

Draft Public Schools of Brookline Meal Charge Policy for October 6, 2016 School Committee 1st Reading

I. PURPOSE/POLICY:

The purpose of this policy is to establish consistent meal account procedures throughout the district and to protect the solvency of the food service revolving fund. The goals of this policy are to:

- Establish a consistent district policy regarding meal charges and collection of charges.
- Ensure all families and students are treated with dignity regarding meal accounts.
- Ensure compliance with USDA regarding meal charges and balances.

II. SCOPE OF RESPONSIBILITY:

PSB employees are responsible for supporting and meeting all compliance requirements of the Food Service Program provided by School Committee Policy, administrative directive, or USDA/DESE regulation or guidelines. The Food Service Department is responsible for maintaining charge records and notifying the school district of outstanding balances. The Food Service Department is also responsible for notifying the student's parent/guardian of low or outstanding balances with the help and assistance of the school principal when appropriate.

III. ADMINISTRATION

The Superintendent, along with the Deputy Superintendent of Administration and Finance will provide administrative guidance and direction on the collection of school breakfast and lunch fees. The administrative guidance and direction will provide for the following:

- 1) **Meal Charges and Allowances** for Free, Reduced, and Paid Lunch Students and employees;
- 2) **Balances Owed:** Collection of Balances owed will follow the School Committees' policy, *Student Fees, Fines, and Charges*.
 - a) **Checks Returned for Non-Sufficient Funds (NSF):** Fees and Penalties will follow the direction of the Town Treasurer. Second requests will follow M.G.L. Chapter 93 §40A.
 - b) **Balances Owed with no response by Parent/Guardian or Employee:** If the payment is not received, the Superintendent or his/her designee may take action, if published and notice provided, unless or until prohibited by state law or regulation:
 - c) Other remedies available to the Superintendent or designee:
 - i) The point of sale system may be blocked from accepting deficit account balances including the account cap limits.
 - ii) All charges not paid before the end of the school year will be carried forward into the next school year.
 - iii) Seniors must pay all charges before receiving their cap and gown.

- 3) **Point of Sale System:** All school cafeterias will possess a computerized point of sale/cash register systems that maintain a record of all monies deposited and spent for each student and said record will be made available to the parent upon request.

a) **Refunds**

- i) Withdrawn Students: For any student who is withdrawn, a written request for a refund of any money remaining in their account must be submitted. An e-mail request is also acceptable.
 - ii) Graduating Students: Students who are graduating at the end of the year will be given a refund. Funds can also be transferred to a sibling's account with a written request.
- b) **Unclaimed Funds:** All refunds must be requested within one year. Unclaimed funds will then become the property of the Public Schools of Brookline Food Service Program.

Legal Reference: **7 CFR 210**, Office of Management and Budget Circular A-87

M.G.L. Chapter 71: Section 72. Sale of lunches

M.G.L. Chapter 71: Section 68. Duties of towns to maintain schools; transportation of children; school building committee representation

M.G.L. Chapter 71: Section 37K. Business demonstration projects; disposition of proceeds

M.G.L. Chapter 44: Section 69. Municipal or district services, fees or charges; insufficient funds checks; penalty

M.G.L. Chapter 60: Section 57A. Payment by check not duly paid; penalty

M.G.L. Chapter 93: Section 40A. Dishonored checks; demand for payment

Policy Cross Reference:

Student Fees, Fines, and Charges

Administrative Directive

- 1) Free and Reduced Lunch Students
 - a) Free Lunch Status Students will not be allowed to have a negative account balance. Free lunch status allows a child to receive one free lunch and one free breakfast meal every day. A la Carte items are not part of the USDA program.
 - b) Reduced Lunch Status Students will be allowed to have a negative account balance up to a maximum dollar equivalent of six (6) reduced priced meals which will be known as the “account cap”. Reduced lunch status allows a child to receive reduced priced meals at a reduced amount determined by the Department of Elementary and Secondary Education, Nutrition, Health & Safety Programs.
- 2) All Students:
 - a) Elementary students (preK-5): will be allowed to charge up to a maximum dollar equivalent of three (3) meals which will be known as the “account cap”.
 - (1) These meals will include anything on the menu;
 - (2) Notices of low or deficit balances will be sent to parents/guardians at regular intervals during the school year;
 - (3) When the child reaches the “account cap” they will only be offered a designated menu alternate. Sample: Cheese sandwich + veggie sticks + fruit + milk;
 - (4) This designated menu alternate will be charged to the child’s lunch account at the standard lunch rate. It will be reported as a meal to the state and federal school lunch authorities and thus will be eligible for reimbursement. Parents/Guardians are responsible for payment of these meals to the food service program; and
 - (5) Once the child reaches the maximum meal charge, no a la carte items will be sold to the child and all transactions may become a cash basis transaction.
 - b) Middle school students (grade 6-8): will be allowed to charge up to a maximum dollar equivalent of two (2) meals which will be known as the “account cap”.
 - (1) These meals will include anything on the menu.
 - (2) Notices of low or deficit balances will be sent to parents/guardians at regular intervals during the school year.
 - (3) When the child reaches the “account cap” they will only be offered a designated menu alternate. Sample: Cheese sandwich + veggie sticks + fruit + milk
 - (4) This designated menu alternate will be charged to the child’s lunch account at the standard lunch rate. It will be reported as a meal to the state and federal school lunch authorities and thus will be eligible for reimbursement. Parents/Guardians are responsible for payment of these meals to the food service program.
 - (5) Once the child reaches the maximum meal charge, no a la carte items will be sold to the child and all transactions may become a cash basis transaction.
 - c) High school students (grade 9-age 22): will not be allowed to charge any school meals causing their school lunch account to go into a deficit balance.

d) **Employees:** Employees serve as a role model of financial literacy and the appropriate conduct during a sale of good or services in our community. Therefore, employees will not be allowed to charge any school meals causing their school lunch account to go into a deficit balance. Employees will be allowed to establish an Online Payment Center account to receive electronic low balance notices and make online payments. Employees should be mindful that their approach and behavior at the register translates to the expectation of students to be treated with care and respect. It also conveys to students to honor the established expectation that students and employees do not have negative account balances on a continuous basis.

3) **Balances Owed:** Collection of Balances owed will follow the School Committees' policies Student Fees, Fines, and Charges and Demand for Payment. This will apply to any account balances above the "account cap" at any time or after May 1, and any payments made by check that are returned to the district by the bank with notice of "insufficient funds." Balances may be checked at any time by logging into to the Online Payment Center or e-mailing the food service director. All accounts must be settled at the end of a school year. Letters will be sent home approximately four to five days before the last day of school to for students whose accounts are low.

a) **Checks Returned for Non-Sufficient Funds (NSF):** When a check is returned to the Treasurer's Office for "NSF", a letter will be sent to inform the parent(s) from the Food Service Director. Payment for the NSF check must be in the form of cash, cashier's check, or money order. Payment must be received within ten (10) days of the date of the letter. Any penalty fee will be made payable to the Town of Brookline and sent to the Food Service office. The penalty fee and the amount of the check will be deducted from the child/children's lunch account immediately upon notice from the bank and the above mentioned rules will take effect. Second requests will follow M.G.L. Chapter 93 § 40A.

b) **Balances Owed with no response by Parent/Guardian:** If the payment is not received, the Superintendent or his/her designee may take one or more of the following actions, unless or until prohibited by state law or regulation:

1. Delay the issuance of Report cards, transfer cards, and class assignments until obligations are met.
2. Prohibit participation of the student in the program.
3. Prohibit participation of student or other students in the student's household from participating in any future fee based program until or unless outstanding balances are resolved.
4. Prohibit student participation in senior activities or graduation exercises.
5. Referral to small claims court and/or District Attorney's office.

c) **Balances Owed with no response by Employee:** If the payment is not received, the Superintendent or his/her designee may take one or more of the following actions, unless or until prohibited by state law or regulation:

1. Prohibit participation of the employee in the program.
2. Garnish wages on the next employee's pay check

3. Referral to small claims court and/or District Attorney's office.
- 4) At the first of May the food service 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 including the account cap limits.
- i) Parents/Guardians will be sent a written request for "Payment in Full." (The deposit requests will be mailed home.)
 - (1) Students who forget money or have a zero balance will only be offered a designated menu alternate. Sample: Cheese sandwich + veggie sticks + fruit + milk
 - (2) This designated menu alternate will be charged to the child's lunch account at the standard lunch rate. It will be reported as a meal to the state and federal school lunch authorities and thus will be eligible for reimbursement. Parents/Guardians are responsible for payment of these meals to the food service program.
 - ii) All charges not paid before the end of the school year will be carried forward into the next school year.
 - iii) Seniors must pay all charges before receiving their cap and gown.
 - iv) All seniors will receive a notice in May of remaining money in their lunch account. They will receive a letter to elect to move money into sibling lunch account or to elect a refund. All refund requests will be sent to the Food Service Department and then forwarded to the Office of Administration and Finance for payment.
- 5) All school cafeterias possess computerized point of sale/cash register systems that maintain a record of all monies deposited and spent for each student and said record will be made available to the parent upon request. The Food Service Program or the school district's food service management company shall inform parents that meals can be paid for in advance and the balances maintained in their child's account to minimize the possibility that the child may be without meal money on any given day. If a student is without meal money on a consistent basis, the Office of Administration and Finance will investigate the situation more closely, including contacting the parent/guardian to bring money to the school and/or encouraging the parent to apply for free or reduced price meals.
- a) **Blocks on Accounts:** A parent may call the Food Service Director to place a block on their child's account to prohibit the purchase of a la carte items or set dollar cap. The School Business Manager may instruct the Food Service director to place a block on a student's account due to non-payment of district fees or other collection issues.
 - b) **Refunds**
 - i) Withdrawn Students: For any student who is withdrawn, a written request for a refund of any money remaining in their account must be submitted. An e-mail request is also acceptable.

- ii) Graduating Students: Students who are graduating at the end of the year will be given a refund. Funds can also be transferred to a sibling's account with a written request.
- c) **Unclaimed Funds**: All refunds must be requested within one year. Unclaimed funds will then become the property of the Public Schools of Brookline Food Service Program.

NOTE: All funds collected by the Food Service Program or a Food Service Management Company are the property of the Public Schools of Brookline under the authority of the School Committee. All funds are deposited into a bank account controlled by the Brookline Town Treasurer. It is from this fund that the Food Service Program or Food Service Management Company is paid for goods and services required to operate the program.

Legal Reference: **7 CFR 210**, Office of Management and Budget Circular A-87

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