

ACTION BY: Regional Offices
State Educational Agencies

Prohibition Against Denying Meals
and Milk to Children as a Disciplinary Action

I PURPOSE

This Instruction prohibits the denial of meals and milk as a disciplinary action against any child who is enrolled in a school participating in the Child Nutrition Programs. Such denial of meals or milk is inconsistent with Sections 2 and 9 of the National School Lunch Act and Sections 2, 3, and 4 of the Child Nutrition Act of 1966.

II POLICY

Disciplinary action which indirectly results in the loss of meals or milk is allowable (e.g., a student is suspended from school). However, when the withholding of meals or milk is the disciplinary action or if the disciplinary action directly results in the loss of meals or milk, it is inconsistent with the law and is not allowable (e.g., a student is suspended from school during the meal or milk period only).

III RESPONSIBILITIES

A State agencies or Regional Offices, where applicable, shall:

1 Notify all school food authorities that denying a meal or milk to any eligible child as a disciplinary measure is contrary to the National School Lunch Act and the Child Nutrition Act of 1966.

2 Follow through as necessary with the appropriate school food authority to correct and prevent recurrence of any reported instances of disciplinary action which directly results in denial of a paid, free or reduced price meal, or free or paid milk.

DISTRIBUTION:
SNP, F1, E

MANUAL MAINTENANCE INSTRUCTIONS:
Remove FNS Instruction 791-1 from Manual. Insert this Instruction.

RESPONSIBLE FOR
PREPARATION AND
MAINTENANCE:
CND-100


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(III)

B School food authorities shall:

1 When considering a disciplinary action against any child, ensure that such action is consistent with the policy contained herein.

2 Make a reimbursable meal or milk available to any child attending school who, for disciplinary reasons, is not allowed to eat in the cafeteria.


GEORGE A. BRALEY
for Deputy Administrator
for Special Nutrition Programs