

TITLE XII  
*PROGRAMS ADMINISTRATION*

CHAPTER 58  
SCHOOL BREAKFAST AND LUNCH PROGRAM

[Prior to 9/7/88, see Public Instruction Department[670] Ch 10]

**281—58.1(283A) Authority of state department.** Iowa Code chapter 283A authorizes the department of education to administer the school breakfast and lunch programs in the public and nonpublic schools of the state.

**281—58.2(283A) Definitions.** For the purposes of this chapter, the following definitions apply:

“*Attendance center*” means a public school of high school grade or under.

“*Department*” means the Iowa department of education.

“*Nutritionally adequate meal*” means a breakfast or lunch which meets the minimum criteria for eligibility for federal reimbursement under the federal National School Lunch Act of 1946 and the federal Child Nutrition Act of 1966.

“*Other eligible provider*” means an institution or organization other than a school district and a nonpublic school that is authorized to provide school breakfast and school lunch programs under the federal National School Lunch Act of 1946 and the federal Child Nutrition Act of 1966.

“*School*” means a school of high school grade or under.

“*School board*” means the board of directors regularly elected by the registered voters of a school corporation or district of the state of Iowa.

“*School breakfast program or school lunch program*” means a program under which breakfasts and lunches or lunches are served by any school in the state of Iowa on a nonprofit basis to children in attendance, including any such program under which a school receives assistance out of funds appropriated by the Congress of the United States.

**281—58.3(283A) Agreement required.** All programs operated and approved for federal assistance must operate according to the terms of an agreement or contract executed between the department and the individual school district, the authorities in charge of the nonpublic school or other eligible provider. This agreement or contract is continuous and remains in effect until terminated or canceled by either party. The agreement may be terminated upon ten days’ written notice on the part of either party, provided, however, that the department of education may cancel the agreement immediately upon receipt of evidence that the terms and conditions of the agreement or contract have not been met.

**281—58.4(283A) State plan.** The state plan for the National School Lunch Act of 1946 and the Child Nutrition Act of 1966 shall be reviewed annually according to federal regulations. A copy of such regulations may be obtained at no more than actual cost of reproduction by contacting the department.

Advisory committees shall be established by the director when appropriate. Members shall be appointed by the director. Persons interested in participating in such advisory committees may contact the director. Any advisory committee at the state level shall be established according to federal regulations. Actual costs for lodging and meals for the state level advisory committee shall be paid by the department at current state rates.

Public meetings shall be arranged by the director as desired to assist in reviewing the state plan.

**281—58.5(283A) Service area defined.** The geographical service area for the National School Lunch Act of 1946 and the Child Nutrition Act of 1966 is the entire state of Iowa. When a service as defined in these two Acts is available in a school or institution, it shall be available to all children in the school or institution.

**281—58.6(283A) School breakfast program.** A school district, the authorities in charge of a non-public school or other eligible provider may operate or provide for the operation of a school breakfast program at all schools in the district or may provide access to a school breakfast program at an alternative site.

**281—58.7(283A) School lunch program.** A school district shall operate or provide for the operation of lunch programs in all attendance centers in the district. The program shall be provided for all students in each district who attend public school four or more hours each school day and wish to participate.

**281—58.8(283A) Procurement.** A school board, the authorities in charge of a nonpublic school and each other eligible provider participating in the program shall adopt a policy on the procurement of goods and services used in the administration of the program. If an issue is not covered in the policy, the school district, the authorities in charge of the nonpublic school and each other eligible provider shall follow the appropriate federal regulation.

These rules are intended to implement Iowa Code chapter 283A.

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