

CBSD MEAL CHARGE PROCEDURE

Important Change to State Law

As you may already be aware, Act 55 of 2017, a new law making significant changes to the Pennsylvania Public School Code, was enacted on November 6, 2017. Among its various amendments was a revision to Section 1337 prohibiting schools from denying a school food program meal to any student who requests one but does not have the money to pay for the meal at the time of service or in his or her meal account. Based on this change, schools may only withhold meals from a student if they receive written direction from a parent or guardian.

Under the amendment to Section 1337, communication about a student's school meal debt must be directed to the parent/guardian. The amendment provides that such communication must occur when the student owes money for five or more meals. The school must then make at least two attempts to reach the parent or guardian.

School policy must require the following:

(1) A student who requests a school meal must be provided with one regardless of whether the student has money. To make a meal, students must select foods from at least 3 different food groups. At least one item must be a 1/2 cup fruit, 1/2 cup vegetable or a 4oz fruit juice.

(2) When a student owes money for five or more school meals, the school must make at least two attempts to reach the student's parent or guardian and have the parent or guardian apply for participation in the school food program.

(3) Communications regarding money owed by a student for school meals must be made to the student's parent or guardian. *For students in kindergarten through eighth grade, this communication may not be made to the student. For students enrolled in grade nine through twelve, the board of school directors may require the schools to direct communications regarding a low balance or money owed to the student if the communications are made individually to the student by appropriate school personnel and are made discreetly. This is in addition to the communication to the parent.*

School policy must prohibit the following:

(1) A student who cannot pay for a school meal or who owes money for school meals may not be publicly identified or stigmatized.

(2) A student who cannot pay for a school meal may not be required to perform chores or other work to pay for the school meal.

(3) A student may not be required to discard a school meal after it was served to the student due to the student's inability to pay for the meal or the amount of money owed by the student for prior school meals.

Q and A's

- **Is a student permitted to charge meals after he or she owes money for five or more meals, and after the school makes at least two attempts to reach the parent or guardian?**

Yes. The amendment prohibits schools from denying a meal to any student who requests one but does not have the money in their meal account to pay for the meal at the time of service. A meal can only be denied if the student's parent or guardian has directed the school, in writing, to withhold meals from the student.

- **In the past, students who owed money or did not have money to pay for their meal could be offered an alternate meal, as indicated in the school's Local Meal Charge Policy. Is an alternate meal still permissible?**

No. Students with insufficient funds must be offered the school food program meal options that are available to all students.

- **When students do not have money to pay for the meal or have a meal charge balance, can the student be refused a meal or have their meal taken away?**

No. The amendment to Section 1337 of the Pennsylvania Public School Code prohibits schools from requiring a student to discard a meal after it was served to them due to their inability to pay for the meal or due to any prior debt for meals.

- **Does this apply to a la carte meals?**

Section 1337 of the Pennsylvania Public School Code applies to any school food program meal served on a nonprofit basis. Generally, the purpose of a la carte food sales is to sell individual foods (not a complete meal) to generate a profit, therefore the amendment to Section 1337 of the Pennsylvania Public School Code does not apply to a la carte food sales.

In many situations, individual a la carte foods are also available and priced more economically as part of a meal through the school food program, therefore students, including those with insufficient funds, will have access to these foods through the school food program meal.

- **Must schools allow students to charge a la carte snacks (cookies, chips, sports drinks, ice cream, etc.) or second meals? Can the cafeteria staff ask students to put a la carte snack items or second meals back if they do not have the funds to pay for them?**

Section 1337 of the Pennsylvania School Code only applies to the school food program meal and does *not* apply to snacks and second meals. As such, these are local level decisions.

- **Parents/guardians and students often can check their meal account balances through an online meal payment system or app. These same systems can sometimes provide warning notices. Is it acceptable for students to check their balances or be given a warning letter**

through the online system or app or must this information be conveyed strictly through the parents?

It is acceptable for the students to access this system to check their balances and see warning notices. However, when a student charges five or more meals, it is the parent/guardian that must be notified. A communication (e-mail, push notification, text message, etc.) sent from an online system or app that is directed to the parent, is acceptable. However, a warning notice that requires logging into the account to see the notice does not fulfill the intent of Section 1337.

- **Can the cashier provide a student with their meal account balance if a student asks for the information?**

Yes, if a student asks, it is permissible for the cashier to verbally let them know their meal account balance. *This should be done as discreetly as possible (i.e., low voice, show student the screen, etc.) For students in kindergarten through eighth grade, verbal communications regarding meal account balances to a student only apply when a student asks directly. Cashiers should not provide account balances as a matter of common procedure and verbal updates do not take the place of the required communications. However, for students in grades ninth through twelfth, the board of school directors may require the schools to direct communications regarding a low balance or money owed to the student if the communications are made individually to the student by appropriate school personnel and are made discreetly.*

At any time parents or guardians can go online to view their student's transactions, see their account balance and add money to the account. Visit www.learnmyschoolbucks.com/parent for step-by-step instructions or call our office at 267-893-5700