Participation in the Snacks in the After School Care Program is based on meeting the criteria of participation for this Program. The required snacks that are referenced as part of the full-day prekindergarten grants should not be confused with eligibility for participation in Snacks in the After School Care Program.

If students of the district are housed in full-day prekindergarten programs in non-profit organizations, community-based organizations, charter schools, libraries or museums, the school district may, in circumstances where the entity is not-for-profit, provide and claim meals under the SBP and NSLP, and where applicable, in Snacks in the After School Care Program for the UPK eligible students only.

In instances where the full-day prekindergarten is operating in a not-for-profit institution that also houses daycare or half-day universal pre-kindergarten students, the full-day prekindergarten students could be fed using either the SBP/NSLP, or the Child and Adult Care Food Program (CACFP). The daycare and half-day universal pre-kindergarten students may not be fed using the SBP/NSLP but are eligible to be fed under the CACFP. If the institution is a for-profit entity, the full day prekindergarten students may only be fed using the CACFP.

Please contact your Child Nutrition Program representative with questions or for additional clarifications regarding eligibility and providing access to this group of students.