

Revised: 7-17-23

534 SCHOOL MEALS POLICY

[Note: In 2021, the Minnesota legislature amended Minnesota Statutes section 124D.111, that now states that Minnesota charter school that participate in the national school lunch program adopt a school meals policy. In 2023, the Minnesota legislature amended the statute to create the free school meals program].

[Note: This MSBA/MASA model policy is drafted to be consistent for all grade levels. However, charter schools may vary the meal charge policy for elementary, middle, and high schools.]

[Note: Charter Schools must follow appropriate debt collection practices when attempting to recover unpaid a la carte items or second meal charges.]

I. PURPOSE

The purpose of this policy is to ensure that Crosslake Community Schools' (CCS) students receive healthy and nutritious meals through the school's nutrition program and that school employees, families, and students have a shared understanding of expectations regarding meal charges. The policy of CCS is to provide meals to students in a respectful manner and to maintain the dignity of students by prohibiting lunch sharing 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 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 school nutrition program.

II. PAYMENT OF MEALS

[Note: Payment systems and procedures will likely vary from charter school to charter school. The charter school should select one of the following options and delete the remaining options.]

- A. Students have use of a meal account. When the balance reaches zero, a student may charge no more than \$1.00. When an account reaches this limit, a student shall not be allowed to charge further second meals or a la carte items until the negative account balance is paid. [Insert description for how families may add money to students' accounts (e.g., electronic payment options, pay at the school office, etc.).]
- B. ~~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.~~

B. Free School Meals Program

- 1. The free school meals program is created within the Minnesota Department of Education.
- 2. Each 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.
- 3. Each school that participates in the free school meals program must:
 - a. participate in the United States Department of Agriculture School Breakfast Program and the United States Department of Agriculture National School Lunch Program; and

- b. 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.
- c. A student who has been determined eligible for free and reduced-price meals must always be served a reimbursable meal even if the student has an outstanding debt.

[NOTE: While subparagraph 3. above is inherent given subparagraph 2., MSBA recommends that school boards consider including subparagraph 3., which is stated in Minnesota Statutes, section 124D.111.]

- C. 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 CCS officials, whether or not the student has an outstanding meals balance.
- D. When a student has a negative account balance, the student will not be allowed to charge an ala carte milk item.
- E. Parent/guardian send in one payment as we use divided between family accounts, the parent/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/guardian.
- F. A student may purchase a second breakfast at the nonprogram price if the student has already selected a reimbursable breakfast.
- G. A student may purchase a second lunch at the nonprogram price if the student has already selected a reimbursable lunch.

[NOTE: New paragraphs F and G apply if a school receives school breakfast aid under Minnesota Statutes, section 124D.111 or school lunch aid under Minnesota Statutes, section 124D.111 respectively.]

III. LOW OR NEGATIVE ACCOUNT BALANCES – NOTIFICATION

- A. CCS will make reasonable efforts to notify families when meal account balances are low or fall below zero.
- B. Families will be notified of a negative outstanding balance. Families will be notified by email on a weekly basis until the negative balance is corrected. Families may receive automated phone calls with negative balance due.

IV. UNPAID MEAL CHARGES

- A. CCS 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. CCS 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 collectable, and efforts are being made to collect it.
- C. Negative balances of more than \$100 not paid prior to the end of the quarter will be turned over to the Director or a designee for collection. In some instances, CCS does use a collection agency to collect unpaid school meal debts after reasonable efforts first have been made by CCS to collect the debt.
- D. CCS may not enlist the assistance of non-CCS employees, such as volunteers, to engage in debt collection efforts.

- E. CCS will not impose any other restriction prohibited under Minnesota Statutes section 123B.37 due to unpaid student meal balances. CCS 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.

[NOTE: Schools that use a collection agency to collect unpaid school meals debt must address this in this policy. A new paragraph F. can be added to address the use of a collection agency.]

V. 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, at the time of enrollment; and
 3. all CCS personnel who are responsible for enforcing this policy.
- B. CCS will post this policy on CCS's website, in addition to providing the required written notification described above.

Legal References: Minn. Stat. § 123B.37 (Prohibited Fees)
Minn. Stat. § 124D.111 (Lunch Aid; Food Service Accounting)
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

Cross References: None

Policy 534 is also found in the Seat-Based Student and Family Handbook.