

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

**School Food Service Program (Lunch and Breakfast)**

The Board has entered into an agreement with the New York State Education Department (SED) to participate in the National School Lunch Program, School Breakfast Program and/or Special Milk Program to receive commodities donated by the Department of Agriculture and to accept responsibility for providing free and reduced price meals to elementary and secondary students in the schools of the District.

The Superintendent or designee will have the responsibility to carry out the rules of the School Lunch and Breakfast Programs. The determination of which students are eligible is the responsibility of the Reviewing Official and Verification Official or the Office of Temporary and Disability Assistance of the Department of Social Services. Appeals regarding eligibility should be submitted to the Hearing Official of the District.

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 guardian 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/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 and milk. 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.

Procedures for the administration of the free and reduced price meal program of this District will be the same as those prescribed in current state and federal laws and regulations.

**Meal Charging and Prohibition Against Meal Shaming**

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.

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Unpaid meal charges place a 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. 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 \$0.25 and lunch of their choice for \$0.25 each day. A student will be allowed to charge meals to their account after the balance reaches zero. 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.
- c) Full pay students will pay for meals at the District's published paid meal rate each day. A student will be allowed to charge meals to their account after the balance reaches zero. 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.

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- b) Staff training will include ongoing eligibility certification for free or reduced price meals.

**Parent Notification**

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

**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.

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- 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 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 [www.myschoolsbucks.com](http://www.myschoolsbucks.com) or with a check payable to LaFayette Schools Food Service. Further details are available on the District's webpage at [www.lafayetteschools.org](http://www.lafayetteschools.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.

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Students graduating from the district will have a letter mailed to their last known address stating that they have the option of transferring an account balance to another account within the District or be refunded the amount. The District will endeavor to transfer or refund the balance to the student.

Students who withdraw enrollment from the district with a minimum \$1.00 balance will have a refund issued to their last known address, otherwise, to obtain a refund, a written or e-mailed request for a refund of any money remaining in the student's account must be submitted.

If a balance is remaining and unclaimed after one school year, it will then become the property of the District Food Service program.

**Restriction of Sweetened Foods in School**

Per school nutrition guidelines, 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, 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

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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.

**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:

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- 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.

**School District Nutrition Advisory (Health and Safety) Committee**

In accordance with Education Law, the District has established a Child Nutrition Advisory Committee. The Committee includes, but is not limited to, a representative of the School Board; the food preparation staff; the physical education departments; the school registered professional nurse or health staff; a registered dietitian, if available; the faculty of the District; the parent-teacher associations in the District; the students enrolled in the District; and the parents/guardians of students enrolled in the District.

If, due to special circumstances, it is impossible or impracticable for all recommended groups to have members on the Committee for representation, the District may approve a Committee that, to the greatest extent possible, represents the interests of the aforementioned groups.

Prior to the start of school in the fall, the District will send in a newsletter written notice to all parents or guardians of enrolled students of the existence of the School District Nutrition (Health and Safety) Advisory Committee and supply information as to how interested parents or guardians may participate on the Committee. The District will also, to the extent practicable, give notice to all parents or guardians and students through its regular newsletters or other regular forms of written communication as to the scheduled dates of all meetings of the Advisory Committee.

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The Committee will study all facets of the current nutritional policies of the District including, but not limited to:

- a) The goals of the District to promote health and proper nutrition;
- b) Vending machine sales;
- c) Menu criteria;
- d) Educational curriculum teaching healthy nutrition;
- e) Educational information provided to parents or guardians regarding healthy nutrition and the health risks associated with obesity;
- f) Opportunities offered to parents or guardians to encourage healthier eating habits to students; and
- g) The education provided to teachers and other staff as to the importance of healthy nutrition.

In addition, the Committee will consider recommendations and practices of other districts and nutrition studies.

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

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

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

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

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

7 CFR Parts 15B, 210 and 220

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

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

Social Services Law § 95

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