

534 SCHOOL MEALS POLICY

[NOTE: In 2021, the Minnesota legislature amended Minnesota Statutes, section 124D.111, to require that Minnesota school districts 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, local school districts may vary the meal charge policy for elementary, middle and high schools.]

[NOTE: School districts 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 students receive healthy and nutritious meals through the school districts nutrition program and that school district employees, families, and students have a shared understanding of expectations regarding meal charges. 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 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 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 school district to district.]

- A. All a la carte items or second meal purchases (which our Elementary doesn't allow at this time) are to be prepaid before mail service begins. A student may add money to their family account by bringing cash or a check to the office the morning of lunch service. The office is responsible for all payments and applying all monies to student

and family accounts. 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 students' account.

- 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 rates 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 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 send in one payment that is not 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 school district 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 \$-5.00. Families will be notified by a JMC email and a lunch bill sent in the 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, providing alternative meals not specifically related to dietary needs; providing nonreimbursable meals; or affixing stickers, stamps, or pins.

IV. 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 collectable, and efforts are being made to collect it.

C. Negative balances or more than \$50.00 not paid prior to end of the school year, will be turned over to the Superintendent or superintendent designee for collection. In some instances, the school district does use a collection agency to collect unpaid school meal debts after reasonable efforts first have been made by the school district 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 school district may not enlist the assistance of non-school district employees, such as volunteers, to engage in debt collection efforts.

E. The school district will not impose any other restriction prohibited under Minnesota Statutes section 123D.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, extracurricular activities or access to materials, technology, or other items provided to students due to an unpaid student meal balance.

IV. COMMUNICATION OF POLICY

- A. This policy and any pertinent 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 the school year;
 - 2 students and families who transfer into the school district, at the of enrollment; and
 - 3 all school district personnel who are responsible for enforcing this policy.
- B. The school district will post this policy on the school districts 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 school district contracts with a third party for its meal services, it will provide the vendor with its school meals policy. The school district will ensure that any third-party provider with whom the school district enters into an original or modified contract after July 1, 2021, adheres to the school meals policy.

Legal References: Minn. Stat § 123B.37 (Prohibited Fees)
Minn. Stat § 124D.111 (School Meals Policies; 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 Relations)
7 C.F.R. § 220.8 (School Breakfast Program Regulations)
USDA Policy Memorandum SP 46-2016, Unpaid Meal Charges: Local Meal Charges 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