

534 UNPAID MEAL CHARGES

I. PURPOSE

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

II. PAYMENT OF MEALS

- A. Students have use of a meal account. Low and negative account balances will be handled as follows:
 - 1. When a student's lunch account is less than or equal to \$4.00, an email alert will be sent to the parent/guardian.
 - 2. When a student's lunch account goes in the negative, the parent/guardian will receive a phone message. The student may not purchase extra items such as an extra milk.
 - 3. When a student's lunch account reaches a -\$40 balance, a letter will be mailed to the parent/guardian.
 - 4. When a student's lunch account balance is greater than -\$40, a second letter will be mailed to the parent/guardian requesting that a meeting be scheduled with the director to resolve the issue.
- B. If the cooperative receives school lunch aid under Minn. Stat. § 124D.111, it must make lunch available without charge to all participating students who qualify for free or reduced-price meals regardless of account balance.
- C. A student with an outstanding meal charge debt will be allowed to purchase a meal if the student pays for the meal when it is received.
- D. The cooperative may provide an alternate meal that meets federal and state requirements to a student who does not have sufficient funds in the student's account or cannot pay cash for a meal. The cooperative will accommodate special dietary needs with respect to alternate meals. The cost of the alternative meal (\$1.50) will be charred to the student's account or otherwise charged to the student.

- E. When a student has a negative account balance, the student will not be allowed to charge extra meals, milk, or other items.
- F. If a parent or guardian chooses to send in 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.

III. LOW OR NEGATIVE ACCOUNT BALANCES – NOTIFICATION

- A. The cooperative will make reasonable efforts to notify families when meal account balances are low or fall below zero.
- B. Families will be notified of an outstanding negative balance once the negative balance reaches \$5 and also when the balance reaches \$.02 . Automated phone messages will be delivered four times a week and families may also elect to receive email notifications. Families will be notified by U.S. mail.
- C. Reminders for payment of outstanding student meal balances will not demean or stigmatize any student participating in the school lunch program.

IV. UNPAID MEAL CHARGES

- A. The cooperative 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 and reduced-price meals for their children.
- B. The cooperative 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 \$10, not paid prior to the end of the school year, will be turned over to the director for collection. Collection options may include, but are not limited to, use of collection agencies, claims in the conciliation court, or any other legal method permitted by law.
- D. The cooperative may not enlist the assistance of non-school district employees, such as volunteers, to engage in debt collection efforts.
- E. The cooperative may not deny any student the opportunity to participate in graduation ceremonies or other commencement activities due to unpaid meal charges.

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

Legal References: 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*)