



#258-21

**Commonwealth of Virginia
Virginia Department of Education
Superintendent's Memo #258-21**

DATE: September 10, 2021
TO: Division Superintendents
FROM: James F. Lane, Ed.D., Superintendent of Public Instruction
SUBJECT: **School Boards Required to Develop Policy Related to Student Meal Debt**

The purpose of this memorandum is to notify school divisions of the passage and enactment of [House Bill 2013](#) during the 2021 Special Session I of the Virginia General Assembly. This bill amends § 22.1-79.7 of the *Code of Virginia* to require school boards to adopt policies that prohibit the board from filing a lawsuit against a student or the student's parent because the student cannot pay for a meal at school or owes a school meal debt. This legislation went into effect on July 1, 2021.

As of July 1, 2017, all school food authorities (SFAs) operating the National School Lunch Program and/or School Breakfast Program must have a written unpaid meal charge policy, including collection procedures for unpaid debt. The U.S. Department of Agriculture (USDA) recognizes the importance of allowing local discretion when developing these policies. The USDA developed [policy memos and a summary of best practices and positive approaches](#) to help SFAs develop these required unpaid meal charge policies. School divisions are encouraged to explore alternate means of repayment of student meal debt, such as donations or general funds, to the school nutrition department since federal funds cannot be used to repay debt.

For more information

For more information, please contact the SNPPolicy@doe.virginia.gov mailbox.

JFL/SCC/cej