

2011
**UNITED STATES
SCHOOL LAWS
AND
RULES**

edited by
Michael I. Levin, Esq.

Volume 2

WEST®

2011
UNITED STATES
SCHOOL LAWS
AND
RULES

edited by
Michael I. Levin, Esq.

Statutes Current Through
Public Law 112-23
June 29, 2011

Rules Current Through
76 F.R. 39794
July 7, 2011

Volume 2

WEST®

A Thomson Reuters business

This book is sold with the understanding that the Publisher is not engaged in furnishing legal or other professional advice. Although prepared by professionals, the materials herein should not be used as a substitute for professional services in specific situations. If legal advice or other expert assistance is required, the services of a specialist should be sought. Non-attorneys are cautioned against using this book on behalf of others or engaging in conduct that might be considered the unauthorized practice of law.

Every effort has been made to insure that this book is a complete and accurate reference. The material is reprinted from West's *United States Code Annotated* and the *Code of Federal Regulations*. However, since it is a compilation of selected statutes, rules and other materials, the book may not include every provision that might be considered important by every user.

The materials published herein are complete and up-to-date to a specific point in time; further research to insure the continued effectiveness of particular provisions must be done by the user.

© 2011 Thomson Reuters

Copyright is not claimed as to any part of the original work prepared by a United States Government officer or employee as part of that person's official duties.

This publication was created to provide you with accurate and authoritative information concerning the subject matter covered; however, this publication was not necessarily prepared by persons licensed to practice law in a particular jurisdiction. The publisher is not engaged in rendering legal or other professional advice and this publication is not a substitute for the advice of an attorney. If you require legal or other expert advice, you should seek the services of a competent attorney or other professional.

ISBN: 978-0-314-92320-2

West's and Westlaw are registered in the U.S. Patent and Trademark Office.

FOREWORD

United States School Laws and Rules is a compilation of federal statutes, regulations and guidance documents, with research aids, that govern education in America. Edited by Michael I. Levin in cooperation with an Editorial Advisory Board of prominent school attorneys and administrators, it provides an authoritative and up-to-date reference, in a convenient and affordable format, for education policy-makers, school board members, school administrators, teachers and their representatives, other school employees, attorneys, and the general public.

United States School Laws and Rules is the only publication that brings together in two volumes federal statutes from the *United States Code* and related U. S. government agency regulations from the *Code of Federal Regulations*.

Statutory provisions, complete to June 29, 2011, are compiled for four areas of particular concern to the school law community—education, labor, the environment, and civil rights—and include:

- General Education Provisions Act, 20 U.S.C.A. §§ 1221–1234i, including the Family Education Rights and Privacy Act
- Individuals with Disabilities Education Act, 20 U.S.C.A. §§ 1400–1491o
- Carl D. Perkins Vocational and Applied Technology Education Act, 20 U.S.C.A. §§ 2301–2471
- Elementary and Secondary Education Act, 20 U.S.C.A. §§ 6301–7941
- Goals 2000: Educate America Act, 20 U.S.C.A. §§ 5801–6084
- Fair Labor Standards Act, 29 U.S.C.A. §§ 201–218c
- Consolidated Omnibus Budget Reconciliation Act, 29 U.S.C.A. §§ 1161–1168
- Age Discrimination in Employment Act, 29 U.S.C.A. §§ 621–634
- Americans with Disabilities Act, 42 U.S.C.A. §§ 12101–12213
- Asbestos School Hazard Detection and Control Act, 20 U.S.C.A. §§ 3601–3611
- Toxic Substances Control Act, 15 U.S.C.A. §§ 2601–2629
- Asbestos Hazard Emergency Response Act, 15 U.S.C.A. §§ 2641–2656
- Voting Rights Act, 42 U.S.C.A. §§ 1971–1973aa–6
- Title IV of the Civil Rights Act of 1964, 42 U.S.C.A. §§ 2000c–2000c–9, and
- Title VI of the Civil Rights Act of 1964, 42 U.S.C.A. §§ 2000d–2000d–7

Summaries of statute sections referred to less often appear at the end of the Chapter or Subchapter to which they belong. Each summary consists of the appropriate citation and a brief description of the law.

Federal agency rules, complete to July 7, 2011, include provisions on education, labor, age discrimination, equal employment, disabilities, the environment, and civil rights.

FOREWORD

Research aids include a User's Guide, containing background information and hints for effective use; a Guidance Documents section, containing interpretations of statutes and regulations; and a detailed Subject Index, incorporating both legal and popular terminology for quick access to the law.

This 2011 Edition marks the nineteenth year of publication of *United States School Laws and Rules*, which has quickly become an essential resource for everyone involved with education and the law. Our plan is to recompile and republish annually, assuring that the work will remain the most comprehensive and timely publication of its kind on the market. We would greatly appreciate your comments and suggestions for improvements to future editions.

For additional information or research assistance call the West reference attorneys at 1-800-REF-ATTY (1-800-733-2889). Contact West's editorial department directly with your questions and suggestions by e-mail at west.editor@thomson.com. Visit West's home page at west.thomson.com.

THE PUBLISHER

August 2011

ABOUT THE EDITOR

Michael I. Levin is owner of the Levin Legal Group, P.C., a law firm concentrating in public school law, labor law and civil rights litigation. He is also president of E-Forms, Inc., a software company manufacturing electronic forms for school districts and employers. A graduate of Temple University, he earned his J.D. at the Dickinson School of Law, where he was on the editorial staff of the Law Review. Prior to entering private practice, he served as a clerk for the Honorable Lee F. Swope, President Judge of the Court of Common Pleas of Dauphin County.

Mr. Levin serves as General Counsel to the Pennsylvania School Boards Association, the Pennsylvania School Boards Association Insurance Trust and School Boards Insurance Company of Pennsylvania, Inc. He is a past Chairman of the School Law Section of the Pennsylvania Bar Association. He is a member of the Labor Law Section of the American Bar Association. He is a member of the National Council of School Attorneys and has served on its Board of Directors.

Mr. Levin has lectured statewide and nationally on numerous topics pertaining to public school law and labor law and has been a guest lecturer at the Dickinson School of Law, Columbia University and the University of Pennsylvania. He has several school law-related articles to his credit, including: "Grievances and Arbitration," *Public Employee Labor Law*, PBI Publication No. 1981-154, p. 169 (1981); "School Employees' Rights: Dismissals and Demotions," *School Law*, PBI Publication No. 1983-213, p. 1 (1983); "Educational Placement of the Handicapped—Selected Issues," *Schools and the Law of the Handicapped*, National Council of School Attorneys (1980); and "Constitutional Considerations in Labor Relations," *Annual School Law Seminar*, National Council of School Attorneys (1987). He is the author of a treatise on *Pennsylvania School Personnel Actions*, editor of *Pennsylvania School Laws and Rules Annotated*, and author of the chapter on "Schools, Colleges and Universities," contained in West's Legal Forms. He is co-author of *Municipal Liability* in Pennsylvania and editor of *Pennsylvania School Laws and Rules*.

Mr. Levin has repeatedly been honored as a "Pennsylvania Super Lawyer" by Law and Politics and is the inventor of the two player rules for the popular board game Risk.

In 2007, Mr. Levin was the recipient of the President's Award for Distinguished Career Achievement in School Law presented by the Pennsylvania School Boards Solicitors Association.

*

USER'S GUIDE

INTRODUCTION

United States School Laws and Rules is a compilation of federal statutes, regulations, and guidance documents, with research aids, that govern education in America. Edited by Michael I. Levin (see About the Editor) in cooperation with an Editorial Advisory Board of prominent school attorneys and administrators, it contains the full text (or a summary) of the federal laws and rules referred to most often by education policy-makers, school board members, school administrators, teachers and their representatives, other school employees, attorneys, and the general public.

United States School Laws and Rules is the only publication that brings together in two volumes education statutes from the United States Code and related U.S. government agency regulations from the *Code of Federal Regulations*. Statutory provisions, complete to June 29, 2011, are compiled for four areas of particular concern to the school law community—education, labor, the environment, and civil rights. Federal agency rules, complete to July 7, 2011, include provisions on education, labor, age discrimination, equal employment, disabilities, the environment, and civil rights.

In addition, selected documents from federal agencies are included to provide guidance in interpreting statutes and regulations including several guidance documents under the No Child Left Behind Act (“NCLB”). NCLB guidance includes discussions on school choice; paraprofessionals, and unsafe school choice. Guidance documents are also provided for sexual harassment and disciplining students with disabilities.

Research aids include this User's Guide; a Federal Reference Table, listing additional, less frequently used statutory and rule provisions; and a detailed Subject Index, incorporating both legal and popular terminology for quick access to the materials.

This User's Guide describes features of the publication and provides hints for effective use. It is intended to assist both new and experienced users and may be read in whole or in part, as needed.

THE CONSTITUTION OF THE UNITED STATES

The United States Constitution is reprinted in its entirety, with all amendments to date.

The United States Constitution enumerates the rights and liberties of citizens and establishes the powers of the federal government and the states. The Tenth Amendment declares that those powers not delegated to the federal government are reserved to the states. Certain Amendments are applicable to the states through specific enforcement clauses, while courts have held that the Bill of Rights applies to the states through the Fourteenth Amendment.

United States School Laws and Rules contains the full text of the U.S. Constitution, with amendments to date, unannotated. For case law and other annotations, see West's *United States Code Annotated*.

USER'S GUIDE

UNITED STATES CODE—SELECTED PROVISIONS

This part of the book contains selected provisions of the United States Code relating to education. The materials are reprinted from West's *United States Code Annotated*. Following a detailed Table of Contents, individual provisions are arranged in numerical order by title and section number. The full text of each section is printed, together with its official heading and current legislative history. Summaries of sections referred to less often appear at the end of the Chapter or Subchapter to which they belong.

How to Cite

In informal communications, *United States School Laws and Rules* can be cited using standard bibliographic notation; for example, "42 U.S.C.A. § 2000d, as reprinted in *United States School Laws and Rules* (West, 1998)."

For legal citations, according to *A Uniform System of Citation* (Sixteenth Edition), cite the *United States Code Annotated* in the following manner:

x U.S.C.A. § y (West 19zz)

where "x" is the title number of the Code, "y" is the section number, and "19zz" is the year of publication of the volume, the year appearing on the title page, or the latest copyright year. For example, 42 U.S.C.A. § 300g-6 (West 1994) cites section 300g-6 from Title 42 of a volume of the *United States Code Annotated* that was published by West in 1994.

CODE OF FEDERAL REGULATIONS—SELECTED PROVISIONS

This part of the book contains the full text of administrative rules relating to education promulgated by the U.S. Department of Education and other federal agencies. The regulations are published first in the *Federal Register* (FR), which is issued daily. They are then compiled into the multi-volume *Code of Federal Regulations* (CFR). Within the CFR, the rules are arranged by subject matter into fifty (50) titles and updated annually.

How to Cite

According to *A Uniform System of Citation* (Sixteenth Edition), regulatory material, with the exception of Treasury materials, should be cited to the *Code of Federal Regulations* (CFR). When a regulation is known by name, the name should also be included, followed by the title and year; for example:

DOE Chapter 1 Program in Local Educational Agencies, 34 C.F.R. § 200.1 (1989).

Because agency regulations change frequently, the CFR and the FR must be used together to find the most recent version of a regulation. The following instructions are quoted from the CFR:

To determine whether a Code volume has been amended since its revision date ... consult the "List of CFR Sections Affected (LSA)," which is issued monthly, and the "Cumulative List of Parts Affected," which appears in the Reader Aids section of the daily Federal Register. These two lists will identify the Federal Register page number of the latest amendment of any given rule.

USER'S GUIDE

Federal agencies should be contacted to determine whether they have issued any interpretative bulletins or can offer any guidance. Among the agencies which can provide assistance to the education community are the following:

Federal Agencies

U.S. Commission on Civil Rights
624 9th Street, N.W.
Washington, D.C. 20425
(202) 376-7700 (Main number)
(202) 376-8116 (Locator number)
Internet Homepage: <http://www.usccr.gov>

Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460
(202) 260-2090 (Locator number)
Internet Homepage: <http://www.epa.gov>

Federal Election Commission
999 E. Street, N.W.
Washington, D.C. 20463
800-424-9530
Internet Homepage: <http://www.fec.gov>

National Transportation Safety Board
490 L'Enfant Plaza East, S.W.
Washington, D.C. 20594
(202) 314-6000 (Main number)
(202) 314-6230 (Locator number)
Internet Homepage: <http://www.nts.gov>

U.S. Departments

U.S. Department of Education
400 Maryland Avenue
Washington, D.C. 20202
(202) 401-3000 (Main number)
(202) 401-2000 (Locator number)
Internet Homepage: <http://www.ed.gov>

The U.S. Department of Education provides, free of charge, the *Guide to U.S. Department of Education Programs*. This publication supplies direction for beginning the application process to receive funding from federal education programs. These programs are offered through the Offices of Elementary and Secondary Education, Postsecondary Education, Educational Research and Improvement, Bilingual Education and Minority Languages Affairs, Vocational and Adult Education, and Special Education and Rehabilitative Services.

USER'S GUIDE

INDEX

An in-depth Subject Index integrates topical references to the U.S. Constitution, statutes, regulations, guidance documents, and the Federal Reference Table included in *United States School Laws and Rules*.

Index cross references are included to eliminate unnecessary duplication of entries under multiple headings and to assist users in researching related topics.

Every effort has been made to afford quick and easy access to the material. Index headings include frequently-used nonlegal terms as well as the language of the law.



WestlawNext™

THE NEXT GENERATION OF ONLINE RESEARCH

WestlawNext is the world's most advanced legal research system. By leveraging more than a century of information and legal analysis from Westlaw, this easy-to-use system not only helps you find the information you need quickly, but offers time-saving tools to organize and annotate your research online. As with Westlaw.com, WestlawNext includes the editorial enhancements (e.g., case headnotes, topics, key numbers) that make it a perfect complement to West print resources.

- FIND ANYTHING by entering citations, descriptive terms, or Boolean terms and connectors into the WestSearch™ box at the top of every page.
- USE KEYCITE® to determine whether a case, statute, regulation, or administrative decision is good law.
- BROWSE DATABASES right from the home page.
- SAVE DOCUMENTS to folders and add notes and highlighting online.

SIGN ON: next.westlaw.com

LEARN MORE: West.Thomson.com/WestlawNext

FOR HELP: 1-800-WESTLAW (1-800-937-8529)

*

TABLE OF CONTENTS

Volume 1

	Page
User's Guide	VII
Constitution of the United States	1

UNITED STATES CODE ANNOTATED (Selected Provisions)

TITLE 8, ALIENS AND NATIONALITY

Chapter		
12.	Immigration and Nationality.....	11

TITLE 15, COMMERCE AND TRADE

53.	Toxic Substances Control.....	23
-----	-------------------------------	----

TITLE 18, CRIMES AND CRIMINAL PROCEDURE

44.	Firearms (Gun-Free School Zones Act of 1990).....	79
-----	---	----

TITLE 20, EDUCATION

7.	Instruction as to Nature and Effect of Alcoholic Drinks and Narcotics	99
12.	Foreign and Exchange Students	100
28.	Higher Education Resources and Student Assistance	102
30.	Basic Education for Adults [Repealed]	102
31.	General Provisions Concerning Education.....	103
33.	Education of Individuals with Disabilities	135
37.	Assignment or Transportation of Students.....	257
38.	Discrimination Based on Sex or Blindness	259
39.	Equal Educational Opportunities and Transportation of Students.....	261
44.	Vocational Education	267
45.	Career Education and Career Development.....	307
48.	Department of Education	307
49.	Asbestos School Hazard Detection and Control.....	308
50.	National Center for the Study of Afro-American History and Culture.....	315
52.	Education for Economic Security	316
65.	National Environmental Education	327
68.	National Education Reform	337
70.	Strengthening and Improvement of Elementary and Secondary Schools	353
73.	Adult Education and Literacy	719

TITLE 28, JUDICIARY AND JUDICIAL PROCEDURE

Chapter		Page
85.	District Courts; Jurisdiction.....	737

TABLE OF CONTENTS

Chapter		Page
TITLE 29, LABOR		
8.	Fair Labor Standards	741
14.	Age Discrimination in Employment	766
16.	Vocational Rehabilitation and Other Rehabilitation Services	959
18.	Employee Retirement Income Security Program	1188
28.	Family and Medical Leave (FMLA)	1194
TITLE 41, PUBLIC CONTRACTS		
81.	Drug Free Workplace	1227
TITLE 42, THE PUBLIC HEALTH AND WELFARE		
6A.	Public Health Service	1231
20.	Elective Franchise (The Voting Rights Act)	1261
21.	Civil Rights	1277
119.	Homeless Assistance	1299
124.	Public Housing Drug Elimination	1311
126.	Equal Opportunity for Individuals with Disabilities	1312

Volume 2

CODE OF FEDERAL REGULATIONS (Selected Provisions)

TITLE 7 CFR—AGRICULTURE

Part		Page
210.	National School Lunch Program	1
215.	Special Milk Program for Children	54
220.	School Breakfast Program	68
225.	Summer Food Service Program	97
226.	Child and Adult Care Food Program	133
227.	Nutrition Education and Training Program	215

TITLE 26 CFR—INTERNAL REVENUE

1.	Income Taxes	223
----	--------------------	-----

TITLE 28 CFR—JUDICIAL ADMINISTRATION THE AMERICANS WITH DISABILITIES ACT

35.	Nondiscrimination on the Basis of Disability in State and Local Government Services	267
36.	Nondiscrimination on the Basis of Disability by Public Accommodations and in Commercial Facilities	388
37.	Procedures for Coordinating the Investigation of Complaints or Charges of Employment Discrimination Based on Disability Subject to the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973	593

TABLE OF CONTENTS

Part		Page
TITLE 29 CFR—LABOR THE FAIR LABOR STANDARDS ACT		
516.	Records to be Kept by Employers	601
541.	Defining and Delimiting the Exemptions for Executive, Administrative, Professional, Computer and Outside Sales Employees.....	604
548.	Authorization of Established Basic Rates for Computing Overtime Pay	622
553.	Application of the Fair Labor Standards Act to Employees of State and Local Governments	633
778.	Overtime Compensation.....	644
785.	Hours Worked	685
825.	The Family and Medical Leave Act of 1993	694
EQUAL EMPLOYMENT OPPORTUNITIES ACT		
1602.	Recordkeeping and Reporting Requirements Under Title VII, the ADA, and GINA	769
1603.	Procedures for Previously Exempt State and Local Government Employee Complaints of Employment Discrimination Under Section 304 of the Government Employee Rights Act of 1991.....	776
1604.	Guidelines on Discrimination Because of Sex.....	782
1605.	Guidelines on Discrimination Because of Religion	790
1606.	Guidelines on Discrimination Because of National Origin	794
1607.	Uniform Guidelines on Employee Selection Procedures (1978).....	796
1608.	Affirmative Action Appropriate Under Title VII of the Civil Rights Act of 1964, as Amended.....	813
1620.	The Equal Pay Act.....	818
THE AGE DISCRIMINATION IN EMPLOYMENT ACT		
1625.	Age Discrimination in Employment Act.....	830
1626.	Procedures—Age Discrimination in Employment Act	845
1627.	Records to be Made or Kept Relating to Age: Notices to be Posted	849
THE AMERICANS WITH DISABILITIES ACT		
1630.	Regulations to Implement the Equal Employment Provisions of the Americans with Disabilities Act	855
1691.	Procedures for Complaints of Employment Discrimination Filed Against Recipients of Federal Financial Assistance	902
TITLE 34 CFR—EDUCATION GENERAL PROVISIONS CONCERNING EDUCATION		
76.	State—Administered Programs	907
77.	Definitions That Apply to Department Regulations.....	933
81.	General Education Provisions Act—Enforcement	935
86.	Drug and Alcohol Abuse Prevention	946
99.	Family Educational Rights and Privacy	953

TABLE OF CONTENTS

Part		Page
	CIVIL RIGHTS ACT OF 1964	
100.	Nondiscrimination Under Programs Receiving Federal Assistance Through the Department of Education Effectuation of Title VI of the Civil Rights Act of 1964.....	969
101.	Practice and Procedure for Hearings Under Part 100 of This Title	978
	SECTION 504 OF THE REHABILITATION ACT OF 1973	
104.	Nondiscrimination on the Basis of Handicap in Programs or Activities Receiving Federal Financial Assistance	987
	TITLE IX—DISCRIMINATION BASED ON SEX OR BLINDNESS	
106.	Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance.....	997
	ELEMENTARY AND SECONDARY EDUCATION ACT	
200.	Title I—Improving the Academic Achievement of the Disadvantaged	1011
	INDIVIDUALS WITH DISABILITIES EDUCATION ACT	
300.	Assistance to States for the Education of Children with Disabilities	1064
301.	[Reserved]	1177
	TITLE 40 CFR—PROTECTION OF ENVIRONMENT ASBESTOS HAZARD EMERGENCY RESPONSE ACT	
763.	Asbestos	1179
	TITLE 45 CFR—PUBLIC WELFARE SUBTITLE A—DEPARTMENT OF HEALTH AND HUMAN SERVICES	
160.	General Administrative Requirements.....	1201
162.	Administrative Requirements	1220
164.	Security and Privacy	1234
	TITLE 49 CFR—TRANSPORTATION SUBTITLE A—OFFICE OF THE SECRETARY OF TRANSPORTATION	
40.	Procedures for Transportation Workplace Drug and Alcohol Testing Programs	1279
	SUBTITLE B—OTHER REGULATIONS RELATING TO TRANSPORTATION	
382.	Controlled Substances and Alcohol Use and Testing	1354
	GUIDANCE DOCUMENTS	
	Individuals with Disabilities Education Act (“IDEA”)	
	Questions and Answers on Discipline Procedures, Revised June, 2009	1371

TABLE OF CONTENTS

	Page
Questions and Answers on Procedural Safeguards and Due Process Procedures for Parents and Children with Disabilities, Revised June, 2009	1390

No Child Left Behind (“NCLB”)

Charter Schools Program: Title V, Part B, April, 2011	1410
Supplemental Education Services	1432
Title I Paraprofessionals.....	1507
Title I Services to Private School Children	1513
Unsafe School Choice Option	1529

Civil Rights

Guidance on Constitutionally Protected Prayer in Public Elementary and Secondary Schools.....	1536
Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties	1540

Miscellaneous Matters

Gun-Free Schools Act: State and Local Responsibilities	1562
--	------

INDEX

General Index.....	I-1
--------------------	-----

*

CODE OF FEDERAL REGULATIONS

TITLE 7—AGRICULTURE

Subtitle B—Regulations of the Department of Agriculture

Chapter II—Food and Nutrition Service, Department of Agriculture

Editorial Note: Nomenclature changes to Chapter II appear at 59 FR 60062, Nov. 22, 1994; 60 FR 19490, April 19, 1995; 63 FR 9727, Feb. 26, 1998.

SUBCHAPTER A—CHILD NUTRITION PROGRAMS

PART 210—NATIONAL SCHOOL LUNCH PROGRAM

Subpart A—General

Sec.

- 210.1. General purpose and scope.
- 210.2. Definitions.
- 210.3. Administration.

Subpart B—Reimbursement Process for States and School Food Authorities

- 210.4. Cash and donated food assistance to States.
- 210.5. Payment process to States.
- 210.6. Use of Federal funds.
- 210.7. Reimbursement for school food authorities.
- 210.8. Claims for reimbursement.

Subpart C—Requirements for School Food Authority Participation

- 210.9. Agreement with State agency.
- 210.10. Nutrition standards and menu planning approaches for lunches and requirements for after-school snacks.
- 210.10a. [Reserved].
- 210.11. Competitive food services.
- 210.12. Student, parent and community involvement.
- 210.13. Facilities management.
- 210.14. Resource management.
- 210.15. Reporting and recordkeeping.
- 210.16. Food service management companies.

Subpart D—Requirements for State Agency Participation

- 210.17. Matching Federal funds.
- 210.18. Administrative reviews.
- 210.18a. [Reserved].
- 210.19. Additional responsibilities.
- 210.20. Reporting and recordkeeping.

Subpart E—State Agency and School Food Authority Responsibilities

- 210.21. Procurement.

Sec.

- 210.22. Audits.
- 210.23. Other responsibilities.

Subpart F—Additional Provisions

- 210.24. Withholding payments.
- 210.25. Suspension, termination and grant closeout procedures.
- 210.26. Penalties.
- 210.27. Educational prohibitions.
- 210.28. Pilot project exemptions.
- 210.29. Management evaluations.
- 210.30. Regional office addresses.
- 210.31. OMB control numbers.
- 210.32. [Redesignated].

Appendix A to Part 210—Alternate foods for meals.

Appendix B to Part 210—Categories of Foods of Minimal Nutritional Value.

Appendix C to Part 210—Child Nutrition Labeling Program.

Authority: 42 U.S.C. 1751–1760, 1779.

Source: 51 FR 34874, Sept. 30, 1986; 59 FR 1894, Jan. 13, 1994, unless otherwise noted.

Subpart A—General

Source: 53 FR 29147, Aug. 2, 1988, unless otherwise noted

§ 210.1 General purpose and scope.

(a) Purpose of the program. Section 2 of the National School Lunch Act (42 U.S.C. 1751), states: “It is declared to be the policy of Congress, as a measure of national security, to safeguard the health and well-being of the Nation’s children and to encourage the domestic consumption of nutritious agricultural commodities and other food, by assisting the States, through grants-in-aid and other means, in providing an adequate supply of food and other facilities for the establishment, maintenance, operation, and expansion of nonprofit school lunch programs.” Pursuant to this act, the Department provides States with general and special cash assistance and donations of foods acquired by the Department to be used to assist schools in serving nutritious lunches to children each school day. In furtherance of Program objectives, participating schools shall serve lunches that are nutritionally adequate, as set forth in these regulations, and shall to the extent practicable, ensure that participating children