



August 27, 2018

New Iowa Legislation Related to Student Meal Debt

House File 2467 was passed by the General Assembly during the 2018 legislative session and signed into law by Governor Reynolds. This act contains regulations relating to school meal debt authorizing the establishment of unpaid student meal accounts and authorizing the transfer and expenditure of certain funds. The requirements in this legislation will be implemented by school districts, school district attendance centers, and accredited nonpublic schools.

Notification

All districts or schools are required to notify parents or guardians of the availability of applications for free or reduced-price meals twice during the school year.

The notice may be by letter or electronic communication. Avoid confusion for any students already receiving free or reduced-price meals by clearly stating no reapplication or further action is necessary to continue meal benefits for those already receiving free or reduced-price meals in the current year.

If a student owes money for five or more meals, school personnel may contact the student's parent or guardian to provide information about applying for free or reduced-price meals or other assistance available.

Parents or guardians may be contacted about assistance available by sending a letter home with the student addressed to the parent or guardian, via phone, or electronic means. Parental contact for notification of a meal account balance continues as outlined by local policy.

Managing Student Debt

For public districts only, debt retroactively to July 1, 2017 may be submitted for the state's income setoff process outlined in [Iowa Code Section 8A.504](#) if the district has made reasonable effort to collect the debt. Student debt is the debt of the parent or guardian.

Income setoff has not been available to districts previously. To initiate this process the social security number of the parent or guardian is necessary. This act does not provide the authority to collect this data. This does not limit any other options for school meal debt collection available to the school district by law.

A school is encouraged to provide a reimbursable meal to a student with unpaid meal charges unless the student's parent or guardian has specifically provided written direction to the school to withhold a meal from the student.

The locally developed policy defines if and what kind of meal is offered to a student who has unpaid meal charges. Districts and schools need to have a method to honor any written direction provided to the school by the parent or guardian to withhold a meal.

A school is prohibited from the following actions for a student who owes money for school meals:

- posting a list of students, publically identifying or stigmatizing a student,
- requiring the student to sit at a table for those that owe,
- discarding a meal after the meal has been served,
- requiring the student to wear a wristband, hand stamp, or identification marks,
- requiring the student to work to pay for meals,
- denying participation in an afterschool program or other extracurricular activity, or
- providing a meal that is offered only to students with accrued meal debt.

Prohibitions are now identified in regulation. If your policy includes serving an alternate meal, it must be made of foods available to all students.

The 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 as long as the prohibitions listed above are not violated.

A school district may establish an unpaid student meals account in a school nutrition fund.

Deposits into the account may come from private donations. Funds deposited into the account shall be used only to pay individual student meal debt.

The school district shall set fair and equitable procedures for fund expenditures.

Iowa Code Section 298A.2 subsection 2, paragraph c has been amended to add payment of individual student meal debt as another use of the Flexibility Account.