

ACTION BY: Regional Directors
Special Nutrition Programs

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 Chile Nutrition Programs. Such denial of meals or milk is inconsistent with Section 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 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:	Page 1 7-12-88
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The contents of this guidance document do not have the force and effect of law and are not meant to bind the public in any way. This document is intended only to provide clarity to the public regarding existing requirements under the law or agency policies.

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.


for GEORGE A. BRALEY
Deputy Administrator
for Special Nutrition Programs