

3542.2 SCHOOL MEAL PROGRAM ARREARS

The school meal program shall make a nutritionally adequate meal (breakfast and/or lunch) available to every student and shall operate on the most economically feasible basis. It shall be operated in strict compliance with all laws and regulations pertaining to health; sanitation and safety; internal accounting; employment practices; nutritional standards; costs of meals; and periodic reporting required by New Jersey law.

The board of education believes that regularly consumed nutrition helps maintain the students' energy and facilitates concentration, supporting student achievement (see board policy 3542.1 Wellness and Nutrition). Therefore, it is the expectation of the board that students with the assistance of their parents/guardians come prepared for school each day with lunch/breakfast or meal money.

Qualified students whose families have a financial hardship may apply for assistance according to policy 3542.31 Free or Reduced Price Lunches, Milk. The procedures for the administration of the free and reduced price meal program of this school district will be the same as those prescribed in current state and federal laws and regulations.

The board shall strive to make affordable meals available to all students. Students who do not qualify for free or reduced price meals or milk may receive school lunch through the school meal program for a fee that is approved by the board. Any student who has a hardship but does not qualify for free and reduced price lunches or milk, may be considered for other assistance on a case by case basis.

The purchase of meals through the school program shall be optional and shall not prevent any student from bringing their own lunch or breakfast to school.

The school business administrator shall be responsible for the accounting and tracking of revenues and expenses generated by the school meal program. The supervisor/designee or his or her designee shall oversee the notification of parents/guardians for the payment of charges and arrears associated with the school meal program. Being in arrears shall be defined as being behind in meal payments due, resulting in debt or liability to the district.

Procedures for Charging Lunch

In the event a student's school lunch or breakfast bill is in arrears, the supervisor/designee or his or her designee shall contact the student's parent/guardian to provide notice of the amount in arrears and shall provide the parent/guardian a period of ten school days to pay the full amount due. If the student's parent/guardian does not make full payment to the school by the end of the ten school days, the supervisor/designee or his or her designee shall again contact the student's parent/guardian to provide a second notice that their child's lunch or breakfast bill is in arrears. If payment in full is not made within one week from the date of the second notice, the student may not be served school breakfast or lunch, as applicable, beginning the eighth calendar day from the date of the second notice (N.J.S.A. 18A:33-21).

The building supervisor/designee or his or her designee shall implement appropriate measures that ensure that students who cannot pay for a school breakfast or a school lunch or whose school breakfast or school lunch bill is in arrears shall not be publicly identified or stigmatized.

Students without breakfast/lunch or meal money may receive a meal through the school meal program according to the following rules:

- A. Students without breakfast/lunch or meal money shall be allowed to select a meal from a limited menu not to exceed the reimbursable meal allowance and shall not be permitted ala carte items, or other food charges during the school day;
- B. Payment on the charge should be made by the student the following school day;
- C. The school business administrator shall notify the supervisor/designee when the student has accumulated three (3) unpaid meal charges;
- D. The supervisor/designee or his or her designee shall notify parents/guardians of the breakfast/lunch arrears. This shall constitute the first notification in accordance with law (N.J.S.A. 18A:33-21). The notification shall include:
 1. The board policy 3542.2 School Meal Program Arrears;
 2. The requirement that payment be made within ten school days;
 3. A statement of the meal charges, that includes instructions for payment;
 4. A description and price list for the school breakfast/lunch program;
 5. Information regarding participation in the federal free or reduced price lunches, milk program;
 6. A request to schedule a conference to investigate and address the problem and to ascertain to what degree the

student is responsible or if there are mitigating circumstances or financial hardship that are contributing to the problem;

E. Following the first notice the district shall continue to provide the student with a meal (lunch and/or breakfast). When payment is not received within ten school days following the first notice, the supervisor/designee or his or her designee shall provide the second notification of the arrears. The second notice shall be mailed/mailed to the student and the parents/guardians and include:

1. A statement that if payment in full is not made within one week from the date of the second notice, the student may not be served school breakfast or lunch, as applicable, beginning the eighth calendar day from the date of the second notice;
2. The board policy 3542.2 School Meal Program Arrears;
3. A statement of the meal charges, that includes instructions for payment;
4. A request to schedule a conference with the supervisor/designee to discuss the arrears;
5. As necessary and appropriate notification that the district shall make a report to the Division of Child Protection and Permanence;
6. As necessary and appropriate notification that the district will enforce collection efforts and related fees, including filing a cause of action in small claims court.

F. Qualified students receiving assistance according to policy 3542.31 Free or Reduced Price Lunches, Milk who accumulate arrears shall continue to receive a meal not to exceed the reimbursable meal allowance regardless of a bill in arrears. The student shall not, however, be permitted ala carte items, or other food charges during the school day;

G. Students found responsible for repeatedly forgetting breakfast/lunch or meal money shall be considered unprepared for school may be subject to consequences including loss of privileges and detention according to the school code of student conduct;

H. A meal from a limited menu not to exceed the reimbursable meal allowance shall always be provided to students who do not have breakfast/lunch or meal money. The student shall not be permitted ala carte items, or other food charges during the school day.

Restrictions related to the purchase of ala carte items or other foods that are offered as part of the school meal program shall cease upon payment of the charges in arrears.

Payment of Charges

The school business administrator shall be responsible for tracking and billing all lunch accounts in arrears. The following guidelines shall apply:

- A. Charges will show a negative account balance on the student's school meal program account, and billed, at a minimum, quarterly to the parent/guardian;
- B. Payments on charges shall be brought directly to the main office or mailed to the main office;
- C. The payment shall be recorded and a receipt generated and given or mailed in acknowledgement of payment received according to the established district business procedures.

Implementation

The policy shall be communicated in writing at the start of the school year to the families of enrolled students and students whose families are transferring into the district. The policy may be distributed in writing, posted in the student handbook, and/or posted on the school and/or district website to meet this communication requirement.

The policy shall be reviewed regularly and updated as necessary.

Key Words

School Lunch, Food Service, Nutrition, Wellness,

Legal References:

N.J.S.A. 18A:11-1 General mandatory powers and duties

N.J.S.A. 18A:18A-5 Exceptions to requirement for advertising

See particularly:

N.J.S.A. 18A:18A-5a(6)

N.J.S.A. 18A:18A-6 Standards for purchase of fresh milk; penalties; rules and regulations

N.J.S.A. 18A:33-3 through -5 Cafeterias for students

N.J.S.A. 18A:33-21 Schools meals, notification to parent of payment in arrears before denying to student

N.J.S.A. 18A:54-20 Powers of board (county vocational schools)

N.J.S.A. 18A:58-7.1 through -7.2 School lunch program ...

N.J.A.C. 2:36-1.1 et seq. Child Nutrition Programs

N.J.A.C. 6A:23A-16.5 Supplies and equipment

N.J.A.C. 6A:30-1.1 et seq. Evaluation of the Performance of School Districts

Healthy, Hunger-Free Kids Act of 2010 (Section 143), P.L. 111-296; December 13, 2010.

Federal policy guidance and resources guidance at <https://www.fns.usda.gov/school-meals/policy>.

See:

SP 17-2014, January 22, 2014 *Discretionary Elimination of Reduced Price Charges in the School Meal Program*

SP 46-2016, July 8, 2016. *Unpaid Meal Charges: Local Meal Charge Policies*

SP 46-2016, July 8, 2016 *Unpaid Meal Charges: Clarification on Collection of Delinquent Meal Payments*

SP 23-2017, March 23, 2017. *Unpaid Meal Charges: Guidance and Q&A*

Possible Cross References:

*1200 Participation by the public

*1220 Ad hoc advisory committees

*3000/3010 Concepts and roles in business and noninstructional operations; goals and objectives

*3220/3230 State funds; federal funds

*3250 Income from fees, fines and charges

*3450 Money in school buildings

*3510 Operation and maintenance of plant

*3542.1 Wellness and nutrition

*3542.31 Free or reduced-price lunches/milk

*3542.44 Purchasing

*4222 Noninstructional aides

*5131 Conduct/discipline

9123 Appointment of board secretary

9124 Appointment of business official

*Indicates policy is included in the Critical Policy Reference Manual.

First Reading: October 24, 2017

