



STATE OF ALABAMA  
DEPARTMENT OF EDUCATION



Eric G. Mackey, Ed.D.  
State Superintendent of Education

August 16, 2023

**MEMORANDUM**

**TO:** City and County Superintendents  
**FROM:** Eric G. Mackey *EJM*  
State Superintendent of Education  
**RE:** Collection of Race and Ethnicity Data for School Meal Programs

The Child Nutrition Programs (CNP) section of the Alabama State Department of Education is in the process of ensuring compliance with federal civil rights regulations in School Meal Programs. The Food and Nutrition Service (FNS) of the United States Department of Agriculture (USDA) require all School Meal Program sponsors to collect race and ethnicity data of applicants and participants. The purpose of this data collection effort is to determine how effectively School Meal Programs are reaching potentially eligible students. Responses have no effect on eligibility.

To meet this requirement, School Meal Program sponsors must notify applicants and participants that (1) the purpose for collecting race and ethnicity data is to determine how effectively School Meal Programs are reaching potentially eligible students, (2) provision of this data is voluntary, (3) responses are kept confidential, and (4) responses have no effect on eligibility. Notifications must be posted on local School Food Authority or school websites no later than October 1, 2023, in a language and format that applicants and participants can understand.

There are situations when applicants or participants choose not to provide this information. It may be helpful to reiterate that their response has no bearing on eligibility and will be kept confidential. If the person does not provide the information, an alternative method of collecting the information must be used. Appropriate methods include using school enrollment data or direct certification data. The USDA has determined that making a judgment of race or ethnicity based on appearance is not reliable. It is no longer allowable for school personnel to use visual observation to identify race and ethnicity.

If you have any questions, please contact the School Programs staff at (334) 694-4657.

EGM/ATK/AF

cc: Child Nutrition Program Directors  
City and County School Principals  
Private School Administrators  
Residential Child Care Institution Administrators  
Brandon T. Payne  
Angelice Lowe  
Julie Autrey  
Jason Swann  
Susan Tudor Crowther

FY23-3033

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