

**UNPAID AND DELINQUENT MEAL CHARGES**

**Purpose/Goals:** To establish consistent practices to ensure that District employees, families, and students have a shared understanding of expectations regarding providing meals to students without meal money and collecting unpaid meal debt. Unpaid meal charges place a financial burden on the Food and Nutrition Department (F&ND) and eventually on the general fund budget.

The goals of this regulation are:

1. To maintain a positive experience for students during meal service.
2. To treat all students with dignity and respect in the serving line.
3. To establish practices which are age-appropriate.
4. To minimize meal charges and encourage parents to pre-pay for all meals.
5. To promote parents' responsibility for meal payments and self-responsibility of the student.

**Responsibilities**

1. The Food and Nutrition Department maintains meal charge records and notifies school staff and parents/guardians of negative balances by phone, email, and postal mail.
2. Principal or their designee will monitor meal charges and provide support to contact parents with delinquent or low-balance accounts. Work with Food and Nutrition Supervisors to develop school site procedures to provide meals to all students and mitigate the impact of unpaid meals on school budgets.
3. Food and Nutrition Supervisors will keep track of all meal charges at the school site and coordinate with school principals to develop strategies to reduce unpaid meal debt. Provide the principal or designee a list of all students with negative balances as required.
4. Parents/Guardians are solely responsible for providing their children with money for meals, or packing a meal from home. Parents/Guardians are responsible for prompt payment of outstanding balances and monitoring their children's meal account balance.
5. The District ensures that all students have access to school meals every school day, and supports the Food and Nutrition Department in debt collection activities.

**Emergency Meals:** The School Board does not encourage charging meals, but acknowledges that on occasion, students may forget or lose meal money. In such cases, the child's statement of need shall be accepted and an emergency meal will be made available. The intent is to provide **one (1)** emergency meal as a courtesy with the understanding that repayment will be made the following day. Emergency meals/charges are a temporary solution to address intermittent forgetfulness on the part of parents or students to provide or bring lunch money. Emergency meals/charges are not intended to address broader issues of a parent's inability to pay for meals.

**Evaluate Individual Circumstances:** When a student repeatedly comes to school without a meal from home or money to participate in the school meal program, school principals should consider if circumstances in the home warrant contacting social workers or Child Protective Services. Frequent requests may indicate the family's need for free or reduced-price meals. If for any reason, parents decline to complete an eligibility application and the principal is aware that the student is eligible for free or reduced-price meals, the principal may complete an application on behalf of the student. Written justification must be made on the application as to the reason the student should be receiving free or reduced-price meals. (7 CFR 245.6 (d))

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**Administration:** School personnel and volunteers will not deny or delay students from receiving meals based on any disciplinary action. All efforts to collect overdue lunch balances will be directed to parents/guardians and will occur away from the nutrition center. For example, school personnel cannot do any of the following:

- Hold students back from going to lunch as a discipline action.
- Permit public identification or stigmatization of a child who has unpaid meal debt.
- Dispose of food after it has been served to the child.
- Notify students in the lunch line they owe money (unless asked by the child).
- Take a tray of food away from a child or send the child to the office.
- Provide students a meal that is different from meals served to other students.

**Pre-paid Meal System:** The school meal accounting system is a pre-paid system, which requires parents/guardians to deposit money into their child's account before meals are served. Payments can be made daily, weekly, monthly, or annually. In addition to paying online with their credit/debit cards, parents can also pay with checks and cash. The District uses an online payment system to help parents manage their child's school meal account. The website provides parents the following features:

- Set up automatic payments to school meal account
- Monitor account balance and meal purchase history
- Receive low balance email notifications
- Set up daily and weekly spending limits

**Repayment for Meal Charges and Bad Checks:** Federal guidelines prohibit the Food and Nutrition operation from writing off bad debts as a result of charged meals. Every effort will be made to collect for unpaid meals by using the following strategies:

1. A weekly negative balance report will be sent to school principals.
2. Automated telephone call home will be made to parents with unpaid meal debts.
3. Weekly email notifications will be sent to parents with five (5) or more unpaid meals.
4. The F&N Director will send a letter to parents with seven (7) unpaid meals.

**Direct Certification:** Before sending notifications to parents/guardians regarding debt balances, the District will attempt to directly certify students for free or reduced-price meals (F/RPM). If students cannot be directly certified, families will be encouraged to apply for F/RPM.

**Purchases before Free or Reduced Meal Benefits:** All meals eaten before a Free or Reduced-Price application is approved are the responsibility of the parent/guardian and must be paid for as required by law. At no time will meal charges be waived, forgiven, or written off the books if they were incurred before the approval date of the Free or Reduced Price Meal application.

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**Program Limitations:** Meal charges are for students who forget or lose meal money and are unable to pay for meals on an intermittent basis. **Charges are not allowed for non-student meals, second meals, a la cart purchases, milk, and adult meals.** Monies received from students with unpaid meal balances must first be used to satisfy negative balances. No change will be returned to students with unpaid meal balances and any extra monies remaining after a purchase will be deposited into the student's account until the balance reaches zero.

**Unpaid Meal Limitations:** There are no provisions in law that allow for the indefinite accrual of unpaid meals (EC 49557.5(g)). Students who are required to pay full price for meals will be allowed a maximum dollar equivalent of seven (7) unpaid meals. When a child reaches the maximum threshold, no more unpaid meals will be allowed and all transactions shall become cash only. The prohibition against meal shaming does not intend to allow for the unlimited accrual of debt after parents have been properly notified to send meal money or a sack lunch from home. Parents may request relief from this policy if they contact the F&ND and agree to pay for all unpaid meals before school ends or enter into a repayment plan with the District.

**Spending Restrictions:** Parents/guardians may submit a written request or email the Food and Nutrition Supervisor to place a block on their child's account or to prohibit the purchase of a la carte items or set daily spending limits. The Food and Nutrition Director may place a block on a student's account due to non-payment of unpaid meals.

**Repayment Plans:** For families that cannot afford to pay their school meal charges, the District may work with them to establish a payment plan. A payment plan is a signed written agreement between the District and the family to bring the negative balance account up to date. It is the family's responsibility to comply with the agreement and make payments as stated, which can include making monthly payments. Under this exception, the District can establish a payment plan that carries forward unrecovered or delinquent debt into the next fiscal year.

**Remaining Funds:** All remaining funds for students will be carried over to the next school year. Parents/guardians may elect to transfer remaining funds to a sibling's account or receive a refund. All refund/transfer requests must be submitted to the F&ND on the School Meal Money Refund/Transfer Form. Refund checks for graduating seniors and students who have **not withdrawn** from school will be processed after the last day of school. Refunds of \$15.00 or more will be paid by check and mailed. Refunds for less than \$15.00 may be picked up from the F&ND at 12225 Kirkham Road, Suite 100, Poway, CA 92064-8847. Unclaimed Funds must be requested within one school year. Unclaimed funds will then become the property of the Poway Food and Nutrition Department.

**Policy Communication:** Families and school district personnel responsible for policy enforcement shall be informed about the contents of the meal charge regulation at the start of each school year. This also includes families transferring to the District throughout the year. The policy shall be distributed through the most effective methods of communication, including District or school newsletters, handouts, parent/guardian meetings, District and school web sites, and F/RPM application notification letters.

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**Bad Debt:** Is defined as unrecovered or delinquent debt that, after all reasonable steps have been taken, has not been recovered by or before the end of the fiscal year in which the debt was incurred. On June 30 each school year, all unpaid meal charges shall be classified as bad debt, which is an unallowable cost to the Food and Nutrition Department. (2 CFR 200.426)

**Closing out the Year:** At the first of June the Food and Nutrition Program must begin to close the books for the school year. As a result, the point of sale system will be blocked from accepting deficit account balances and all transactions shall become prepayments and cash sales. Students may continue to use their account if it has sufficient funds to completely cover the transaction. This is to ensure that students' accounts do not carry over negative balances. Parents may request relief from this policy if they contact the F&ND and agree to pay for all unpaid meals before school ends or enter a repayment plan with the District.

**Consistent Collection Practices:** The District's efforts to collect debt shall be consistent with district policies and regulations, California Department of Education (CDE) guidance, and 2 CFR 200.426. Uncollected meal charges are considered school fees and shall be handled the same as other school fees, such as lost/damaged library books, activity fees, athletic fees, and other student fees or events. The District shall not spend more than the actual debt owed in efforts to recover unpaid meal charges.

**Year End Balances:** At the end of the school year, the total amount of unrecovered/delinquent debt from unpaid meal charges must be paid to the Cafeteria Special Revenue fund from a nonfederal funding source (s) (e.g., PTA, donations, school site budgets, general funds, or any non-Federal funds). (2 CFR 200.426)

**NONDISCRIMINATION STATEMENT:** In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA. Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at 800-877-8339. Additionally, program information may be made available in languages other than English. To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at the Filing a Program Discrimination Complaint as a USDA Customer page, and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call 866-632-9992. Submit your completed form or letter to USDA by:

(1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; (2) fax: 202-690-7442; or (3) email: [program.intake@usda.gov](mailto:program.intake@usda.gov). This institution is an equal opportunity provider.