STILLWATER TOWNSHIP BOARD OF EDUCATION **FILE CODE: 3542.2**
Stillwater, New Jersey **__X__ Mandated**
_____ Monitored
Policy **__X__ Other Reasons**

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).

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.

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 principal 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 an unsubsidized student's school lunch or breakfast bill is in arrears, the principal 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 principal 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 and provide notice of any action to be taken by the school district in response to a student's school breakfast or school lunch bill being in arrears (N.J.S.A. 18A:33-21).

The building principal 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.

The district shall report at least biannually to the Department of Agriculture the number of students who are denied school breakfast or school lunch.

No district staff member shall:

SCHOOL MEAL PROGRAM ARREARS (continued)

A. Publicly identify or stigmatize an unsubsidized student who cannot pay for a school breakfast or a school lunch or whose school breakfast or school lunch bill that is in arrears, for example, by requiring that the student sit at a separate table or wear a wristband, hand stamp, or identifying mark or by serving the student an alternative meal;

B. Require an unsubsidized student who cannot pay for a school breakfast or a school lunch or whose school breakfast or school lunch bill that is in arrears to do chores or other work to pay for the school breakfast or school lunch; or

C. Require an unsubsidized student to discard a school breakfast or school lunch after it has been served because of the student's inability to pay for a school breakfast or a school lunch or because money is owed for previously provided meals.

D. Prohibit an unsubsidized student, or a sibling of such a student, from attending or participating in non-fee-based extracurricular activities, field trips, or school events, from receiving grades, official transcripts, or report cards, or from graduating or attending graduation events, solely because of the student's unresolved meal debt; or

E. Require the parent or guardian of an unsubsidized student to pay fees or costs in excess of the actual amounts owed for meals previously served to the student.

If an unsubsidized student owes money for the equivalent of five or more school meals, the district shall:

A. Determine whether the student is categorically eligible or income-eligible for free or reduced price meals, by conducting a review of all available records related to the student, and by making at least two attempts, not including the initial attempt at the beginning of the school year, to contact the student's parent or guardian and have the parent or guardian fill out a school meals application; and

B. Require the principal, or a person designated by the principal to contact the parent or guardian of the unsubsidized student to offer assistance with respect to the completion of the school meals application, to determine if there are other issues in the household that have caused the child to have insufficient funds to purchase a school breakfast or school lunch, and to offer any other appropriate assistance.

The district shall direct communications about a student's school breakfast or school lunch bill being in arrears to the parent or guardian and not the student. The district may send a student home with a letter addressed to a parent or guardian;

An unsubsidized student shall not be denied access to a school meal, regardless of the student's ability to pay or the status of the student's meal arrearages, during any period of time in which the school is making a determination as to whether the student is eligible for and can be certified to receive, free or reduced price meals.

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.

SCHOOL MEAL PROGRAM ARREARS (continued)

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

At the beginning of the school year, and upon initial enrollment in the case of a student enrolling during the school year, the district shall provide to the parent or guardian of each student:

A. Information on the National School Lunch Program and the federal School Breakfast Program including, but not limited to, information on the availability of free or reduced price meals for eligible students, information on the application and determination processes that are used to certify eligible students for subsidized school meals, and information on the rights that are available to students and their families;

B. An application to apply for the school lunch and school breakfast programs and instructions for completing the application;

The school meals information and application provided to parents and guardians shall:

A. Be communicated in a language that the parent or guardian understands;

B. Specify the limited purposes for which collected personal data may be used, as provided by subsection c. of this section; and

C. Indicate that an application to apply for the school lunch and school breakfast programs may be submitted at any time during the school year; and

D. Are submitted to the parent or guardian annually either in writing via hard copy and, if desired, electronically. In the latter case, the school district shall use the usual means by which it communicates with parents and guardians electronically.

Parents/guardians shall either submit the application for the school meal programs or submit a signed card , or other proof, provided by the board indicating that they have received the application and are not interested in participating. If a district does not receive an application or signed card/other proof, the board shall make at least one attempt to contact the student’s parent/guardian and request that the application or card be submitted.

A school meals application that is completed by a parent or guardian shall be confidential, and shall not be used or shared by the student’s school or school district, except as may be necessary to:

A. Determine whether a student identified in the application is eligible for free or reduced price school meals;

B. Determine whether the school or school district is required to establish a breakfast after the bell program, or to participate as a sponsor or site in the federal Summer Meals Service Program;

C. Ensure that the school receives appropriate reimbursement, from the state and federal governments, for meals provided to eligible students, free of charge, through a school lunch program, a school breakfast program, a breakfast after the bell program, a summer meals program, or an emergency meals distribution program; and

D. Facilitate school aid determinations under the "School Funding Reform Act of 2008,"

The district liaison for the education of homeless children shall coordinate with school personnel to ensure that a homeless student receives free school meals and is monitored according to the board policies.

Nothing in this policy shall be construed to require a school district to deny or restrict the ability of an unsubsidized student to access school breakfast or school lunch when the student's school breakfast or school lunch bill is in arrears.

The policy shall be reviewed regularly and updated as necessary.

Adopted: August 23, 2021
NJSBA Review/Update: June 2021, July 2021, April 2023, July 2024
Readopted: May 8, 2023, August 19, 2024

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:33-21a	Hunger-Free Students Bill of Rights Act
N.J.S.A. 18A:33-21b	Information provided to parents, guardians
N.J.S.A. 18A:33-21c	Provision of meals to homeless students
N.J.S.A. 18A:33-21.1	State required to pay difference between federal allocation and total cost of reduced price breakfast, lunch
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

SCHOOL MEAL PROGRAM ARREARS (continued)

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.