



Office for Prekindergarten through Grade 12 Education
School Operations and Management
Child Nutrition Program Administration
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www.nysed.gov/cn/cnms.htm

To: School Food Service Directors/Managers

From: Paula Tyner-Doyle, Coordinator

Date: March 2009

Subject: Denial of Meals and Milk as a Disciplinary Action

The denial of the benefits of the National School Lunch Program, School Breakfast Program or Special Milk Program to any student in attendance at school as a disciplinary action is clearly contrary to the intent and purpose of these programs and the policy of Congress as expressed in the legislation authorizing these programs.

Students assigned to in-school suspension must be able to participate in the Federal meal programs whether they are eligible for free or reduced price benefits or pay full price for meals/milk. Arrangements for providing meals or milk to students assigned to eating in an area other than the cafeteria must be made. In addition, when a school offers a selection of more than one type of menu items, food, or milk within a reimbursable meal, the school shall offer all children the same selection. These students must not be told to bring a lunch from home or be denied an opportunity to consume meals/milk.

Imposed disciplinary action which indirectly results in the loss of meals/milk, e.g., a student is suspended from attending school, is not, however, inconsistent with the law.

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