

**SUBJECT: MEAL CHARGING AND PROHIBITION AGAINST MEAL SHAMING AND SCHOOL FOOD SERVICE PROGRAM (LUNCH AND BREAKFAST)**

The District participates in the National School Lunch Program, School Breakfast Program and/or Special Milk Program to receive commodities and subsidies from the U.S. Department of Agriculture. In return, the District provides free and reduced price meals to elementary and secondary students in its schools and serves meals that meet federal requirements.

The Superintendent or designee will carry out the rules of the School Lunch and Breakfast Programs. The District's Reviewing Official and Verification Official or the Department of Social Services Office of Temporary and Disability Assistance (OTDA) will determine student eligibility. Appeals regarding eligibility should be submitted to the District's Hearing Official.

The District may allow free or reduced-price meals for qualifying District students after receiving a written application from the student's parent or guardian or a direct certification letter from OTDA. Applications will be provided by the District to all families.

School officials must also determine eligibility for free/reduced meals and milk by using the Direct Certification Matching Process. Any student residing in a household receiving federal assistance through the Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance to Needy Families (TANF), or Medicaid is automatically eligible for free meals and milk; eligible families will not have to complete further applications. The District will notify parents or guardians of such eligibility, giving them the opportunity to decline free meals and milk.

It is the District's goal to provide students with access to nutritious no- or low-cost meals each school day and to ensure that a student whose parent/guardian has unpaid meal charges is not shamed or treated differently than a student whose parent/guardian does not have unpaid meal charges.

Unpaid meal charges place a large financial burden on the District. The purpose of this policy is to ensure compliance with federal requirements for the USDA Child Nutrition Program and to provide oversight and accountability for the collection of outstanding student meal balances to ensure that the student is not stigmatized, distressed, or embarrassed.

The intent of this policy is to establish procedures to address unpaid meal charges throughout the District in a way that does not stigmatize, distress, or embarrass students. The provisions of this policy pertain to regular priced reimbursable school breakfast, lunch and snack meals only. Charging of items outside of the reimbursable meals (a la carte items, adult meals, etc.) is expressly prohibited.

**Access to Meals**

- a) Free meal benefit eligible students will be allowed to receive a free breakfast and lunch meal of their choice each day. Additional (2<sup>nd</sup>) meals, a la carte items or other similar items must be paid/prepaid.
- b) Reduced meal benefit eligible students will be allowed to receive a breakfast of their choice for \$.25 and lunch of their choice for \$.25 each day. The charge meals offered to students will be reimbursable meals available to all students, unless the student's parent or guardian has specifically provided written permission to the District to withhold a meal. Additional (2<sup>nd</sup>) meals, a la carte items or other similar items must be paid/prepaid.

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- c) Full pay students will pay for meals at the District's published paid meal rate each day. The charge meals offered to students will be reimbursable meals available to all students, unless the student's parent or guardian has specifically provided written permission to the District to withhold a meal. Additional (2<sup>nd</sup>) meals, a la carte items or other similar items must be paid/prepaid.

**Ongoing Staff Training**

- a) Staff will be trained annually and throughout the year as needed on the procedures for managing meal charges using the State Education Department (SED) Webinar or the District's training program. The cafeteria manager will attend trainings / workshops and monitor lists serves for important information and then train other cafeteria staff as applicable.
- b) Staff training will include ongoing eligibility certification for free or reduced price meals.

**Parent Notification**

- a) Parents/guardians will be notified by mail and/or phone that a student's meal card or account balance is exhausted,
- b) and has accrued unpaid meal charges within 5 days of the charge and then every 5 days thereafter.

**Parent Outreach**

- a) Staff will communicate with and offer assistance to parents/guardians with a child / children that have five or more unpaid meal charges to determine eligibility for free or reduced price meals.
- b) Staff will make two documented attempts to reach out to parents/guardians to provide assistant to complete a meal application in addition to the application and instructions provided in the school enrollment packet.
- c) Staff will contact the parent/guardian to offer assistance with completion of meal application to determine if there are other issues within the household causing the student to have insufficient funds, offering any other assistance that is appropriate.

**Minimizing Student Distress**

- a) Staff will not publicly identify or stigmatize any student in line for a meal or discuss any outstanding meal debt in the presence of any other students.
- b) Students with unpaid meal charges will not be required to wear a wristband or handstamp, or to do chores or other work to pay for meals.

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- c) Staff will not throw away a meal after it has been served because of the student's inability to pay for the meal or because of previous unpaid meal charges.
- d) Staff will not take any action directed at a student to collect unpaid meal charges.
- e) Staff will deal directly with parents/guardians regarding unpaid meal charges.
- f) Staff **will not** send clearly marked notices home with children who have outstanding balances.
- g) ECS **will not** use a debt collection service for unpaid balances.

**Ongoing Eligibility Certification**

- a) Staff will conduct direct certification through the New York Student Identification System (NYSSIS) or using SED Roster Upload at least monthly to maximize free eligibility.
- b) Staff will provide parents/guardians with free and reduced price application and instructions at the beginning of each school year in the school enrollment packet.
- c) If the District uses an electronic meal application, it will provide an explanation of the process in the school enrollment packet and instructions on how to request a paper application at no cost.
- d) The District will provide at least two additional free and reduced price applications throughout the school year to families identified as owing meal charges.
- e) The District will use its administrative prerogative to complete an application on a student's behalf judiciously, and only after using exhaustive efforts to obtain a completed application from the student's parent/guardian. The District will complete the application using only available information on family size and income that falls within approvable guidelines.
- f) The District will coordinate with the foster, homeless, migrant, and runaway coordinators at least monthly to certify eligible students.

**Prepaid Accounts**

Students/Parents/Guardians may pay for meals in advance via cash or with a check payable to ECS Lunch Fund. Further details are available on the District's webpage at [www.ellicottvillecentral.com](http://www.ellicottvillecentral.com). Funds should be maintained in accounts to minimize the possibility that a student may be without meal money on any given day. Any remaining funds for a particular student will be carried over to the next school year.

To obtain a refund for a withdrawn or graduating student, a written request for a refund of any money remaining in the student's account must be submitted. Students who are graduating at the end of the year will be given the option to transfer any remaining money to a sibling's account through a written request. Unclaimed funds must be requested within one school year. Unclaimed funds will then become the property of the District Food Service Program.

**SUBJECT: MEAL CHARGING AND PROHIBITION AGAINST MEAL SHAMING AND SCHOOL FOOD SERVICE PROGRAM (LUNCH AND BREAKFAST)****Restriction of Sweetened Foods in School**

The sale of sweetened foods will be prohibited from the beginning of the school day until the end of the last scheduled meal period.

Sweetened foods consist of sweetened soda water; chewing gum; and candy, including hard candy, jellies, gum, marshmallow candies, fondant, licorice, spun candy, candy coated-popcorn, and water ices, except those which contain fruit or fruit juices.

**Restrictions on Sale of Milk Prohibited**

The District will not directly or indirectly restrict the sale or marketing of fluid milk products at any time or in any place on school premises or at school-sponsored events.

**Food Substitutions for Children with Disabilities**

Federal regulations governing the operation of Child Nutrition Programs, Part B of the Individuals with Disabilities Education Act, and Section 504 of the Rehabilitation Act of 1973 require that children with disabilities be offered the opportunity to participate in all academic and nonacademic activities including school nutrition programs. The District will make reasonable accommodations to those children whose disabilities restrict their diets, such as providing substitutions or modifications in the regular meal patterns. Such meal substitutions will be offered at no extra charge. A student with a disability must be provided substitutions in food when that need is supported by a statement signed by a physician attesting to the need for the substitutions and recommending alternate foods.

However, the school food service is not required to provide meal services (for example, School Breakfast Program) to students with disabilities when the meal service is not normally available to the general student body, unless a meal service is required under the student's individualized education program (IEP) or Section 504 Accommodation Plan as mandated by a physician's written instructions.

**Food Substitutions for Nondisabled Children**

Though not required, the District will also allow substitutions for non-disabled children who are unable to consume the regular meal because of medical or other special dietary needs if the request is supported by a statement signed by a recognized medical authority.

The District may also allow substitutions for fluid milk with a non-dairy beverage that is nutritionally equivalent (as established by the Secretary of Agriculture) to fluid milk and meets nutritional standards for students who are unable to consume fluid milk because of medical or other special dietary needs if the request is supported by a statement signed by a recognized medical authority or by the student's parent/legal guardian.

**SUBJECT: MEAL CHARGING AND PROHIBITION AGAINST MEAL SHAMING AND SCHOOL FOOD SERVICE PROGRAM (LUNCH AND BREAKFAST)****Prohibition Against Adults Charging Meals**

Adults must pay for their meals at the time of service or set up pre-paid accounts.

**HACCP-Based Food Safety Program**

Schools participating in the National School Lunch or School Breakfast programs are required to implement a food safety program based on Hazard Analysis and Critical Control Point (HACCP) principles. The District must develop a written food safety program for each of its food preparation and service facilities that is based on *either* traditional HACCP principles *or* the Process Approach to HACCP. (The Process Approach simplifies traditional HACCP by grouping foods according to preparation process and applying the same control measures to all menu items within the group, rather than developing an HACCP plan for each item.) Regardless of the implementation option selected, the District's written food safety program must also include: critical control points and critical limits; monitoring procedures; corrective actions; verification procedures; recordkeeping requirements; and periodic review and food safety program revision.

Child Nutrition and WIC Reauthorization Act of 2004, PL 108-265

Child Nutrition Act 1966, 42 USC Section 1771 et seq.

Richard B. Russell National School Lunch Act 1946, 42 USC Section 1751 et seq.

Section 504 of the Rehabilitation Act of 1973, 29 USC Section 794 et seq.

Individuals with Disabilities Education Act (IDEA), 20 USC Sections 1400-1485

7 CFR Parts 15B, 210 and 220

Education Law Sections 902(b), 915, 918, 1604(28), 1709(22), 1709(23) and 2503(9)(a)

8 NYCRR Sections 200.2(b)(1) and 200.2(b)(2)

Social Services Law Section 95

**Adopted:** 6/27/00

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