

State	Public schools <sup>1</sup>	Private schools <sup>2</sup>	Residential child care institutions <sup>3</sup>	Nonresidential child care institutions <sup>4</sup>	Total <sup>5</sup>
Louisiana .....	317,817	64,562	1,551	6,307	390,237
New Mexico .....	108,673	5,448	235	2,619	116,975
Oklahoma .....	229,166	3,969	1,916	8,639	243,690
Texas .....	1,115,829	52,654	4,163	38,934	1,211,580
Colorado <sup>5</sup> .....	1,949,215	134,728	8,250	60,952	2,153,145
Iowa .....	217,264	15,800	937	4,399	238,400
Kansas .....	221,255	25,957	3,204	2,631	253,047
Missouri .....	168,720	12,765	330	1,062	182,877
Montana .....	350,248	54,950	1,271	6,629	413,098
Nebraska .....	63,950	3,425	75	677	75,000
Nebraska .....	115,891	17,629	376	1,694	135,590
North Dakota <sup>5</sup> .....	47,486	4,826	309	383	75,000
South Dakota .....	53,792	5,760	267	390	75,000
Utah .....	126,488	1,518	541	1,325	129,872
Wyoming .....	36,709	1,206	74	497	75,000
Alaska .....	1,401,803	143,836	7,384	19,687	1,652,884
Alaska .....	35,308	739	310	392	75,000
Samoa .....	3,616	778	0	0	75,000
Arizona .....	198,407	21,871	661	4,712	225,651
California .....	1,629,801	170,376	28,777	44,277	1,873,231
Guam .....	11,118	1,985	0	0	75,000
Hawaii .....	66,454	13,348	1,854	3,352	85,008
Idaho .....	79,009	1,868	119	860	81,856
Nevada .....	56,927	2,179	473	1,643	75,000
Oregon .....	183,441	9,379	859	3,703	197,382
Trust Territory .....	11,590	0	0	0	75,000
Washington .....	299,362	17,318	2,140	5,656	324,476
N Marianas .....	1,945	0	0	0	75,000
	2,576,978	239,841	35,193	64,595	3,237,604
	16,879,929	2,104,554	127,944	349,365	20,000,000

<sup>1</sup> Sources: (1) U.S. Department of Health, Education, and Welfare, Education Division, NCES, *Statistics of Public Schools, Fall 1977*, prepublication data, Table 5 for States and areas, except (2) Northern Marianas and Trust Territory, 1975-76 data from Department of Interior, adjust to include pre-school; Puerto Rico and Guam, Fall 1976 data.

<sup>2</sup> U.S. Department of Health, Education, and Welfare, Education Division, (NCES), *Digest of Education Statistics, 1976*, Table 46, p. 47, Northern Marianas and Trust Territory 1975-76 data from Department of Interior, adjust to include pre-school.

<sup>3</sup> U.S. Department of Agriculture, Food and Nutrition Service, *Annual Report of Meal Service in Schools (Form FNS-47)*, October 1978.

<sup>4</sup> U.S. Department of Health, Education, and Welfare, *Day Care Centers In the U.S.; A National Profile 1976-77*, Volume 3 of the Final Report of the National Day Care Study, Table 63.

<sup>5</sup> A portion of these funds will be withheld from the States' allocations for use by FNS in administering the Program in nonprofit private schools or institutions.

[44 FR 70451, Dec. 7, 1979]

**PART 235—STATE ADMINISTRATIVE EXPENSE FUNDS**

Sec.

- 235.1 General purpose and scope.
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- 235.3 Administration.
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- 235.10 [Reserved]
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- 235.12 Information collection/record-keeping—OMB assigned control numbers.

AUTHORITY: Secs. 7 and 10 of the Child Nutrition Act of 1966, 80 Stat. 888, 889, as amended (42 U.S.C. 1776, 1779).

SOURCE: 41 FR 32405, Aug. 3, 1976, unless otherwise noted.

**§ 235.1 General purpose and scope.**

This part announces the policies and prescribes the regulations necessary to carry out the provisions of section 7 of the Child Nutrition Act of 1966, as amended. It prescribes the methods for making payments of funds to State agencies for use for administrative expenses incurred in supervising and giving technical assistance in connection with activities undertaken by them under the National School Lunch Program (7 CFR part 210), the Special Milk Program (7 CFR part 215), the School Breakfast Program (7 CFR part 220),

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the Child and Adult Care Food Program (7 CFR part 226) and the Food Distribution Program (7 CFR part 250).

(Sec. 7, Pub. L. 95-627, 92 Stat. 3621 (42 U.S.C. 1776))

[44 FR 51185, Aug. 31, 1979, as amended by Amdt. 17, 55 FR 1378, Jan. 16, 1990; 60 FR 15461, Mar. 24, 1995]

### § 235.2 Definitions.

For the purpose of this part, the term:

(a) *Act* means the Child Nutrition Act of 1966, as amended.

(b) *CND* means the Child Nutrition Division of the Food and Nutrition Service of the U.S. Department of Agriculture.

(c) *Department* means the U.S. Department of Agriculture.

(d) *Distributing agency* means a State agency which enters into an agreement with the Department for the distribution of donated foods pursuant to part 250 of this title.

(e) [Reserved]

(f) *FNS* means the Food and Nutrition Service of the U.S. Department of Agriculture.

(g) *FNSRO* means the appropriate Food and Nutrition Service Regional Office of the Food and Nutrition Service of the U.S. Department of Agriculture.

(h) *Fiscal year* means a period of 12 calendar months beginning October 1, 1976, and October 1 of each calendar year thereafter and ending with September 30 of the following calendar year.

(i) *Institution* means a child or adult care center or a sponsoring organization as defined in part 226 of this chapter.

(j)-(k) [Reserved]

(l) *OIG* means the Office of the Inspector General of the Department.

(m) [Reserved]

(n) *SAE* means federally provided State administrative expense funds for State agencies under this part.

(o) *School* means the term as defined in sections 210.2, 215.2(v), 220.2(u), and 226.2 of this chapter, as applicable.

(p) *School Food Authority* means the governing body which is responsible for the administration of one or more schools and which has the legal authority to operate a breakfast or a lunch

program therein. The term "School Food Authority" also includes a non-profit agency or organization to which such governing body has delegated authority to operate the lunch or breakfast program in schools under its jurisdiction, provided the governing body retains the responsibility to comply with breakfast or lunch program regulations.

(q) *Secretary* means the Secretary of Agriculture.

(q-1) *7 CFR part 3015* means the Uniform Federal Assistance Regulations published by the Department to implement OMB Circulars A-21, A-87, A-102, A-110, and A-122; and Executive Order 12372. (For availability of OMB Circulars referenced in this definition, see 5 CFR 1310.3.)

(q-2) *7 CFR part 3017* means the Department's regulation to implement Executive Order 12549, covering governmentwide rules on suspension and debarment as well as The Drug Free Workplace Act of 1988.

(q-3) *7 CFR part 3018* means the Department's Common Rule regarding Governmentwide New Restrictions on Lobbying. Part 3018 implements the requirements established by section 319 of the 1990 Appropriations Act for the Department of Interior and Related Agencies (Pub. L. 101-121).

(q-4) *7 CFR part 3052* means the Department's regulations implementing OMB Circular A-133, "Audits of State, Local Governments, and Non-Profit Organizations." (For availability of OMB Circulars referenced in this definition, see 5 CFR 1310.3.)

(r) *State* means any of the 50 States, District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and, as applicable, American Samoa and the Commonwealth of the Northern Marianas.

(s) *State agency* means (1) the State educational agency or (2) such other agency of the State as has been designated by the Governor or other appropriate executive or legislative authority of the State and approved by the Department to administer programs under part 210, 215, 220, 226 or 250 of this title. Unless otherwise indicated, "State agency" shall also mean "distributing agency", as defined in § 235.2(d), when such agency is receiving