

## CHAPTER 1127

### SCHOOL MEAL DEBT AND SCHOOL MEAL PROGRAMS

H.F. 2467

**AN ACT** relating to school meal debt and to school meal programs offered by school districts and accredited nonpublic schools, authorizing the establishment of unpaid student meals accounts, and authorizing the transfer and expenditure of certain funds, and including retroactive applicability provisions.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. [Section 8A.504, subsection 2](#), Code 2018, is amended by adding the following new paragraph:

NEW PARAGRAPH. *l.* If the alleged liability is owing and payable to a school district for school meals and the school district has made reasonable efforts to collect the debt, setoff pursuant to [this section](#) may be sought by the school district. However, this paragraph shall not be interpreted to limit any other options for school meal debt collection available to the school district by law.

Sec. 2. NEW SECTION. **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.

Sec. 3. [Section 298A.2, subsection 2](#), paragraph c, Code 2018, is amended by adding the following new subparagraph:

NEW SUBPARAGRAPH. (06) For deposit in the unpaid student meals account to be used for purposes of paying student meal debt accrued by individual students in accordance with [section 283A.11, subsection 6](#).

Sec. 4. RETROACTIVE APPLICABILITY. The following applies retroactively to July 1, 2017, for a school district seeking to use setoff for school meal debt collection under [section 8A.504, subsection 2](#), paragraph "1", as enacted by this Act:

The section of this Act enacting [section 8A.504, subsection 2](#), paragraph "1".

Approved April 17, 2018