

Adopted: 8/28/2017

MSBA/MASA Model Policy 534

Orig. 2017

Revised: ~~8/23/2021~~ 10/25/2021

Rev. ~~2021~~2019

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 **of the cooperative is to provide meals to students in a respectful manner and to maintain the dignity of students by prohibiting lunch 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 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 \$5.00, 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 Minnesota Statutes, section 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. A student who has been determined to be eligible for free and reduced-price lunch always must be served a reimbursable meal even if the student has an outstanding debt.
- E. Once a meal has been placed on a student's tray or otherwise served to a student, the meal may not be subsequently withdrawn from the student by the cashier or other school official, whether or not the student has an outstanding meals balance.
- F.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 charged to the student's account or otherwise charged to the student.
- G.E. When a student has a negative account balance, the student will not be allowed to charge extra meals, milk, or other items.
- H.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, including, but not limited to, dumping meals, withdrawing a meal that has been served, announcing or listing students' names publicly, or affixing stickers, stamps, or pins..

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. **In some instances, the cooperative does use a collection agency to collect unpaid meal debts after reasonable efforts first have been made by the cooperative to collect the debt.** 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 ~~will may not impose any other restriction prohibited under Minnesota Statutes, section 123B.37 due to unpaid student meal balances. The cooperative 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 meal balance. 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 ~~will may~~ post ~~this~~ policy on the cooperative's website, **or the website of the organization where the meal is served**, in addition to providing the required written notification described above.

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

Legal References: Minn. Stat. § 1243B.37 (Prohibited Fees)
Minn. Stat. § 124D.111 (Lunch Aid, Food Service Accounting), ~~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)¶¶~~