

OSPI CNS School Meal Programs Reference Sheet

Hunger-Free Students' Bill of Rights Act

The Washington State legislature passed the Hunger Free Students' Bill of Rights Act during the 2018 legislative session. The requirements of this new state law became effective starting the 2018-19 school year. New sections were added to [RCW 28A.235](#) and [28A.300](#).

Requirements

- LEAs must continue to follow the requirements of the USDA meal charge policy, including clearly communicating their charge policy.
- Distribute meal applications annually,
 - Inform families about the availability of free and reduced-price meals, distribute letters to households and provide meal applications per Federal guidance in [7 CFR 245.6](#) and the [Eligibility Manual for School Meals](#).
- LEAs shall submit meal applications for students that are likely eligible in accordance with Federal Guidelines.
 - Applications may be complete on behalf of household that are likely eligible per Federal guidance in [7 CFR 245.6](#) and the [Eligibility Manual for School Meals](#).
- Conduct direct certification **monthly**.
 - This includes Basic Food, Temporary Assistance for Needy Families (TANF), Food Distribution Program on Indian Reservations (FDPIR), Migrant, Homeless, Foster, Medicaid, Head Start, and Early Childhood Education and Assistance Program (ECEAP).
- Students may **not** be overtly identified.
 - Do not notify students under the age of 15 of negative account balances.
 - Do not remove trays or identify students with negative balances.
 - Alternate meals may be provided if the alternate meal is available to all students and students are not overtly identified.
- LEAs must implement measures to ensure eligible students receive meal benefits.
 - Set up internal procedures to track and monitor notification efforts.
 - Utilize point of service meal counting systems to track charged meals.



- Check the direct certification list and exhaust all options to directly certify students.
- Notify parents of negative balances.
- LEAs should follow parent directives regarding meal charge limits for their student.

Details:

- Seek counsel of your district administrative team, legal counsel, and school board.
- LEAs are responsible to comply with State Law.
- Transcripts, grades, or diplomas may not be withheld from students because of unpaid fines, including meal debt.
- Meal charges, classified as bad debt, are an unallowable cost and cannot be absorbed by the nonprofit school food service account. Such debt must be covered with non-Federal funds.
- Involve District public relations staff to convey and promote meal program policies/procedures.

Reference

- [7 CFR 245.6](#)
- [RCW 28A.235 and 28A.300](#)
- [Meal Charge Policy Reference Sheet](#)
- [RCW 28A.635.060](#) and [WAC 392-415-100](#)

Acronym Reference

- CFR – Code of Federal Regulations
- CNS – Child Nutrition Services
- ECEAP – Early Childhood Education and Assistance Program
- FDPIR – Food Distribution Program on Indian Reservations
- LEA – Local Education Agency
- NSLP – National School Lunch Program
- OSPI - Office of Superintendent of Public Instruction
- RCW – Revised Code of Washington
- TANF – Temporary Assistance for Needy Families
- USDA - United States Department of Agriculture
- WAC – Washington Administrative Code