



**#174-22**

**Commonwealth of Virginia**  
**Virginia Department of Education**  
**Superintendent's Memo #174-22**

DATE: August 12, 2022  
TO: Division Superintendents  
FROM: Jillian Balow, Superintendent of Public Instruction  
SUBJECT: **School Meal Debt Cannot Limit Students' Extracurricular Participation**

The purpose of this memorandum is to notify school divisions of the passage and enactment of [House Bill \(HB\) 583](#) during the 2022 Virginia General Assembly session. This legislation amends §22.1-79.7 of the *Code of Virginia* to prohibit school boards and school board employees from excluding students who owe school meal debt, or cannot pay for a school meal, from extracurricular school activities. School boards must update school meal policies to reflect this additional provision. The law became effective July 1, 2022.

## **Background**

Effective July 1, 2017, all School Food Authorities (SFAs) operating the National School Lunch Program and/or School Breakfast Program must have a written school meal policy that includes collection procedures for unpaid debt. The U.S. Department of Agriculture developed [policy memos and a summary of best practices and positive approaches](#) to help SFAs develop these policies.

If meal debt accrues, SFAs must ensure children involved are not negatively impacted; instead, SFAs should focus on communication with the adults or guardians in the household. SFAs are encouraged to explore ways to reduce meal debt, such as conducting household

application outreach, incentivizing application completion, offering repayment options, and evaluating participation in the Community Eligibility Provision.

HB 583 requires additional protection of students who accrue school meal debt by preventing school boards and school board employees from denying such students participation in extracurricular activities. School boards should review and revise their school meal debt policies to ensure compliance with §22.1-79.7 of the *Code of Virginia*. The Virginia Department of Education, Office of School Nutrition Programs reviews school meal policies as part of the federal program administrative review. Failure to comply with the law may result in a finding on an SFA's review.

### For more information

For more information, please contact your assigned School Nutrition Programs regional specialist or the SNP policy mailbox via email at [SNPpolicy@doe.virginia.gov](mailto:SNPpolicy@doe.virginia.gov).

JB/SCC/KAM/cc