

# FROM STATUTE TO TAP

Following the Water Requirements in the Healthy, Hunger-Free Kids Act of 2010



<p><b>The Lunch Law</b></p>	<p>Schools participating in the school lunch program under this Act shall make available to children free of charge, as nutritionally appropriate, potable water for consumption in the place where meals are served during meal service. <a href="#">S. 3307. Section 203.</a></p>
<p><b>The Lunch Regulation</b></p>	<p>Require that schools make potable water available and accessible without restriction to children at no charge in the place where lunches are served during the meal service. Section 210.10(a)(1) of the <a href="#">Final Rule</a></p>
<p><b>The Breakfast Regulation</b></p>	<p>Requires that when breakfast is served in the cafeteria, schools must make potable water available and accessible without restriction to children at no charge. Section § 220.8(a)(1) of the <a href="#">Final Rule</a></p>
<p><b>Snacks</b></p>	<p>Requires water to be available during afterschool snacks. The Afterschool Snack Program falls under the jurisdiction of the National School Lunch Program. <a href="#">SP 28-2011</a></p>
<p><b>Suppers</b></p>	<p>While water must be made available to children during meal times, it is not part of the reimbursable meal and cannot be served in lieu of fluid milk. Water can be made available to children in a variety of ways, including but not limited to: having cups available next to the kitchen sink faucet, having pitchers and cups set out, or simply providing water to a child when it is requested. <a href="#">At-Risk Supper Handbook</a>, p 40.</p>
<p><b>Summer</b></p>	<p>Requires potable water to be available during lunch at Seamless Summer sites. Page 5 of <a href="#">SP 28-2011</a></p>
<p><b>Monitoring Water at Schools</b></p>	<p>During the lunch meal service observation, the State Agency must ensure that free water is available for consumption by program participants. Schools can provide free water in a variety of ways. For example, schools can offer water pitchers and cups on lunch tables, a water fountain, or a faucet that allows students to fill their own bottles or cups with drinking water. Any school that does not make free water available or restricts access during the breakfast and lunch meal periods is out of compliance. Administrative Review, Module General Area Water, Page 167.</p>

Coordinated by the Nutrition Policy Institute, University of California, Division of Agriculture and Natural Resources