

NON-INSTRUCTIONAL OPERATIONS 5660 MEAL CHARGING AND PROHIBITION AGAINST MEAL SHAMING

FORMER POLICY TITLE: "SCHOOL FOOD SERVICE PROGRAM (LUNCH AND BREAKFAST)"

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.

Free or reduced price meals may be allowed for qualifying students attending District schools upon receipt of a written application from the student's parent or person in parental relation or a "Direct Certification" letter from the New York State Office of Temporary and Disability Assistance (OTDA). Applications will be provided by the District to all families.

School officials must also determine eligibility for free or reduced meals by using the Direct Certification Matching Process, a dataset supplied by the Office of Temporary and Disability Assistance, and made available by the SED. Any student receiving federal assistance through Supplemental Nutrition Assistance Program (SNAP) or Temporary Assistance to Needy Families (TANF) is automatically eligible for free meals. There is no need for families to complete further applications. The District will notify parents or guardians of eligibility, giving them the opportunity to decline free meals if they so choose.

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. 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 \$0.00 and lunch of their choice for \$0.00 each day. A la carte items or other similar items must be paid/prepaid.
- 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. 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.
- b. Staff training will include 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 unpaid meal charges via letters and telephone calls.

Parent Outreach

- a. Staff will communicate with parents/guardians with 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 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.

- 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.

Ongoing Eligibility Certification

- a. Staff will conduct direct certification through the New York Student Identification System (NYSSIS) or using SED Roster Upload to maximize free eligibility. NYSED provides updated direct certification data monthly.
- 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 to certify eligible students. School liaisons required for homeless, foster, and migrant students will coordinate with the nutrition department to make sure these students receive free school meals, in accordance with federal law.

Prepaid Accounts

Students/Parents/Guardians may pay for meals in advance via myschoolbucks.com or with a check payable to Amherst School Lunch Fund. Further details are available on the District's webpage at amherstschools.org. 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 or e-mailed 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.

Restriction of Sweetened Foods in School

The sale of sweetened foods will be prohibited from the midnight before, to 30 minutes after the end of the official school day.

Sweetened foods consist of sweetened soda water, chewing gum, 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

Schools that participate in the National School Lunch Program may 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 the school nutrition programs. The District will make reasonable accommodations to those children with disabilities whose disabilities restrict their diets, such as providing substitutions and/or modifications in the regular meal patterns. These meal substitutions for students with disabilities 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.

Prohibition Against Adults Charging Meals

Adults should 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 and/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 that is selected, the District's written food safety program must also include:

- a. Critical control points and critical limits;
- b. Monitoring procedures;
- c. Corrective actions;
- d. Verification procedures;
- e. Recordkeeping requirements; and
- f. Periodic review and food safety program revision.

Policy References:

42 USC § 1758
7 CFR §§ 210.12 and 245.5
Education Law §§ 908
8 NYCRR §§ 114.5

Policy Cross Reference:

5661 – WELLNESS POLICY