



Center  
2015-10

# STATE OF IOWA

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DEPARTMENT OF EDUCATION  
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DATE: May 5, 2015  
 TO: Child and Adult Care Food Program (CACFP) Center Organizations  
 FROM: Robin Holz, Lead CACFP Consultant - Centers  
 Bureau of Nutrition and Health Services  
 SUBJECT: Prohibition of Separation by Gender during Meal Service

### Background

This memorandum explains the prohibition on separation by gender during CACFP meal service and outlines select circumstances under which gender-based separation may be permissible. This memorandum supersedes previously issued guidance in memo CACFP 2012-9 dated May 23, 2012.

### Separation by Gender during Meal Service Prohibited

In general, organizations participating in the Child Nutrition Programs are not permitted to separate children on any protected basis during the service of Program meals or snacks, in keeping with Federal non-discrimination laws and policies as outlined for the Department of Agriculture (USDA) programs in 7 CFR Parts 15, 15a, and 15b. Federal law prohibits discrimination based on gender at any educational institution receiving Federal assistance.

### Exceptions to the Prohibition on Gender-Separated Meal Service

The State agency may approve exemptions allowing separation by gender during meal service for participating organizations in the following circumstances:

- Meal service at religious institutions operating under the dictates of the religion with which they are affiliated.
- Meal service at facilities that fully separate by gender as part of their normal operations (for example, gender-separated preschools).

When requesting an exemption, the centers must specify which of the above listed reasons apply and why separation by gender is necessary. The State agency must document all exemption requests, including the date of approval or disapproval, and if applicable, the duration of the approval. These are the only acceptable bases for gender separation during meal service. Any other gender separation not based on the State agency's approval process is strictly prohibited.

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On a case by case basis, situations that do not clearly fit into any of the exemptions outlined above may be considered by the State agency in direct consultation with the USDA Food and Nutrition Service (FNS) Regional Office, including the FNS Civil Rights Office and appropriate FNS National Office Child Nutrition Program staff.

If you have questions, please contact [robin.holz@iowa.gov](mailto:robin.holz@iowa.gov), (515)281-3484.