

# POLICY

2018

5661

Non-Instructional/Business  
Operations

## **SUBJECT: SCHOOL LUNCH CHARGING AND DEBT POLICY**

The Board of Education recognizes that on occasion, students may not have sufficient funds for a meal. To ensure that students do not go hungry, and to promote responsible student behavior and minimize the fiscal burden to the District, the Board of Education will allow students whose account does not have sufficient funds available for a meal, to “charge” the cost of the meal to be paid back at a later date subject to the terms in this policy. The District shall not charge any interest or fees in connection with any meal charged. Convenience fees associated with the use of the District’s secure, online payment system, i.e. MySchoolBucks, PayPams, etc., continue to be allowable. Nothing in this policy is intended to allow for the unlimited accrual of debt.

Students whose parents or guardians have unpaid school meal fees shall not be shamed or treated differently than a student whose parent or guardian does not have unpaid school meal fees. To that end, the District shall provide each student with the student’s meal of choice for that school day of the reimbursable meal choices, if the student requests one, regardless of the unpaid school meal fees. A student’s parent or guardian may provide written permission to the District to withhold a meal in the event of unpaid meal charges in excess of those permitted within.

If the District suspects that a student is abusing this policy, written notice will be provided to the parent/guardian. As part of its efforts to decrease student distress and embarrassment connected with unpaid meal charges, the District shall not:

- Publicly identify or stigmatize a student who cannot pay for a meal or who owes a meal debt by any means including, but not limited to, requiring that a student wear a wristband or hand stamp;
- Require a student who cannot pay for a meal or who owes a meal debt to do chores or other work to pay for meals;
- Require that a student throw away a meal after it has been served because of the student’s inability to pay for the meal or because money is owed for earlier meals;
- Take any action directly at a pupil to collect unpaid school meal fees. A school or District may attempt to collect unpaid school meal fees from a parent or guardian, but shall not use a debt collector, or
- Discuss any outstanding meal debt in the presence of other students.

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### **Student Account Balance Notification**

To comply with State guidelines, maintain a system for accounting for charged meals, regarding both full and reduced-price meals, and to establish procedures for handling unpaid charges, the District shall:

- Provide the student with the student's choice of a reimbursable meal, if the student requests one. Charging of items outside of the reimbursable meals (i.e., a la carte items, adult meals, etc.) is expressly prohibited.
- Use a computer-generated point-of-sale system, which identifies and records all meals, as well as collects repayments.
- Parents/guardians shall be discretely notified of student account balances regularly. This notification can occur by automated telephone or by mail. When a student's account balance falls to \$5.00 and whenever a meal is charged, the District will discretely notify the parent or guardian of the balance and the process to refill the account. The notification will continue regularly until the account is replenished. Parents/guardians must repay all unpaid charges remaining at the end of the year or before their child leaves the District, whichever comes first.
- Provide parent with an opportunity to establish a repayment schedule for outstanding meal charges; and
- Determine eligibility for free or reduced-price meals when a student owes money for five or more meals. The District shall:
  1. Make every attempt to determine if a student is directly certified to be eligible for free meals;
  2. Make at least two attempts, not including the application or instructions included in a school enrollment packet, to reach the student's parent or guardian and have the parent or guardian fill out a meal application on behalf of the child and;
  3. Contact the parent or guardian to offer assistance with a meal application, determine if there are other issues within the household that have caused the child to have insufficient funds to purchase a meal and offer any other assistance that is appropriate;
  4. As is appropriate, District administration may contact Social Services to report a student's consistent failure to arrive at school without means for a meal.

Charged meals must be counted and claimed for reimbursement on the day that the student charged (received) the meal, not the day the charge is paid back. When charges are paid, these monies are not to be considered 'a la carte' transactions, as a section on the daily cash report or deposit summary reads "charges paid."

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Families may apply for free-reduced price meals at any time during the school year. Administration will discreetly notify parent/guardians of students who regularly have insufficient funds in their school meal accounts of the application process for free and/or reduced priced meals. Information concerning the availability of free and reduced price meals will be provided to the parents/guardians of all students enrolled in the District prior to the start of the school year. Parents/guardians will be advised that applications for free/reduced priced meals are available on the District's website at [www.shufsd.org](http://www.shufsd.org) and at all schools in the District. If the District becomes aware that a student who has not submitted a meal application is eligible for free or reduced-fee meals, the school or District may complete and file an application for the student pursuant to determining eligibility for free and reduced price meals and free milk in schools.

The District shall provide a free, printed meal application in every school enrollment packet, or if the school or District chooses to use an electronic meal application, provide in school enrollment packets an explanation of the electronic meal application process and instructions for how parents or guardians request a paper application at no cost. In addition, the District will send a letter home to all parents/guardians on an annual basis prior to opening day of school and, in the case of transfer students at the time of transfer, provide the requirements of this policy with the transfer paperwork. The policy shall also be published in appropriate school and District publications.

The District's Homeless Liaison shall coordinate with the nutrition department to make sure that homeless, foster and migrant students receive free school meals, in accordance with the federal law.

The District will provide training to staff concerning the procedures to be utilized in the event a student's unpaid meal charges exceed five (5) outstanding charges and the manner in which affected parents/guardians will be provided with assistance in establishing eligibility.

### **Unpaid Meal Charges and Debt Collection**

Unpaid meal charges are a financial burden to the District and taxpayers and can negatively affect the school program. Unpaid meal charges shall be considered "delinquent" as per the District's accounting practices. The District shall attempt to recover unpaid meal charges before the end of the school year, but may continue efforts into the next school year. The District shall notify parents/guardians of unpaid meal charges at regular intervals, and may engage in collection activities by District staff, which do not involve debt collectors as defined in federal law (15 USC 1692a), and may not charge fees or interest. The District shall offer repayment plans, and may take other actions that do not result in harm or shame to the child, until charges are paid.

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### **Remaining Account Balances**

Remaining funds may be carried over to the next school year. When students leave the district or graduate, the District will attempt to contact the parent/guardian regarding the remaining funds. Parents or guardians may request that funds be transferred to other students (siblings, unpaid accounts). All transfer requests must come in writing. Unclaimed funds remaining after 6 months shall be absorbed into the school meal account.

### **Ongoing Staff Training:**

- Staff will be trained annually and throughout the year as needed on the procedures for managing meal charges using the NYSED Webinar or the District's training program.
- Staff training includes ongoing eligibility certification for free or reduced price meals.

### **Parent Notification:**

Parents/guardians will be notified that a student's meal card or account balance is exhausted and has accrued meal charges within 30 days of the charge and then every 30 days/weeks thereafter.

**Ref:** 42 USC §1779 (Child Nutrition Act of 1966); 42 USC §§1758(f)(1); 1766(a) (National School Lunch Act); 2 CFR §200.426 (accounting for debt in federal programs); 7 CFR §§210.9 210.12; 210.19; 220.13; 245.5 (accounting in federal school meal programs); Healthy, Hunger-Free Kids Act (Public Law 111-296), §143; 15 USC §1692a (debt collector defined); Education Law §908  
USDA Report to Congress, *Review of Local Policies on Meal Charges and Provision of Alternate Meals*, June 2016, [www.fns.usda.gov/sites/default/files/cn/unpaidmealcharges-report.pdf](http://www.fns.usda.gov/sites/default/files/cn/unpaidmealcharges-report.pdf)  
*Unpaid Meal Charges: Local Meal Charge Policies*, USDA FNS Memo SP 46-2016 (07/08/16), [www.fns.usda.gov/unpaid-meal-charges-local-meal-charge-policies](http://www.fns.usda.gov/unpaid-meal-charges-local-meal-charge-policies)  
*Unpaid Meal Charges: Guidance and Q&A*, USDA FNS Memo SP 57-2016 (09/16/16), <https://fns-prod.azureedge.net/sites/default/files/cn/SP57-2016os.pdf>  
*Unpaid Meal Charges: Guidance and Q&A*, USDA FNS Memo SP 23-2017 (03/23/17), <https://fns-prod.azureedge.net/sites/default/files/cn/SP23-2017os.pdf>  
*Unpaid Meal Charges: Clarification on Collection of Delinquent Meal Payments*, USDA FNS Memo SP 47-2016 (07/08/16), [www.fns.usda.gov/sites/default/files/cn/SP47-2016os.pdf](http://www.fns.usda.gov/sites/default/files/cn/SP47-2016os.pdf)  
*Overcoming the Unpaid Meal Challenge - Proven Strategies from Our Nation's Schools*, USDA FNS Guidance Document (May 2017), <https://fns-prod.azureedge.net/sites/default/files/cn/SP29-2017a1.pdf>; *New York State Legislation - Prohibition Against Meal Shaming*, NYSED Memo (5/1/18), <http://www.cn.nysed.gov/content/prohibition-against-meal-shaming>  
*Meal Charge Plan Template*, NYSED (5/1/18), <http://www.cn.nysed.gov/content/meal-charge-and-prohibition-against-meal-shaming-policy-template>

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