

## **Current Policy 705**

### **705 CHARGING SCHOOL LUNCHES**

It is the policy of ISD #363 that full priced and/or reduced meals will NOT be charged if an individual has accrued charges of \$5.00 or greater in his/her lunch account.

## **Replace Policy 705 with a School Meals Policy**

### **I. PURPOSE**

The purpose of this policy is to ensure that students receive healthy and nutritious meals through the school district's nutrition program and that school district employees, families, and students have a shared understanding of expectations regarding meal charges.

### **II. GENERAL STATEMENT**

The policy of the school district is to provide meals to students in a respectful manner and to maintain the dignity of students by prohibiting meal shaming or otherwise ostracizing the student. The policy seeks to allow students to receive the nutrition they need to stay focused during the school day and seeks to minimize identification of students with insufficient funds to pay for a la carte items or second meals as well as to maintain the financial integrity of the food and nutrition services program.

### **III. PAYMENT OF MEALS**

A. All a la carte items or second meal purchases are to be prepaid before meal service begins. Families may add money to students' accounts by paying at the school office. A student who does not have sufficient funds will not be allowed to charge a la carte items or a second meal until additional money is deposited in the student's account.

If the school district participates in the United States Department of Agriculture National School Lunch program and has an Identification Student Percentage below the federal percentage determined for all meals to be reimbursed at the free rate via the Community Eligibility Provision must participate in the free meals program.

B. A school that participates in the United States Department of Agriculture National School Lunch program and has an Identified Student Percentage at or above the federal percentage determined for all meals to be reimbursed at the free rate must participate in the federal Community Eligibility Provision in order to participate in the free school meals program.

C. Each school that participates in the free school meals program must:

1. participate in the United States Department of Agriculture School Breakfast Program and the United States Department of Agriculture National School Lunch Program; and

2. provide to all students at no cost up to two federally reimbursable meals per school day, with a maximum of one free breakfast and one free lunch.

D. Once a meal has been placed on a student's tray or otherwise served to a student, the meal may not be subsequently withdrawn from the student by the cashier or other school official, whether or not the student has an outstanding meals balance.

E. When a student has a negative account balance, the student will not be allowed to charge a snack item.

F. If a parent or guardian chooses to submit one payment that is to be divided between sibling accounts, the parent or guardian must specify how the funds are to be distributed to the students' accounts. Funds may not be transferred between sibling accounts unless written permission is received from the parent or guardian.

#### **IV. LOW OR NEGATIVE ACCOUNT BALANCES – NOTIFICATION**

A. The school district will make reasonable efforts to notify families when meal account balances are low or fall below zero.

B. Families will be notified once the balance reaches \$5. Families will be notified by one or more of the following methods: an email, automated call/text, or letter mailed or sent home.

C. Reminders for payment of outstanding student meal balances will not demean or stigmatize any student participating in the school lunch program; including, but not limited to, dumping meals, withdrawing a meal that has been served, announcing or listing students' names publicly, providing alternative meals not specifically related to dietary needs; providing nonreimbursable meals; or affixing stickers, stamps, or pins.

#### **V. UNPAID MEAL CHARGES**

A. The school district will make reasonable efforts to communicate with families to resolve the matter of unpaid charges. Where appropriate, families may be encouraged to apply for free or reduced-price meals for their children.

B. The school district will make reasonable efforts to collect unpaid meal charges classified as delinquent debt. Unpaid meal charges are designated as delinquent debt when payment is overdue, the debt is considered collectible, and efforts are being made to collect it.

C. Unpaid balances of more than \$5 will be provided to the Director of Food and Nutrition Services and the Assistant Superintendent of Business and Administrative Services for review monthly.

D. The school district may not enlist the assistance of volunteers to engage in debt collection efforts.

E. The school district will not impose any other restriction prohibited under Minnesota Statutes section 123B.37 due to unpaid student meal balances. The school district will not limit a student's participation in any school activities, graduation ceremonies, field trips, athletics, activity clubs, or other extracurricular activities or access to materials, technology, or other items provided to students due to an unpaid student meal balance.

## **VI. COMMUNICATION OF POLICY**

A. This policy and any pertinent supporting information shall be provided in writing (i.e., mail, email, back-to-school packet, student handbook, etc.) to:

1. all households at or before the start of each school year;
2. students and families who transfer into the school district, at the time of enrollment; and
3. all school district personnel who are responsible for enforcing this policy.

B. The school district will post the policy on the school district's website, in addition to providing the required written notification described above.

C. If the school district contracts with a third party for its meal services, it will provide the vendor with its school policy. The school district will ensure that any third-party provider with whom the school district enters into either an original or modified contract after July 1, 2021, adheres to the school district's school meals policy.

### **Legal References:**

Minn. Stat. 123B.37 (Prohibited Fees)

Minn. Stat. 124D.111, Subd. 4

42 U.S.C. 1751 *et seq.* (Healthy and Hunger-Free Kids Act)

7 C.F.R. 210 *et seq.* (School Lunch Program Regulations)

7 C.F.R. 220.8 (School Breakfast Program Regulations)

USDA Policy Memorandum SP 46-2016, Unpaid Meal Charges: Local Meal Charge Policies (2016)

USDA Policy Memorandum SP 47-2016, Unpaid Meal Charges: Clarification on Collection of Delinquent Meal Payments (2016)

USDA Policy Memorandum SP 23-2017, Unpaid Meal Charges: Guidance and Q&A

Minn.Op. Atty. Gen. 169j (May 14, 2019) (Letter to Ricker)

### **Cross Reference:**

MSBA/MASA Model Policy 534 (School Meals Policy)