

CHAPTER 283A

SCHOOL MEAL PROGRAMS

Referred to in [§256.7](#), [256F.3](#), [274.3](#), [298A.11](#)

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283A.1 Definitions.

For the purpose of [this chapter](#), unless the context otherwise requires:

1. “*Nutritionally adequate meal*” means a lunch or breakfast which meets the guidelines established by the department of education.
2. “*School*” means a public school of high school grade or under.
3. “*School board*” means a board of school directors regularly elected by the registered voters of a school corporation or district of the state of Iowa.
4. “*School breakfast or lunch program*” means a program under which breakfasts or lunches are served by any public 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.

[C54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §283A.1]

[90 Acts, ch 1152, §2](#); [94 Acts, ch 1169, §58](#); [94 Acts, ch 1193, §23](#); [2014 Acts, ch 1092, §61](#)

Referred to in [§283A.10](#)

283A.2 School lunch and breakfast programs.

1. School boards may use gifts, funds disbursed to them under the provisions of [this chapter](#), funds received from sale of school breakfasts or lunches, and any other funds legally available for the purpose of operating a school breakfast or lunch program.

2. A school district shall operate or provide for the operation of lunch programs at all attendance centers in the district. A school district may operate or provide for the operation of school breakfast programs at all attendance centers in the district, or provide access to a school breakfast program at an alternative site to students who wish to participate in a school breakfast program. The programs shall provide students with nutritionally adequate meals and shall be operated in compliance with the rules of the state board of education and pertinent federal law and regulation. The school lunch 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 in a school lunch program. School districts may provide school breakfast and lunch programs for other students.

3. Each school district that operates or provides for a school breakfast or lunch program shall provide for the forwarding of information from the applications for the school breakfast or lunch program, for which federal funding is provided, to identify children for enrollment in the medical assistance program pursuant to [chapter 249A](#) or the healthy and well kids in Iowa program pursuant to [chapter 514I](#) to the department of human services.

[C54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §283A.2]

[90 Acts, ch 1152, §3](#); [94 Acts, ch 1193, §24, 36, 38](#); [99 Acts, ch 147, §1, 2](#); [2000 Acts, ch 1223, §32](#); [2002 Acts, ch 1140, §24, 25](#); [2007 Acts, ch 218, §105](#)

283A.3 Expenditure of federal funds.

The director of the department of education shall accept and direct the disbursement of funds appropriated by any Act of Congress and appropriated to the state of Iowa for use in connection with school breakfast or lunch programs. The director shall deposit the funds

with the treasurer of the state of Iowa, who shall make disbursements upon the direction of the director.

[C54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §283A.3]
[85 Acts, ch 212, §21](#); [94 Acts, ch 1193, §25](#)

283A.4 Administration of program.

The director of the department of education may enter into agreements with any agency of the federal government, with any school board, or with any other agency or person, adopt rules, employ personnel, and take other action as the director may deem necessary to provide for the establishment, maintenance, operation, and expansion of any school breakfast or lunch program, and to direct the disbursement of federal and state funds, in accordance with any applicable provisions of federal or state law. The director may give technical advice and assistance to any school board in connection with the establishment and operation of any school breakfast or lunch program and may assist in training personnel engaged in the operation of the program. The director of the department of education and any school board may accept any gift for use in connection with any school breakfast or lunch program.

[C54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §283A.4]
[85 Acts, ch 212, §21, 22](#); [94 Acts, ch 1193, §26](#)

283A.5 Accounts, records, reports, and operations.

The director of the department of education shall adopt rules for the keeping of accounts and records and the making of reports by or under the supervision of school boards. The accounts and records shall at all times be available for inspection and audit by authorized officials and shall be preserved for such period of time, not in excess of five years, as the director may lawfully prescribe. The director shall conduct or cause to be conducted such audits and inspections with respect to school breakfast or lunch programs as may be necessary to determine whether its agreement with school boards and rules adopted pursuant to [this chapter](#) are being complied with, and to insure that school breakfast or lunch programs are effectively administered and nutritionally adequate meals are served.

[C54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §283A.5]
[85 Acts, ch 212, §21](#); [90 Acts, ch 1152, §4](#); [94 Acts, ch 1193, §27](#)

283A.6 Reserved.

283A.7 Federal benefits accepted.

The provisions of the federal National School Lunch Act and the federal Child Nutrition Act of 1966, 42 U.S.C. §1751 – 1785, and the benefit of all funds appropriated under the Acts, are accepted by the state of Iowa.

[C71, 73, 75, 77, 79, 81, §283A.7]
[94 Acts, ch 1193, §28](#)

283A.8 Use of school meal facilities by senior citizens.

Boards of directors of school corporations may authorize the use by senior citizen organizations of school meal facilities subject to reasonable rules and regulations of the board. Such use shall not interfere with the use of the facilities for public school purposes. The board may charge for such use an amount not to exceed the cost to the district.

[C71, 73, 75, 77, 79, 81, §283A.8]
[94 Acts, ch 1193, §29](#)

283A.9 Building for school meal facility.

School districts may purchase, erect, or otherwise acquire a building for use as a school meal facility, and equip a building for that use, and pay for the acquisition or equipping from funds available in the physical plant and equipment levy fund, subject to the terms of [section 298.2](#).

[C75, 77, 79, 81, §283A.9]
[89 Acts, ch 135, §91](#); [94 Acts, ch 1029, §20](#); [94 Acts, ch 1193, §30](#)

283A.10 School breakfast or lunch in nonpublic schools.

The authorities in charge of nonpublic schools may operate or provide for the operation of school breakfast or lunch programs in schools under their jurisdiction and may use funds appropriated to them by the general assembly, gifts, funds received from sale of school breakfasts or lunches under such programs, and any other funds available to the nonpublic school. However, school breakfast or lunch programs shall not be required in nonpublic schools. The department of education shall direct the disbursement of state funds to nonpublic schools for school breakfast or lunch programs in the same manner as state funds are disbursed to public schools. If a nonpublic school receives state funds for the operation of a school breakfast or lunch program, meals served under the program shall be nutritionally adequate meals, as defined in [section 283A.1](#).

[C75, 77, 79, 81, §283A.10]

[90 Acts, ch 1152, §5](#); [94 Acts, ch 1193, §31](#)

Referred to in [§256.9](#)

283A.11 Participation by students — school prohibitions and responsibilities.

1. For purposes of [this section](#), unless the context otherwise requires, “school” includes a school district, a school district attendance center, or an accredited nonpublic school.

2. A school shall provide notice, at least twice annually, to the parents or guardians of all enrolled students regarding the availability of applications for free or reduced-fee meals for categorically eligible students under the federal National School Lunch Act of 1966, 42 U.S.C. §1751 et seq., and the federal Child Nutrition Act of 1966, 42 U.S.C. §1771 et seq. Notice may be provided via letter or electronic communication.

3. If a student owes money for five or more meals, school personnel may contact the student’s parent or guardian to provide information regarding the application for free or reduced-fee meals pursuant to the federal National School Lunch Act of 1966, 42 U.S.C. §1751 et seq., and the federal Child Nutrition Act of 1966, 42 U.S.C. §1771 et seq., or to provide information on other options or assistance available.

4. A school is encouraged to provide a reimbursable meal, as specified under regulations promulgated by the United States department of agriculture pursuant to the federal Healthy, Hunger-Free Kids Act of 2010, Pub. L. No. 111-296, to a student who requests a reimbursable meal unless the student’s parent or guardian has specifically provided written direction to the school to withhold a meal from the student.

5. *a.* A school is prohibited from posting a list of students who owe money for school meals and from engaging in any of the following acts directed toward a student because the student cannot pay for a meal or owes a meal debt:

(1) Publicly identifying or stigmatizing the student, including but not limited to requiring the student to consume the meal at a table set aside for such purpose or to discard a meal after the meal has been served.

(2) Requiring the student to wear a wristband, hand stamp, or identification marks, or to do chores or other work to pay for meals.

(3) Denying participation in an afterschool program or other extracurricular activity to the student.

(4) Providing an alternative meal that is only offered to a student who has accrued meal debt. A school that offers the option of an alternative meal shall present the meal in the same manner to any student requesting an alternative meal so as not to identify a student as having accrued meal debt.

b. A school shall direct communications about a student’s meal debt to a parent or guardian and may discreetly provide information about the student’s meal account to the student as long as the communication with the student does not violate paragraph “a”. This paragraph does not prohibit a school from sending a letter home with a student addressed to the student’s parent or guardian, or from contacting the parent or guardian via phone or other electronic means.

6. A school district may establish an unpaid student meals account in a school nutrition fund established by the school district under [section 298A.11](#) and may deposit in the account moneys received from private sources for purposes of paying student meal debt accrued by

individual students as well as amounts designated for the account from the school district's flexibility account under [section 298A.2, subsection 2](#). Moneys deposited in the unpaid student meals fund shall be used by the school district only to pay individual student meal debt. The school district shall set fair and equitable procedures for such expenditures.

[2018 Acts, ch 1127, §2](#)

Referred to in [§298A.2](#)