

# Denying Food and Shaming Children: Unpaid School Meal Policies in Massachusetts

An Inventory of 154 Massachusetts School District  
Meal Charge Policies with Recommendations to  
Reduce Meal Debt and Reduce Shame



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## Acknowledgements

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This report is dedicated to the memory of Lauren Arms-Ledwith – a passionate, tireless anti-hunger advocate and former SNAP Director of the Massachusetts Department of Transitional Assistance. Lauren firmly believed that no child or adult should ever go hungry.

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## About the Massachusetts Law Reform Institute

Founded in 1968, the Massachusetts Law Reform Institute (MLRI) is a statewide nonprofit poverty law and policy center. Its mission is to advance economic, racial and social justice through a multi-pronged strategy that includes legal action, policy advocacy, coalition building, community engagement, and public awareness campaigns. MLRI specializes in large-scale initiatives and systemic reforms that: address institutional policies and practices that harm low income people; promote economic fairness and stability; and create pathways to opportunity and self-sufficiency for low income individuals, families and communities. In addition, MLRI serves as the statewide poverty law support center for the Massachusetts civil legal services delivery system, providing substantive expertise to local legal aid programs and also to social service, health care and human service providers, and other community-based organizations that serve low income people.

MLRI coordinates two statewide legal information websites: [www.masslegalhelp.org](http://www.masslegalhelp.org) (for individuals and social service providers seeking legal information to assist low income clients) and [www.masslegalservices.org](http://www.masslegalservices.org) (for legal aid lawyers and advocates).

For more information about MLRI, please visit our website at [www.mlri.org](http://www.mlri.org) or contact Executive Director Georgia D. Katsoulomitis at [GKatsoulomitis@mlri.org](mailto:GKatsoulomitis@mlri.org).



# Executive Summary

Massachusetts has a reputation of excellence in education. Every Massachusetts child is guaranteed a public education and our school districts spend an average of \$15,500 per student per year. Yet, with the exception of schools that provide universal free meals, our students have no guarantee they will be fed at school. Hunger and food insecurity impair learning and cause decreased productivity in school-age children. Not getting enough to eat on a regular basis delays a child's brain development, affects overall health, and substantially impacts his/her ability to learn. The indisputable connection between nutrition and learning makes access to school meals not only a health and nutrition issue, but also an important education issue.

## School Meal Programs in Massachusetts

Nearly 1 million children attend public schools in Massachusetts – spread between 1,859 public schools and 79 charter schools. Every Massachusetts public school, and most charter schools, participates in the National School Lunch Program (NSLP) and many participate in the School Breakfast Program. The NSLP, the nation's second largest food and nutrition assistance program, provides participating schools with federal funding for nutritionally-balanced meals at no-cost or low-cost meals to students. NSLP participation is associated with a 14% reduction in the risk of food insufficiency among households with at least one child receiving a free or reduced-price school lunch. As of October 2017, over 446,200 Massachusetts students were approved for free or reduced-price meal status for SY2017/18.

## School Meal Debt & Meal Shaming

Children who do not qualify for free meals based on family income, or who do not attend school in a district that provides universal free meals to all students, sometimes do not have money in their meal account or in-hand to cover the cost of the meal. School meal debt is an increasingly common problem for school districts, for families, and for students throughout Massachusetts and the nation – and it is often the first sign that a family may be struggling financially.

When a child has no money in his/her meal account and no money in hand to pay, school districts use various practices which are, presumably, intended to shame the parents but that actually humiliate and punish the child. These include: dumping a child's lunch tray into the trash and instead serving a cheap sandwich in place of the hot meal; prohibiting students from participating in any school related extracurricular activities (sports, field trips, plays); withholding report cards or other documents from the family; and other practices involving children in the pursuit of debt, which may well violate Massachusetts Debt Collection laws. School meal debt—something a child has no control over—becomes a badge of shame that unnecessarily creates a stigma with peers and undermines academic achievement. Meal shaming punishes a child whose family may be facing significant economic challenges and hardships.

## School Meal Debt Practices in Massachusetts - Our Findings

In 2016, USDA issued guidance that required all NSLP participating districts to develop policies for unpaid school meal charges and to clearly communicate these policies by July 1, 2017. During the fall of 2017, the Massachusetts Law Reform Institute (MLRI) conducted an inventory of 154 Massachusetts public schools.

This report documents the range of district meal debt policies and summarizes the national research documenting the impact of food insecurity on education.

Our findings include:

- One-quarter of Massachusetts school districts with 20% or more economically disadvantaged students do not have a publically-posted meal charge policy.
- 28 school districts in this inventory, mostly secondary schools, have implemented “no charge” meal policies– which mean that students without money don’t eat.
- The majority of elementary and some secondary schools impose “meal account caps,” after which a student who has reached the cap receives an inferior “alternate meal.” This is typically a cold cheese sandwich. Although not specified in district policies, cafeteria staff confirm that when child reaches the cashier and has meal debt – a cheese sandwich is usually swapped in, the hot meal tossed out.
- 27 elementary schools and 34 secondary school districts have policies that directly punish students, and often their siblings, for school meal debt. This includes barring students from extra-curricular activities or graduation exercises. And quite a few districts instruct cafeteria staff to speak directly to a student about debt.
- 24 school district policies authorize use of collection agencies for meal debt, which invariably causes higher fees or interest, and some school district policies threaten DCF referrals due to meal debt.

## Stop Shaming, Start Feeding: Our Recommendations

In this report, we examine and outline meal debt initiatives and best practices from sister states as well as a handful of Massachusetts local districts. Recognizing the detrimental effect that meal shaming has on children, during 2017, four states passed statewide anti-shaming legislation and/or state-wide policies: California, New Mexico, West Virginia and Oregon. On January 16, 2018, New York Governor Andrew Cuomo filed a comprehensive “No Child Goes Hungry” initiative in his FY 2019 state budget to ensure that all K-12 students are fed, no child is shamed, and meal debt remains an adult-to-adult problem to solve.

We look to these states and the policies they have advanced in urging our school districts, state agencies and Massachusetts Legislature to embrace pro-student practices that will:

- Ensure all children are fed and ready to learn by abandoning “no charge” and meal cap policies.
- Eliminate the humiliating “cheese sandwich” and tossing of a hot meal.
- Embrace district practices that enroll more children in free meal status, reduce household debt and increase federal meal reimbursement.
- End policies that punish students and their siblings by barring them from extracurricular activities, school dances, sports or graduation exercises due to debt.
- Require that all meal debt communications remain between adults – school administrators and parents or legal guardians of students.
- Abandon debt collection practices that saddle families with more debt with fees or threaten DCF involvement merely due to debt.
- Develop a statewide policy, informed by stakeholders including low income parents, teachers and cafeteria staff.

**Massachusetts is a national leader in education – now it is time for the Commonwealth to ensure that no child in our state will be denied a school meal or be shamed because of a family’s school meal debt.**

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“After the children queue up for food and make their selection, they carry their tray to the cashier and key-punch their student meal number or have the cashier look it up by name. The cafeteria cashier pulls up each student’s account. If the child has no cash on hand, or a negative balance beyond the allowable charge amount, the cashier makes the letter “C” with her hand. This is supposed to be a silent signal to the food line serving staff. One of the food line workers then stops what she’s doing, takes two slices of bread and a slice of cheese, puts it on a plate and comes over to the child waiting to check out. She swaps out the hot meal plate for the cold cheese sandwich. We have to throw the hot meal away because it was already served to the child. Some of the kids are upset, they don’t understand why. Some kids even cry. Of course, all the children in the line see that the child ahead was handed a cheese sandwich. It’s no secret.”

(As of 11/22/17, the Northbridge Food Services alerted all cafeteria staff that only a cheese sandwich (no fruit or vegetable) will be served to students in debt, and a single cheese-stick if the student requests breakfast.)

*Wendy Timmons, AFSCME Staff Representative, Western, MA  
Former cafeteria worker fall of 2017, Northbridge Middle School*

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## Background: Meal Debt in Massachusetts School Districts

Nearly 1 million children attend public schools in Massachusetts – spread between 1,859 public schools and 79 charter schools.<sup>1</sup> Every Massachusetts public school, and most charter schools, participates in the National School Lunch Program (NSLP). This federally-supported meal program provides participating schools with funding for nutritionally-balanced meals at no-cost or low-cost meals to students.

Many school districts also participate in the School Breakfast Program (SBP), which offers breakfast to K-12 students in participating schools either before or after the first bell. Currently, 846 Massachusetts schools in 162 districts are mandated to serve breakfast.<sup>2</sup> According to the Food Research Action Center (FRAC), SBP participation of low-income children increased in SY2016/17 to slightly over half of otherwise eligible children.<sup>3</sup> Yet much more is needed to ensure all eligible Massachusetts children receive breakfast, including mandating that high poverty schools serve breakfast after the bell.<sup>4</sup>

As of October 2017, over **446,260** students were approved for free or reduced-price meal status for SY2017/18 – including 421,644 free meal and 24,618 reduced-price meal status students.<sup>5</sup> This includes students in districts and individual schools that provide universal free meals to all students through the “Provision 2” option<sup>6</sup> or Community Eligibility Provision (CEP)<sup>7</sup> – federal options available to school districts with a high percent of low-income students.

Students who do not qualify for free or reduced-price status meals may purchase “full-pay” hot meals, for which they are charged between \$1.50 and \$3.50 per meal. Districts still get partial federal reimbursement for every meal served as well as free federal commodities used for all meals.<sup>8</sup>

**Unpaid school meal debt** is increasingly a common problem for school districts, for families and students throughout Massachusetts and the nation.

According to the national School Nutrition Association, approximately 76% of school districts throughout the United States report outstanding meal debt in SY14/15, an increase from 71% in SY13/14.<sup>9</sup> Massachusetts school districts face the same challenges feeding students and collecting meal fees. Indeed the majority of districts operate their food services programs on a “self-supporting” basis, requiring all food and preparation costs to be covered. Yet the presence, and growth, of unpaid meal debt also highlights the growing economic challenges families face in this economy – as well as the importance of districts issuing clear, consistent and publically accessible policies that may impact thousands of students and their families.

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**School meal debt may be the tip of an iceberg of a family’s economic crisis.**

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Massachusetts districts routinely distribute the NSLP application for free/reduced-price meals to all families before the start of a school year. Nonetheless, community advocates report that many families with meal debt are not aware they can apply for free or reduced-price meals *any time* of the year, such as after loss of a job or birth of a child.

Meal debt also can be the result of a district’s failure to take steps to maximize federal nutrition reimbursements such as. Legal Services advocates have represented families where the districts did not accurately check if the student received a federal benefit (TANF, SNAP or Medicaid) that should have automatically triggered free meal status. Other district do no routinely check “partial match” data often caused by misspelled names or transposed birth dates, or the district does not routinely cross-check student addresses with siblings who receive a qualifying benefit that would allow the district to directly certify all children in the home.<sup>10</sup> And some districts saddle low-income families with debt by requiring a low-income family to pay full-price for meals pending district action on the free/reduced-price meal application.

Meanwhile, front-line cafeteria workers are placed in the uncomfortable role of “food police” – exchanging and tossing a hot meal for a cold sandwich, advising hungry students there’s no money on their “school bucks” account, or simply forced to not serve food to a student until their parents pay up. Teachers then struggle to teach hungry, frustrated students back in the classroom.

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“No one, not an educator, cafeteria worker or administrator should ever be put in the position of refusing a student a filling and healthy meal. Nor should any student be made to be embarrassed by her family’s inability to afford a meal. The answer to these issues lies in robust school funding that includes meals and political action to end the profound economic injustice in our communities.”

*Barbara Madeloni, President, Massachusetts Teachers Association, February 2018*

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MLRI’s report highlights the range of practices across Massachusetts school districts, both positive and negative meal charge policies. It includes recommendations urging districts to feed all children regardless of debt, reduce school meal debt on families, and avoid policies designed to embarrass or punish a child.





## Research on Food Security and Educational Outcomes

Massachusetts school districts spend **an average of \$15,500 per student per year** – ranging from almost \$11,000 in East Bridgewater, Grafton and North Attleboro to nearly \$30,000 on Martha’s Vineyard and Cambridge MA.<sup>11</sup> Yet, with the exception of districts or individual schools that provide universal free meals through CEP or on MCAS testing days – Massachusetts schools do not guarantee students are fed during the school year.

Hunger and food insecurity impairs learning and decreases productivity of school age children.<sup>12</sup> Extensive national research confirms:

### 1. Education outcomes decline when children are food insecure:

- Food-insecure children are twice as likely to both internalize and externalize behavior as compared to food secure children, affecting levels of depression and self-doubt and aggression or arguing.
- Food insecure children are more than twice as likely as their peers to have seen a psychologist, almost three times as likely to have been suspended, almost twice as likely to have a lot or some difficulty getting along with others, and four times as likely to have no friends.
- A student living in a household with food insecurity is twice as likely to develop overall mental health problems as compared to a food secure peer, and has an increased risk for conduct problems (such as fighting or cheating) and peer relationship.
- Hunger and food insecurity can lead students to have a harder time concentrating in class, significantly higher levels of hyperactivity and inattention compared to their food secure counterparts. These students are more likely to be tardy or absent from class and/or repeat a grade.

### 2. Well-nourished children have improved educational outcomes:

- Participation in free or reduced-price school lunches is estimated to reduce rates of poor health among children by at least 3.8%.
- School meal participation is associated with a 14% reduction in the risk of food insufficiency among households with at least one child receiving a free or reduced-price school lunch.
- Low-income students who eat both school breakfast and lunch have significantly better overall diet quality than low-income students who do not eat school meals. Properly nourished children more actively participate in the education experience, which benefits them, their fellow students, and the entire school community.
- School breakfast, including breakfast offered at no cost to all students in a school, has been linked with fewer visits to the school nurse, particularly in the morning, and positive impacts on mental health, including reductions in behavioral problems, anxiety, and depression.
- Students who participate in school breakfast show improved attendance, behavior and academic performance as well as decreased tardiness. National research strongly suggests that breakfast consumption may improve cognitive function related to memory, test grades, and attendance.

For a compendium of national research on child nutrition programs on children, see the Food Research Action Center (FRAC) *Hunger and Health Report* (December 2017): “The Role of the Federal Child Nutrition Programs in Improving Health and Well-Being.”<sup>13</sup>

## Federal and State Guidance on Unpaid Meal Policies

### FEDERAL Guidance:

In 2014, the U.S. Department of Agriculture (USDA) solicited public input on the issue of unpaid school meal debt and alternative meal policies in response to Section 143 of the 2010 Healthy, Hunger Free Kids Act.<sup>14</sup> Congress directed USDA to evaluate and report on state and local meal charge policies and use of alternative meals, including the impact of overt identification of children. USDA received 463 comments through on-line submissions.<sup>15</sup>

The American Federation of Teachers (AFT) surveyed approximately 200 of its members in the fall of 2014 on the effect of alternate meals and school meal debt. The AFT submitted its findings to USDA on January 14, 2015, with the following conclusion:

*“At the end of the day, the health and well-being of our children comes before the bottom line. Denying a child food, excluding a child from school activities or marginalizing a child goes against the AFT’s mission and mission of FNS, which is ‘to provide children and needy families better access to food and a more healthful diet through its food assistance programs and comprehensive nutrition education efforts.’”<sup>16</sup> (Emphasis added).*

The USDA Food and Nutrition Service (FNS) briefly formed a working group with state and national anti-hunger advocates, including MLRI, to discuss school meal debt recommendations. National and state advocates urged USDA to issue guidelines that would require school districts participating in the NSLP to ensure all students are offered a regular hot meal regardless of debt or insufficient funds, require districts to address meal debt directly with parents and avoid actions that punish or embarrass a child. In July 2016, USDA issued guidance to school districts that participate in the NSLP programs, urging school districts to *“adopt policies that allow children to receive the nutrition they need to stay focused during the school day”* and *“minimize identifying children with insufficient funds to pay for school meals.”*<sup>17</sup> USDA directed all school districts to develop and issue meal charge policies by **July 1, 2017**.

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*“FNS has determined that students and their parents or guardians also must be informed about how students who pay the full or reduced price cost of a reimbursable meal are impacted by having insufficient funds on hand or in their account to purchase a meal. Therefore, no later than July 1, 2017, all SFAs (school food authorities) operating NSLP and/or SBP must have a written and clearly communicated meal charge policy in order to ensure a consistent and transparent approach to this issue. Policies developed at the SFA level must be provided to the State agency during the Administrative Review.”*  
FNS SP 46-2006. (Emphasis added).

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In 2017, USDA updated its detailed manual of model policies, *Overcoming the Unpaid Meal Challenge: Proven Strategies from Our Nation’s Schools*, designed to give districts schools the tools to minimize debt.<sup>18</sup>

**However, USDA did not establish national standards for how districts should handle meal debt nor basic criteria to protect students against being shamed or left hungry due to meal debt.**

## STATE Guidance:

The Department of Elementary and Secondary Education (DESE) is the state agency that administers the NSLP in Massachusetts, overseen by the Board of Elementary and Secondary Education (BESE).<sup>19</sup> DESE's Office of Food and Nutrition tracks district reimbursements for the NSLP, conducts initial direct certification data matches for districts, reviews district requests to provide universal free meals through Provision 2 and the Community Eligibility Provision (CEP), and participates in DESE's tri-annual administrative reviews of school districts to ensure district compliance with the NSLP rules.<sup>20</sup> In 2015, Massachusetts switched to a new "economically disadvantaged metric" for purposes of distribution of Chapter 70 funding,<sup>21</sup> the same metric used by districts for determining if the district or individual schools within a district have a sufficient "identified student percentage" (ISP) to qualify for CEP universal free meal eligibility.

In recent years, DESE has made a number of improvements to the state's "direct certification" process, including improving the initial centralized data match between students and the core programs that trigger a child's direct certification status (SNAP, TANF and Medicaid); improving the matching algorithm to help reduce "partial matches;" and providing policy guidance and technical assistance offered to school districts to help them improve their data to qualify for the CEP (universal free meal) option and state education funding.<sup>22</sup> In collaboration with UMass Extension, DESE has posted instructional videos to assist districts with trouble shooting direct certification and verification of free/reduced price meal status, and releases a quarterly *Making it Count!* newsletter to highlight available grants, recent policy changes and best local district practices.<sup>23</sup>

In its Fall of 2016 *Making it Count* newsletter,<sup>24</sup> DESE highlighted the July, 1, 2017 USDA deadline for issuing meal charge policies. DESE included specific questions the districts should address in their policies (see below). DESE further advised districts that "Meal charge policies must be provided in writing to all households at the start of each school year and to households that transfer to the school during the school year."

Although USDA expressly gives states the option to issue a statewide meal charge policy – **neither DESE nor BESE currently requires local school districts to implement a uniform policy.** Neither DESE nor BESE mandates districts include basic criteria to ensure students are not shamed or left hungry due to meal debt.



## Methodology for Massachusetts Inventory

Between October 2017 and January 2018, MLRI conducted a content review of school meal policies from **154 public school districts**. First, we reviewed 124 school districts identified by DESE that have 20% or more “economically disadvantaged” students<sup>25</sup> to determine if the districts posted on-line meal charge policies and the content. We excluded charter schools and districts with community eligibility provision (CEP) schools. Second, we looked at an additional 30 districts with 5% to 20% “economically disadvantaged” students where the district posted its meal charge policy. **Appendix B** lists the district policies in effect as of February 1, 2018.

For the first set – 124 districts with 20% or greater economically disadvantaged students– we attempted to locate district policies, including any communication intended for families, on the following locations:

- the district and/or local school’s main web page,
- the district’s “Nutrition Director” or “Food Services” webpage where lunch menus and information on free/reduced price applications are typically posted,
- the district or an individual school’s “Parent/Student Handbook,” and
- the district or School Committee’s “Policy Manuals.”

Where we found meal charge policies, we evaluated whether the policy addressed the core questions raised by DESE in its communication to districts regarding the 2016 USDA meal charge guidance,<sup>26</sup> as follows:

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### ***Items to address when reviewing your meal charge policy:***

- *If alternate meals are offered, what do they contain? Are they provided at some charge, at a lesser charge, or at no cost?*
  - *How is overt identification of students with a low or negative balance prevented?*
  - *Is there a limit set on charges a child may make?*
  - *What are the procedures to collect delinquent meal charge debts?*
  - *Are school officials involved in the development of the meal charge policy to ensure buy-in from key stakeholders?”*
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In addition to reviewing information posted on school district websites, MLRI interns made calls directly to some of the food service directors to ask where we could find the district meal charge policy.

It is possible that school districts sent information packets to parents/caretakers regarding their school meal debt policies before the start of school by direct mail, email or “backpack” delivery through a child. However, we found the majority of schools do not post these communications to parents in easy-to-find locations on the district’s websites. Further, school mailings sent before or at the start of the school year – often with multiple documents about the school year calendar, snow day policy, forms requesting proof of immunizations and more – do not ensure families reliably know or remember the policy. Finding these policies is especially challenging for families who experience a job loss or family crisis during the year.

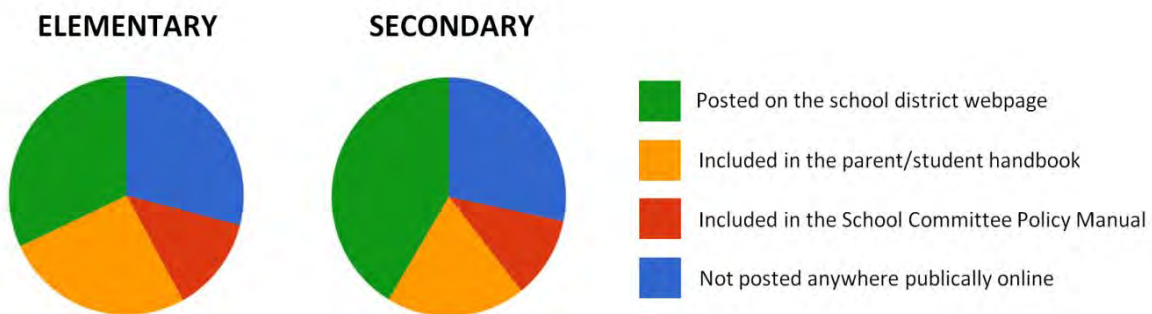
## District Posting of Meal Charge Policies

Despite the fact that USDA’s 2016 guidance required NSLP-participating districts to issue and distribute a “written and clearly communicated meal charge policy” by July 1, 2017, **the availability of meal charge policies is highly inconsistent – to non-existent**. Most district websites and/or individual schools post basic information on the daily cost of a school breakfast or lunch, the menu options for the week or month and basic information with links about how to apply for free and reduced-price NSLP meals. But a significant number of districts did not have any publically available policies.

Some districts and individual schools included the meal charge policy in their SY17/18 Student Handbooks, or Parent/Student Handbooks – but even these documents were sometimes hard to navigate PDFs. For example, the Montachusett Regional Voc-Tech SY17/18 Student Handbook is a 270 page pdf. Other districts with K-12 schools posted their meal charge policies for elementary schools but not secondary schools. And many of the districts that posted meal charge policies had not updated the policies since July 2017 to address the concerns raised by USDA and DESE.

**Of the 124 school districts with 20% or greater “economically disadvantaged students”**(non-CEP/non-charter), we found the following differences between elementary and secondary schools:

Location of publically-posted school meal charge policies within districts:	Elementary	Secondary
Posted on the school district main webpage or Food Services webpage – often co-located with information on NSLP applications and/or school lunch menus and cost of meals.	30.6%	41.6%
Included in the Parent/Student Handbook, but <u>not</u> on Food Services webpage.	25.8%	19.8%
Included in the School Committee Policy Manual - but <u>not</u> on main webpage or Parent/Student Handbook.	13.0%	10.9%
<u>Not posted</u> in publically accessible location on the district or school websites.	30.6%	27.7%



## Summary of Findings from Meal Charge Policies

### 1. “No charge” meal policies and account caps

Students without money to pay for a meal are simply not fed. At least 28 secondary schools, and a growing number of middle schools, have implemented “no charge” policies, or, at best, one “emergency meal” and then no charge. More common in elementary and middle schools, districts set an “account cap” of meals student may charge above which the student is either denied a meal or served the “alternate meal.” In many schools, the meal charge policies, perhaps appropriately, also restrict student purchases of “competitive foods” from lunch room “snack carts” if students have debt.

### 2. Cold sandwiches and tossing of hot meals

Prevalent in all schools is the ubiquitous “cheese sandwich” (or PB &J or “sun butter” alternative). Most district meal policies direct cafeteria staff to provide this “alternative meal” to students who either have no money or have reached their “account cap.” An equally disturbing practice – which is not spelled out in the school meal policies – is the requirement that cafeteria workers toss the regular hot meal selected when a child with meal debt reaches the cashier. Further, while some districts charge a nominal fee, most district policies instruct food services staff to charge the full-price “standard amount” for the cold alternative meal, as if the student received the hot standard meal.

### 3. Punishment of students through activity restrictions on them or siblings

More than 34 districts with posted policies authorize school officials to bar students with debt from sports, dances or other extra-curricular activities, as well as deny a cap and gown at graduation. And at least 15 districts expressly state that any *sibling* of a student with meal debt will suffer the same punishment.

### 4. Direct communication with students about debt

Many district policies authorize or direct food services or other school staff to speak directly with students about an unpaid meal debt and/or bring home invoices or other communications.

### 5. Threatened referrals to DCF, District Attorney and/or credit collection

Some district policies allow for referrals to the Department of Children and Families (DCF) where a family’s meal debt remains unpaid. And more than 24 district policies allow for referrals to private credit collection agencies in addition to Small Claims Court and/or the District Attorney’s Office.

### 6. Policies or practices that under-claim federal meal reimbursement

A small number of school districts require families who have filed for free or reduced-price meal status to pay for meals *until* the district has approved the application – despite federal law authorizing the school to get reimbursement. Very few districts expressly cite the NSLP policy that allows a principal or other school official to file a NSLP application on behalf of a child in need. And less than a dozen districts include language that requires the district to affirmatively help families in debt with applying for free/reduced price meal status.

**District practices designed to humiliate or pressure students may well violate state Debt Collection laws – including school communications with children, serving a cold sandwich, restrictions on student activities.**

## Detailed Findings

### A. No meal charges allowed/No meal served

Of the total 124 districts in the inventory with posted meal charge policies, nearly one-quarter (24%) of secondary schools have a “no charge” rule for their students. A handful of middle schools (grades 6-8) include similar no-charge policies. This means NO food is given to any students unless they have pre-paid credit or cash-on-hand. Some high schools, such as Minuteman High School in Lexington, included language in their policies for students without money, urging them to “*borrow it from a friend.*”

Common language included in **high school district** meal charge policies includes:

- Students at the High School and Middle School levels are not permitted to charge a lunch. (Franklin).
- NO CHARGING IS ALLOWED. A student is allowed to charge 1 meal under certain circumstances. They are told to bring money in the next day or a substitute meal will be offered. (Holbrook)
- There is no charging allowed in the cafeteria. If a student does not have money to pay for lunch, try to borrow it from a friend. If that is not possible, please see the Food Services director before getting into the lunch line. (Minuteman Regional H.S., Lexington)
- Students who wish to obtain food in the cafeteria must pay in full at the time of purchase... There is no charging at all. (Bristol-Plymouth Regional Tech H.S.)
- Charging of food from the Food Service Division will not be allowed. (Monson)
- Charging is not permitted. All payments are expected prior to or on the day your child will eat a cafeteria-provided lunch. (Wellfleet Elementary)
- Lunch cannot be charged. A student needs cash or a balance to their account. (South Hadley)
- If your child does not have money, they will not receive breakfast at school, but an alternate lunch will be provided. (Palmer Elementary)



The vast majority of **elementary schools** with posted meal charge policies will serve students a meal when they have meal debt or no cash, although this varies between serving a standard “reimbursable meal” to the “alternate cheese sandwich.” Conversely and notably, the Amherst/Pelham Regional School Committee abandoned all “meal shaming” policies last June, announcing all students will be fed and will receive a reimbursable meal.<sup>27</sup> See **Appendix C** for copy of Amherst/Pelham policy.

A number of districts with “no charge” policies do allow one extra or “emergency” meal, more often at the high school level. This includes Abington, Bourne, Easton, Milford, Holbrook, Norwood, Oxford, and Hull.

For example, Abington’s policy states: “Students may charge up to the equivalent of one (1) lunch. *This is done with the expectation of prompt reimbursement.* If, after the one meal limit is reached, payment is not received, the students account is suspended.” And Easton’s policy states: Students in Grades 9-12 will be *allowed to charge one meal.*” (Emphasis added).

The no-charge policy surfaced in districts that use in-house food service operations as well as out-sourced private contractors that use Aramark, Chartwells, Sodexo or Whitsons. MLRI did not analyze whether no-charge practices are more prevalent in out-sourced versus in-house food services providers.

## B. Widespread use of Account Caps

60 elementary and 43 secondary schools in this inventory stated unpaid meal “account caps,” above which the school will offer either an alternative meal or nothing. Account caps varied from 1 unpaid meal to 10 or more, or with a cash threshold from \$5 to \$20. Elementary schools tended to allow higher caps, significantly fewer in secondary schools or a “no charge” policy. Students with reduced-price meal status were also given slightly higher account caps.

## C. The Alternative Meal/Cheese Sandwich

58 elementary and 39 secondary schools offer students an “alternate meal” when the student reaches the account cap. Also referred to as a “substitute,” “discretionary” or “differentiated” meal, this alternate meal is typically a cold cheese sandwich – or a peanut butter or “sun butter” sandwich – generally accompanied with a fruit or vegetable and milk. Some elementary schools with “no charge” policies will serve the cheese sandwich immediately if a child has no meal credit or cash on hand. Other districts serve this when the child reaches the “account cap.” Typical language in school meal charge policy states:



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“When the child reaches the “account cap,” they will only be offered a designated menu alternative. Sample: cheese sandwich + veggie sticks + milk” or “If a student forgets or has lost their money, a cheese sandwich and fruit will be offered at lunch time.”

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**Tossing food:** Although not stated in district meal charge policies, school cafeteria workers confirmed that public health and sanitation rules requires *staff to throw away any food touched by the student* – including the standard meal taken from a student and replaced with a cheese sandwich. The message this practice sends to students who witness their own or another’s hot meal tossed can be emotionally devastating. In its guidance issued in May 2017, USDA recognized that *“alternate meals stigmatize children, embarrassing them and negatively impacting the rest of their school day.”*<sup>28</sup> **But neither USDA nor DESE have issued guidance to prevent school districts from going down this path.**

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*“Despite strong efforts and best intentions, the use of alternate meals discriminates against students, in particular students whose families may already live in a precarious financial situation.”* And quoted one of its West Virginia Food Service workers who stated: “I will never support a system that singles out a child to an alternate meal because parents didn’t pay. *No matter how discrete you are in your collection effort, as soon as that child is handed a ‘cheese sandwich,’ you have stripped him of his privacy and dignity.*” American Federation of Teachers, 1/14/15 letter to FNS, pg 2.<sup>29</sup> (Emphasis added.)



Massachusetts educators agree – embarrassing a student with a cheese sandwich and swapping out the standard meal humiliates and shames the child for the parent’s debt. Such policies may also violate the Massachusetts debt collection laws, discussed below.

An additional note: School districts that serve only 1 or 2 food items cannot claim any USDA reimbursement. Some district policies include language stating that if a student reaches the “account cap” and does not have cash on hand, he or she will be “*provided with a single alternative meal item, such as a cheese sandwich.*” Yet, a single meal item does not meet the USDA criteria as a reimbursable meal. School districts can only receive NSLP reimbursement if the meal served meets the USDA nutrition standards, including at least three (3) meal components.<sup>30</sup>

#### D. Fees charged for alternate meals

We found substantial inconsistency among school districts on whether and how much would be charged for the inferior “alternate” meal. The policies ranged based on student meal status and school policy.

- **Full charge for meal:** Most district meal policies state the alternate meal (cheese sandwich or PB&J) will be charged to the student’s meal account at the “standard lunch rate” or “regular rate.” That means the family is charged for the full reimbursable meal – such as \$2.50, \$3.00, \$3.25 for lunch – despite the child receiving an inferior meal. Examples of districts that charge the “standard rate” for the alternate meal include: Abington, Andover, Ayer, Cape Cod, Dartmouth, East Brookfield, Groton/Dunstable, Hudson, Lee, Marlborough, Milford, Norwood, North Reading, Reading, Saugus, Seekonk, Wakefield, Westwood and Woburn. None of the meal charge policies, including those contained in school committee manuals, explain the district’s rationale for charging the full meal rate for an inferior meal, charges which further burden families with more debt.
- **No fee/nominal fee:** Conversely, a number of districts elected policies that offer the alternate meal/cheese sandwich at *no charge* to the student, such as the Palmer, Methuen and Essex Tech High Schools. The meal charge policies advised families the alternate meal is “free of charge” or provided “at no cost.” A handful of districts – including Marion, Leominster and Winthrop – charge a nominal \$1 or less, perhaps in recognition of the fact that the actual food cost for these inferior meals is much less than the hot meal.
- **Reduced-price meal status:** Most districts allowed reduced-price status students to have a higher “account cap” before an alternate meal, but did not state how the family would be charged for that meal once in debt. Assuming the alternate meal met the food components of a “reimbursable meal,” the student should only be charged no more than the \$.30 breakfast and \$.40 lunch fee that would be otherwise charged. Some district meal charge policies imply the family may be “charged the standard rate” once in debt, but the policies do not clarify the amount.

#### E. Payment for meals pending approval of NSLP application and carry-over status from prior school year

Four districts – Hudson, Millbury, Lunenburg and Ware – include language in their meal charge policies that requires families to pay for any meals served to the student prior to the district’s approval of the NSLP free/reduced-price application. This is a disturbing practice, especially given that USDA policy guidance

specifically advises school districts that they may seek reimbursement for meals served as of the date that the NSLP application was received and the family was otherwise free/reduced-price eligible.<sup>31</sup> For example:

- “Remember that you may have applied for free or reduced price meals and have a pending application but you must still pay for all school meals until you receive an Approval Letter.” (Ware)
- “Parents are responsible for meal charges until notification of (NSLP) benefits is received.” (Hudson)

One school district, Montachusets, states that “Returning MRVTHS students who were eligible for free and reduced lunch last year will continue on the same status *for the first two (2) weeks of school only.*” However, the NSLP federal rules permit district to extend that status for up to 30 operating days from the start of the new school year<sup>32</sup> This 30 day window gives the district time to conduct the direct certification process and a family time to file an NSLP application if not directly certified. The start of a school year is also an important time period during which family income may shift from temporary or seasonal employment, where a family is sorting out their anticipated annual income.

Several other districts include language on their webpage regarding NSLP that states: “Your child’s application is *only good for that school year and for the first few days of this school year.*” (Minuteman, Oxford, Monson, Easton, Tisbury, Agawam, Dartmouth). While all districts urge potentially eligible families to promptly file the NSLP application at the start of the school year, this statement is misleading and may well cause food services departments to bill families versus pursue the full 30 days of USDA reimbursement.

## F. Meal debt communications with students versus parents

Many districts have policies that either permit or require school staff to communicate meal debt directly to students and/or make students the messengers to communicate debt to parents. Beyond directly embarrassing students, this puts food services workers and even teachers in the middle of difficult conversations with children who often look to them for support and comfort. For example, some school charge policies state:

- Middle school students who forget their lunch money are given a PB&J (or a Sun butter...) and an envelope with their name, date and amount owed and are asked to return it with payment the following day. (Beverly)
- The cashier should remind the student of their negative balance and instruct students to pay their negative balances. (Somerset)
- Tell students to bring in money the next day or a substitute meal will be offered. (Holbrook)
- The student should see the cafeteria manager prior to getting into the food line. (Upper Cape)

**On the positive side**, some districts include language that affirmatively states school staff will communicate solely and directly with parents and not the children. The district policies range from the Food Services staff sending a letter or email directly to the parent or asking a guidance counselor or school business office staff to follow up directly with the parent. And a number of schools state their policy is to include a free/reduced-price NSLP application with all written communication on the meal debt including the districts of Amherst/Pelham, Whitman/Hanson, Essex Tech, Leominster, Malden, Marlborough, Middleborough, Monomy, Blackstone/Millville, South Berkshire Mt Everett Regional and Ware.

## G. School punishment of students for meal debt

27 elementary districts and 34 secondary districts employ a range of practices – beyond account caps and cheese sandwiches – directed at students in order to pressure parents or guardians into paying off a debt.

District policies directed at students:	Elementary: 27 districts	Secondary: 34 districts
Student may be prohibited from participating in any school related fee-based activities such as sports, field trips, plays.	18	18
Senior barred from receiving certificate of graduation, barred from receiving cap and gown at graduation, or barred from participation in senior activities or graduation exercises.	n/a	31
Student prohibited from further participation in the food service program	9	8
Report cards, class assignments or other documents withheld from family	15	18

The threatened meal debt consequences that directly impact students are sometimes described in letters sent to families or Parent/Student Handbooks, but the majority of these policies seem to be detailed only in School Committee Manuals that are not easily accessible to families. These punishment policies are apparently in some districts with as few as 3 meal charges or \$15 of debt. Barring students with meal debt from even purchasing their cap and gown at graduation forces them into a public “walk of shame” upon completion of high school.



**Sibling punishment:** Additionally, 15 school districts that specifically include policies authorizing similar punishment of other students living in the same household as a student with debt. These meal charge policies states these siblings may also be barred from sports and other extra-curricular activities. Examples include Saugus, Swansea, Groton, Woburn, Quabbin, Reading, Seekonk, Holliston, Chelmsford, Lee, Leicester, Marlborough, Wakefield, Hudson, and Lexington.

### **Massachusetts Debt Collection Law**

Massachusetts General Laws Chapter 93, § 49 prohibits the collection of a debt in an “unfair, deceptive or unreasonable manner.” The law expressly prohibits debt collection practices whereby a creditor “*communicates, threatens to communicate, or implies the fact of such debt or alleged debt to a person other than the person who might reasonably be expected to be liable therefor.*” M.G.L. c. 93 § 49(a), The law further prohibits creditors from communicating with a debtor “*in such a manner as to harass or embarrass the alleged debtor*” including by “*threats of any action which the creditor in the usual course of business does not in fact take.*” M.G.L. c. 93 § 49(c).

Massachusetts school districts may well be in violation of Massachusetts debt collection law if they try to communicate with parents through their children, or if they directly or indirectly “imply the fact of” a school meal debt to large portions of their student population, especially when they humiliate individual students in ways that recognizably signify school lunch debt.

Even young children can soon come to understand why a cafeteria worker has dumped a hot lunch in the trash when a classmate reaches the register, or why one child has to make do at lunch with a cheese sandwich while the rest do not. Further, barring or threatening to bar students as well as siblings from extracurricular activities or graduation—school activities which bear no relationship whatsoever to meals, fees, or debt collection whatsoever—may also violate this statute.

## **H. Referrals to Private Debt Collection Agencies**

At least 24 district policies include language – typically contained within School Committee policy manuals – directing the district to refer unpaid meal debt to private debt collection agencies. Examples include Somerset, Leicester, Quabbin, Ayer, Lee, Marion, Swansea, Groton, Auburn, Monomoy, Woburn, Attleboro, Marion, Marlborough, Spencer and East Brookfield.

The referral to a collection agency is triggered by either a threshold dollar amount of debt and/or specific number of “no action” days from the family. Private debt collection practices invariably burden families with even more debt through both interest and fees from collection actions. It can also ruin the credit rating for many families. Examples of unpaid meal charge policies that specifically reference use of private debt collection agencies include:

- “When account deficit exceeds \$15 and if the parent(s)/guardian(s) have not made any payments... within 30 days, the administration may: Refer the account to a collection agency, initiate a Small Claims Application....” (Auburn)

- “When the account exceeds \$25 ... no payments within 30 days.... refer the account to a collections agency...” (Leicester)
- “Formal collection activity by court or agency can be initiated on any account 60 days in arrears.” (Ayer/Shirley)
- “Unresponsive after 30 days: ... Refer to small claims court and/or Collection Agency.” (Hudson)
- “Lunch accounts with negative balances in place for ninety days that reflect no payment effort will be turned over to an outside collection agency.” (Lunenberg)

## I. Referrals to Department of Children and Families

A small number of districts include language in their meal charge policies suggesting that a family may be reported to the Department of Children and Families (DCF) for failing to pay their meal debt. For example:

- “If the charge balance has not been paid within the expected time of the written notification and pattern of not providing a bag lunch or money for the child is noted, the Massachusetts Department of Children and Family Services may be informed of this situation.” (Westport)
- “If balances remain unpaid, the superintendent reserves the right to take action such as filing with Small Claims Court, debt collection agencies, or the Department of Children and Families.” (Gloucester).
- “The Department of Elementary and Secondary Education has suggested that the parents of children, who have charged meals and have failed to submit payment, and continue to send their child to school with neither a bag lunch nor money to purchase a school meal, be reported to Emily Rockwell, Coordinator of Child Welfare and that a 51A could be filed.” (Beverly)
- If a student is without lunch/lunch money on a regular basis, the building administrator or designee will investigate the situation and take further action as needed including encouraging the parents to apply for free and reduced lunch and/or making referrals to outside agencies or filing a 51A.” (Lunenberg)

While schools are indeed mandated reporters, financial debt is not the standard for “abuse and neglect” under Massachusetts law, M.G.L. c 119, §51A. Families in financial distress should not be threatened with child removal. School districts should use their authority under the NSLP to file an application for a child who may appear otherwise eligible for free school meals.

## J. Competitive foods and a-la-carte foods

While not the initial focus of the school meal charge inventory, we found most district policies expressly limit the ability of students with unpaid meal debt to purchase either “a-la-carte” or “competitive food” items in the cafeteria, even if a student has cash on hand. This type of policy is likely adopted by districts to steer students toward the more nutritious reimbursable meal. A-la-carte food is typically a single food item a student wishes to purchase – such as a slice of pizza, chicken fingers, a piece of fruit or a salad bar item. Other a-la-carte or competitive food items include snacks, fruit drinks or desserts.

In July of 2010, Governor Deval Patrick signed into law an “Act Relative to School Nutrition,<sup>33</sup>” which legislation required the Department of Public Health (DPH) to establish nutrition standards for food served in Massachusetts public schools during the school day. The goal of the legislation, according to the Department

of Public Health, was to ensure that “public schools offer students food and beverage choices that will enhance learning, contribute to their healthy growth and development, and cultivate life-long healthy eating behaviors.”<sup>34</sup> After much controversy about the potential loss of revenues from bake sales, plays and sports games,<sup>35</sup> the law was amended in 2012 to allow for the sale of less healthy food items (candy, soda, cupcakes, fries and snack items) during events and weekends, as long as these items were not available for sale within 30 minutes of the start or end of the regular school day.

However, the mere availability of a la carte food and beverages, even if they meet state “nutrition standards,” can still lure students away from choosing a more nutritionally-balanced hot meal. Competitive foods create food dilemmas or an “attractive nuisance” for students.

For example, in the Northbridge Middle School, the cafeteria staff wheel out a snack cart after the last child has been served in the cafeteria line. The cart is filled with Rice Krispies bars, Cheez-Its, Pop Tarts, cookies, baked chips, ice cream, juices, bottled water and more. The Northbridge Fowler Middle School (Grades 4-8) in Maynard has a “Healthy Snack Shack” which is “open for the last 10 minutes of each lunch period. Students are then allowed to come up to the cart and make additional purchases.”

Below is a sample of Whitson’s price points for a la carte items:

#### A LA CARTE PRICES:

Pizza Slice	\$3.00	Juice 4oz	\$0.50
Chicken Patty Sandwich	\$2.75	Ice Cream	\$1.00
Spicy Chicken Sandwich	\$2.75	Chips	\$1.25
Hamburger	\$2.75	Cookies	\$1.00
Cheeseburger	\$2.75	Pop Tarts	\$1.00
Switch Drink	\$1.50	Rice Krispies Chocolate	\$1.00
Envy Fruit Juice	\$1.50	Rice Krispies Originals	\$1.00
Snapple	\$1.25	Rice Krispies Originals Small	\$0.50
Apple & Eve Juice	\$1.25	Cheez-It	\$0.50
Water 16.9oz	\$1.25	Graham Crackers	\$0.50

Cafeteria workers have observed that students who arrive at school with lunch money sometimes hold back on purchasing the hot meal because they know the snack cart with treats will be out soon. Food on the snack carts must be paid for with cash, and many schools allow students to use the “positive balance” on their “school bucks” accounts for snack purchases. Cafeteria workers report that often parents contact the food services department asking why their child did not get a hot meal. Further, none of the food items on the carts are USDA-reimbursable and the prices per item are comparable to convenience store prices – giving food service contractors extra revenue off the competitive foods purchases.

USDA reported in 2013 that schools *without* competitive foods have a 4.6% higher school lunch participation than schools that sell competitive foods.<sup>36</sup> Even more, participation rates have been found to increase after competitive foods have been removed from schools. For example, a 2011 study in California examined participation rates before and after competitive foods were eliminated from three schools.<sup>37</sup> The researchers found participation increased 13%, 41% and 73% among students who qualify for free lunches across the schools, and increased 23%, 38% and 154% among students who qualify for reduced price meals.

## Best Practices from Sister States

The Food Research Action Center's recently updated report, *Establishing Unpaid Meal Policies: Best Practices to Ensure Access and Prevent Stigma*,<sup>38</sup> details the range of best practices that states and individual school districts can take to address meal debt and shaming – with or without passing state legislation. The following are the highlights of five states, starting with the most recent initiative announced in January 2018 from New York State.

### New York - No Student Goes Hungry Initiative

On January 16, 2018, NY Governor Andrew M. Cuomo released his “No Student Goes Hungry” initiative as part of his FY2019 State Executive Budget.<sup>39</sup> Supported by a wide coalition of school nutrition and anti-hunger organizations,<sup>40</sup> the Governor’s proposal requires all school districts that participate in the NSLP to address lunch shaming including requiring all public schools to:

*“develop a plan to ensure that a pupil whose parent or guardian has unpaid school meal fees is not shamed or treated differently than a pupil whose parent or guardian does not...”*

The proposed, detailed legislation requires districts to serve all students the regular hot meal regardless of debt, not allow any school to require a child to throw away a meal after it has been service, engage in robust efforts to directly certify students for free meals, not use debt collectors or add fees to meal debt, and ensure that all communications about meal debt be with parents or legal guardians and not students. The Governor’s legislation also requires “high need” districts to serve breakfast after the bell.

### California - Child Hunger Prevention and Fair Treatment Act

On October 12, 2017 Governor Jerry Brown signed into law the “Child Hunger Prevention and Fair Treatment Act,” Chapter 726 of the Acts of 2017.<sup>41</sup> With advocacy spearheaded by the Western Center for Law and Poverty, the California law requires districts that participate in the NSLP to:

*“prohibit school personnel from using denial or delay of a school meal as a way to punish a child for any reason and to establish transparent rules for resolving school meal fees owed by the child’s parent or guardian when debt has gone unpaid.”*

Among other provisions, the CA law requires the districts to serve all children the regular hot meal, eliminate the alternative meal, not use debt collection agencies, engage in robust direct certification efforts, and publically post district meal charge policies.

### Oregon – An Act Relative to School Meals

On August 8, 2017, Governor Kate Brown signed into law the “Act Relative to School Meals, Emergency Measure,” Chapter 684 of the Acts of 2017.<sup>42</sup> Supported by Partners for a Hunger Free Oregon, this law requires all school districts participating in the NSLP to:

*“provide a (USDA) meal to a student who requests a meal... regardless of whether the student has the money to pay for the meal or owes money for meals.”* The law further states that the district *“may not identify or stigmatize a student who cannot pay for a meal or who owes money for meal...”* and includes additional provisions similar to CA, NY and WV.

## West Virginia – Standards for School Nutrition Policy

On August 10, 2017 the West Virginia Board of Education voted on a state-wide policy to address school meal shaming, effective January 2, 2018.<sup>43</sup> Under its “Standards for School Nutrition Policy,” school districts are:

*“prohibited from penalizing students due to unpaid and/or outstanding meal debt. This includes, but is not limited to: denial of meals, prohibition of participating in extra-curricular activities, the denial of participation in graduation, and/or the refusal of transcript requests. Students shall not be denied a meal or served an alternative meal as a result of unpaid meal debt. All communication addressing financial matters shall be directed to parents/guardians.....”*

## New Mexico – Hunger Free Student Bill of Rights

On April 6, 2017 Governor Susana Martinez signed into law the “Hunger Free Student’s Bill of Rights,” Chapter 117 of the Acts of 2017.<sup>44</sup> The New Mexico law expressly includes anti-shaming and anti-stigmatization practices, stating:

*“Regardless of whether or not a student has money to pay for a meal or owes money for earlier meals, a school: (1) shall provide a (USDA) reimbursable meal to a student who requests one, (2) shall not require that student to throw away a meal after it has been served because of the student’s inability to pay...,”* The law also requires the district to take additional steps to attempt to directly certify a child including, *“to make at least two attempts... to reach out to the student’s parents or guardian” to have the family fill out a free meal application, and requires the principal or other counselor to contact the family directly to “determine if there are other issues within the household that have caused the child to have insufficient funds.”*

New Mexico was one of the earliest states to enact legislation against school meal shaming,<sup>45</sup> thanks to the advocacy of New Mexico Appleseed, the New Mexico School Nutrition Association and lead sponsor State Senator Mike Padilla. The New Mexico law requires school districts to serve all students a regular meal regardless of debt, not throw away a meal, bars requiring students to do chores or overtly identifying a student with debt, requires the district to robustly attempt direct certification or file an application on behalf of a student who appears eligible, and to conduct all communication with parents.



## Summary of sister-state anti-shaming meal charge policies:

**All students served, no alternate meal:** Districts cannot deny meal to student because of meal debt. Students are served the same reimbursable meal, e.g. they are not served an “alternate meal” such as a cheese sandwich. ( CA, OR, NY and WV) New Mexico requires the district serve a full “reimbursable meal”, but does not require it to be the same meal.

**No tossing meals served:** Language expressly bars school districts from tossing hot meal served to student because of meal debt. (CA, OR, NM and NY)

**No punishment or shaming of students for debt:** Districts are prohibited from treating differently or shaming students through use of wrist bands, hand stamps, requiring students to do chores. (CA, OR, NM, NY and WV)

Three states include language that expressly bars districts from implementing policies that restrict students from extra-curricular activities, graduation activities and/or transcripts. (CA, NY and WV)

**Direct communication to parents/guardians:** Prohibits direct communication with students in cafeteria or public location where other students are present. District must contact parent if five (5) or more unpaid meals through at least two contacts. (NM, NY and OR)

**District Assistance with Free/Reduced Price Meal Applications:** District must provide free/reduced-price application forms (both on-line and paper copies), and affirmatively assist families struggling to fill out applications. CA, OR, NM, NY and WV.

Three states include express language that the principal or other school official should file an application for a student who appears to be free or reduced-price eligible. (NM, NY and CA)

**Increase efforts to directly certify student:** For any family with a negative meal balance, the district is required to “make every attempt” (NY) or “shall exhaust all options and methods” (CA) to directly certify student for free or reduced-price meals before communicating debt to family.

**Debt collection:** Districts permitted to collect debt, but not use debt collectors as defined under 15 U.S.C. §1692a. (CA, NY). Prohibits adding fees or interest on unpaid meal debt. (CA, NY, NM and OR.)

**Reimbursement to family:** District is required to reimburse the family if they paid full price for meals but the student was otherwise free or reduced-price eligible. (CA)

**Public posting of district meal charge policy:** Requires districts to post meal charge policy required by USDA’s 2017 guidance in public location. (CA)

## Recommendations

Before school districts and families reach a crisis point with unpaid school meals or lagging student performance due to hunger, there are a number of steps school districts are encouraged to take to minimize the triggers and harmful consequences of current meal charge policies.

### 1. Ensure all students are fed and ready to learn – eliminate “no charge” and meal cap policies.

Given the substantial investment in education, districts should prioritize ensuring all students are offered the same reimbursable hot meal regardless of negative meal balances. It is understandable that most school meal programs are self-financing and often required to find ways to cover food and preparation costs. Nonetheless, barring students from charging any meals and forcing them to go hungry during the school day undermines the core investments in public education. Hungry students simply do not learn.

The districts of Amherst/Pelham (see **Appendix C**), Blackstone/Millville and Whitman/Hanson all have meal policies that expressly state all students will be fed *a reimbursable hot meal regardless of ability to pay*. The states of California, New Mexico, Oregon and West Virginia have already abandoned no-charge/cheese sandwich policies statewide, and New York is on the threshold with Governor Cuomo’s “No Child Goes Hungry” FY19 budget initiative.

### 2. Abandon the “cheese sandwich” and practices that require cafeteria staff to throw away the hot meal served.

Under school health and sanitation rules, once a meal has been served to a child, the food cannot be served to another child. Yet nothing is gained by swapping out the hot meal and tossing it in the trash. Such practices send a deeply troubling message to students that school would rather put good food in the trash versus ensure they receive a hot nutritious meal. These practices are especially humiliating and confusing when implemented in the cafeteria line, in front of other students.

Districts are encouraged to provide the regular hot meal to students at all times, seek available USDA reimbursement and commodity food, and address unpaid or negative balances debt solely with parents and legal guardians. California, New Mexico and Oregon have abandoned serving the alternative or “differentiated” meal and instead serve all students the regular hot meal unless there are dietary or religious reasons to do otherwise. The Amherst/Pelham and Whitman/Hansen districts have done so as well.

### 3. Suspend district practices that humiliate or punish students or siblings for unpaid meal debt.

In addition to eliminating the cold cheese sandwich, districts are encouraged to:

- **Abandon practices that punish a student to coerce a parent to address unpaid debt:** School policies that bar students from field trips, school plays, school clubs, sports or other extra-curricular activities are simply punitive and harmful to the child. Such policies serve to cut students off from important education supports, such as afterschool programs and extra-curricular activities – under the schools efforts to educate the student. Further, such policies may well violate Massachusetts debt collection laws, which expressly prohibit creditors from communicating with any third parties except for the individual in debt.

- **Abandon policies that punish the siblings of a student who has meal debt.** Sibling punishment for an outstanding meal debt is equally mean-spirited and a violation of MA debt collection laws.
- **Abandon the graduation “walk of shame.”** Refusing a graduating senior his or her cap and gown can launch the student into adulthood without any positive memories of having successfully completed high school. Such policies are just mean-spirited. If the student or family is able to purchase the cap and gown, he or she should be allowed to do so regardless of meal debt.

#### 4. Remove students from all communication about meal debt, treat meal debt as an “adult-only” conversation.

Districts should communicate solely with parents or legal guardians about meal debt, payment plans and available resources to help struggling families. Food services staff should not be put in the uncomfortable position of “food police” in the cafeteria line, but instead ensure all children get fed unless the child brought food from home. Nor should teachers be involved in unpaid meal debt communications. Teacher communication should focus on a child’s learning challenges and successes, assignments, classroom behavioral concerns. Debt should be an *adult-only* conversation.

Suggested district protocol includes:

- **Contact parents/legal guardians directly** – by phone, text, email, U.S. mail and/or school/parent secure portals. Meal debt communication should also routinely include information about the NSLP application and the SNAP program.
- **Use “end of day folders”** – a practice common in elementary schools, a student’s “backpack” can be a vehicle for meal debt communication as long as in a discrete, sealed envelope addressed to the parent/guardian. This communication could also include a NSLP application and SNAP information.
- **Involving trained school guidance staff and/or social workers** – to reach out directly to parents to discuss recent changes in the home, changes in employment or other matters that might be contributing to financial stress in the family.

#### 5. Abandon debt collection policies that involve threats of private collection agencies, collection fees or threaten referrals to DCF.

Districts are encouraged to amend meal debt policies that involve referring a claim to private debt collection agencies. Such practices end up triggering fees that saddle families with additional debt and bad credit. The California Hunger Prevention and Treatment Act authorizes districts to collect meal debt, but expressly states that a district “*shall not use a debt collector, as defined in Section 803 of the Federal Consumer Credit Protection Act (15 U.S.C. §1692a).*”<sup>46</sup> New York Governor Cuomo’s proposed legislation includes the same language.

Districts are further encouraged to disassociate any threat of referral to the Department of Children and Families (DCF) as a result of an unpaid debt. Child referral protocol should be used only where a teacher, social worker or other school official has reason to believe a child may have suffered abuse or neglect. The mere fact of a child owing lunch money or a family having debt is not an appropriate trigger for a DCF referral and should not be threatened within the context of meal charge policies or unpaid meal debt.

## 6. Increase administrative efforts to reduce meal debt on families, maximize direct certification and federal meal reimbursement.

There are a number of steps districts can take to both reduce meal charges and debt on families as well as improve direct certification and federal nutrition reimbursement. Local districts, the Board of Early and Secondary Education (BESE), the Department of Elementary and Secondary Education (DESE) and the Department of Transitional Assistance (DTA) can take a number of steps to maximize federal NSLP reimbursements to schools, increase free meal participation and reduce meal debt on families. **Appendix A** includes seven (7) policy recommendations to:

- Boost direct certification efforts including frequent checking, working partial matches and robustly implementing “extended direct certification.” These steps can also help some districts with a higher percent of economically disadvantaged students qualify for universal free meals through CEP.
- Promote free/reduced-price meal applications year-round and anytime a family has meal debt.
- Seek federal NSLP reimbursement for the first 30 days of each new school year, and retro to the date the family files the application. Allow school administrators to file applications for needy students.
- Promote SNAP benefits for all reduced-price status families and engage with SNAP outreach partners to enroll families directly certified but not receiving SNAP.

## 7. Eliminate the reduced-price meal co-payments

USDA gives districts the discretion to eliminate the reduced-price category, treating free and reduced-price status students the same.<sup>47</sup> Doing so prevents a low-income family from getting into meal debt. Waiving the fee can also reduce administrative costs by eliminating the need to collect \$.30 per breakfast or \$.40 per lunch while also boosting meal participation for children who forgo meals due to lack of money. According to the Food Research Action Center, the following states are examples of states that have eliminated some or all of the reduced-price meal charges and secured state-financed reimbursement: Colorado, Maine, Maryland, Minnesota, Oregon, Vermont, Washington and the District of Columbia. Anti-hunger advocates from states that have eliminated reduced-price fees note that more families apply and qualify for reduced-price meal status and more children are participating in the NSLP reimbursable meals, which increases boost school revenue.

Waiving co-pays may require some school districts to identifying local or state funds to address a potential revenue shortfall. However, the economies of scale in serving more students can often outweigh the administrative time and low revenue associated with collecting the reduced-price copay. Reduced-price copays can also be charged to the school nutrition accounts, many districts are able to do so and still operate a financially viable program. For example, Washington County in Maryland eliminated the reduced-price category, which increased participation from 12% to 28% for school breakfast between SY2002/03 and SY2007/08. This increase in participation brought in an additional \$27,600 in federal reimbursements.<sup>48</sup>

Furthermore, a recently released (2017) study in Sweden where all students can eat free school lunch found that when a child is exposed to the lunch program for nine years (entire primary school period) their adult income increases 3% from that exposure alone.<sup>49</sup> Also, this exposure over nine years was found to increase the likelihood of entering university by 1.5%. The researchers estimated that among low-income households the benefits of the program were seven times larger than the costs of implementing free school lunch. While this study was conducted in Sweden, the economic benefits of providing free school meals to children cannot be overlooked.

## 8. Evaluate the impact of “competitive foods” on student nutrition and meal debt.

Competitive food purchases clearly “compete” for a child’s lunch money – especially if these snacks are available during or immediately following breakfast or lunch. Most school districts have policies that limit the ability of students in debt or without cash on hand to purchase competitive “snack cart” items. However, districts can also consider policies that examine availability and timing of competitive foods in general.

For example, districts could establish policies that limit the option for students to purchasing snacks if they have not received a reimbursable meal or brought lunch from home. Or districts could reduce the visibility of the “snack cart.” In schools where the cart is rolled out after the last student is served the hot meal unquestionably contributes to the temptation or peer pressure to forgo the more nutritious meal.

## 9. Develop a statewide policy for unpaid meal debt, involving parents, cafeteria staff and other stakeholders.

USDA gives states the authority to develop *state-wide* uniform policies for all districts participating in the NSLP. As detailed in the best practices from sister states, the West Virginia Board of Education took that step on August 10, 2017 to prohibit all West Virginia school districts from denying meals or otherwise penalizing students due to unpaid meal debt.

The Massachusetts Board of Early and Secondary Education (BESE) should consider engaging key stakeholders in developing a consistent state-wide policy for all school districts, rather than waiting on piecemeal and inconsistent district responses. The Amherst/Pelham and Whitman/Hanson Public School Districts have adopted model policies to ensure children are fed regular meals at all times and only parents receive communication about meal debt. (See Amherst/Pelham policy, **Appendix C**).

The Los Angeles Unified School District of California, Food Services Division, issued a letter to parents on June 5, 2017<sup>50</sup> which services as an excellent example of a clearly written policy which confirms the school meal charge policy, guarantee of meals to students and direct communication with parents. This LA District policy was issued before California enacted statewide legislation on October 12, 2017.

Beyond that, local school districts that have not yet issued meal charge policies, not updated their meal charge policies or the policies are buried in School Committee Policy Manuals are encouraged to:

- Identify key stakeholders to draft clearly written school charge policies in plain language pamphlets or FAQs. Stakeholders should include parents, cafeteria workers, teachers as well as food services directors, school administrative staff and area anti-hunger organizations.
- Include the district’s meal charge policy in communication to families both at the beginning of the year along with the school meal application and other food policy/allergy materials as well as each time a student enrolls or transfers during school year and each time a family is in debt.
- Prominently post the meal charge policy on the Food Services webpage where school menus, nutrition information and free/reduced-price application information is located, *and*
- Include the meal charge policy in district’s Parent/Student Handbook and other resources posted for parents.

## End notes

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- <sup>1</sup> DESE Enrollment Data, 2017, with 953,748 children enrolled in Massachusetts schools K-12 <http://profiles.doe.mass.edu/profiles/student.aspx?orgcode=00000000&orgtypecode=0&>
- <sup>2</sup> DESE School Breakfast Program (SPB), national and state data available at: <http://www.doe.mass.edu/cnp/nprograms/sbp/>.
- <sup>3</sup> Food Research Action Center *School Breakfast Scorecard, School Year 2016-2017*, released February 2018 <http://frac.org/wp-content/uploads/school-breakfast-scorecard-sy-2016-2017.pdf> MA achieved a 7.9% increase in breakfast participation of low-income students between SY15/16 and SY16/17, with slightly over half of all eligible free and reduced-price status students participating.
- <sup>4</sup> Children's HealthWatch/Eos Foundation First Annual Report 2017, *Ending Hunger in our Classrooms: Expanding After-the-Bell Breakfast Programs for Massachusetts Students*, available at <http://childrenshealthwatch.org/ending-hunger-in-our-classrooms-expanding-after-the-bell-breakfast-programs-for-massachusetts-students/>. For more information on the Massachusetts Breakfast after the Bell campaign, see Rise and Shine Coalition <http://riseandshinema.org/>
- <sup>5</sup> DESE School Year 17/18 free and reduced-price student approval data for all students as of October 2017, provided to MLRI on 2/12/18. This includes students with free-meal status who attend CEP and Provision 2 schools.
- <sup>6</sup> Since 1980, local school districts have had the option to provide universal free meals to all students where at least 80% of the children enrolled are eligible for free or reduced price meals. The different Provisions allow different time frames and base line figures. CEP is based on the number of students "directly certified" via TAFDC, SNAP or Medicaid, homelessness, foster care or migrant status. For more background on Provisions 1, 2 and 3, see <https://www.fns.usda.gov/school-meals/provisions-1-2-and-3>
- <sup>7</sup> Authorized under the Healthy, Hunger-Free Kids Act of 2010, the Community Eligibility Provision (CEP) became a nationwide option in 2014 USDA has extensive materials for school districts on how CEP works and best practices. <https://www.fns.usda.gov/school-meals/community-eligibility-provision-resource-center> Massachusetts was one of the early states to pilot CEP in selected district before it went nationwide in 2014. See also DESE Community Eligibility Provision <http://www.doe.mass.edu/cnp/nprograms/cep/>. Link includes the DESE spreadsheet that identifies the "Districts and Schools Eligible and Potentially Eligible to Participate in Community Eligibility Provision (CEP) in 2017-18 School Year," available in Excel spreadsheet, as of June 8, 2017 as well as the technical assistance provided by DESE to schools eligible or nearly eligible to apply for CEP.
- <sup>8</sup> SY17/18 USDA rates of reimbursement for NSLP school meals: \$3.28/free lunch, \$2.88/reduced-price, and \$.42/paid lunch (partial reimbursement for full-pay students); schools receive reimbursement for all milk served students, \$.20/half-pint milk. <https://www.fns.usda.gov/school-meals/rates-reimbursement>. Schools also receive "entitlement" or "commodity" foods, valued at \$.15 for each meal served, as well as "bonus" commodities available from surplus stocks, See DESE Fact Sheet. Q.8 <http://www.doe.mass.edu/cnp/nprograms/nslp.html> See also USDA Food Products Information for NSLP, Child and Adult Care <https://www.fns.usda.gov/fdd/nslp-usda-foods-fact-sheets>
- <sup>9</sup> School Nutrition Association (SNA) Operations Report, Executive Summary., pg vi. [https://schoolnutrition.org/uploadedFiles/Resources\\_and\\_Research/Research/2016OperationsReportExecutiveSummary.pdf](https://schoolnutrition.org/uploadedFiles/Resources_and_Research/Research/2016OperationsReportExecutiveSummary.pdf).
- <sup>10</sup> Mass Budget Report, *Direct Certification for School Meals: Feeding Students, Counting Kids, Funding Schools*, available at [http://massbudget.org/report\\_window.php?loc=Direct-Certification.html](http://massbudget.org/report_window.php?loc=Direct-Certification.html)
- <sup>11</sup> DESE Statewide Reports, per pupil expenditures by district, SY15/16. <http://profiles.doe.mass.edu/statereport/ppx.aspx>
- <sup>12</sup> Boston University School of Medicine and Boston Medical Center study, *Food Insecurity Threatens Developmental and Psychological Health of Children*; Journal of Developmental and Behavioral Pediatrics, February 2017. <https://www.bumc.bu.edu/busm/2017/02/01/food-insecurity-threatens-developmental-and-psychosocial-health-of-children/>
- <sup>13</sup> Food Research Action Center (FRAC) Hunger and Health Report, December 2017: *The Role of the Federal Child Nutrition Programs in Improving Health and Well-Being* <http://frac.org/wp-content/uploads/hunger-health-role-federal-child-nutrition-programs-improving-health-well-being.pdf>
- <sup>14</sup> Healthy, Hunger Free Kids Act, Section 143 (Public Law 111-296), December 13, 2010. [https://fns-prod.azureedge.net/sites/default/files/PL\\_111-296.pdf](https://fns-prod.azureedge.net/sites/default/files/PL_111-296.pdf)
- <sup>15</sup> USDA Food and Nutrition Service, Meal Fee Request for Information, 10/16/14. Docket ID: FNS-2014-0039. <https://www.regulations.gov/document?D=FNS-2014-0039-0001>. FNS received 463 online submissions to the RFI as of 1/10/15. <http://www.regulations.gov/docketBrowser?rpp=100&so=DESC&sb=docid&po=0&dct=PS&D=FNS-2014-0039>

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<sup>16</sup> American Federation of Teachers, statement of AFT President Randi Weingarten submitted to USDA Child Nutrition Programs dated January 14, 2015 in response to USDA RFI on Unpaid Meal Policy Charges. Document available at: [https://www.aft.org/sites/default/files/wysiwyg/ltr\\_randi-fns-childnutrition\\_011415.pdf](https://www.aft.org/sites/default/files/wysiwyg/ltr_randi-fns-childnutrition_011415.pdf)

<sup>17</sup> USDA FNS Memo SP 46-2006: *Unpaid Meal Fee: Local Meal Charge Policies*, July 8, 2016. <https://www.fns.usda.gov/unpaid-meal-charges-local-meal-charge-policies>

<sup>18</sup> USDA Report *Overcoming the Unpaid Meal Challenge: Proven Strategies from Our Nation's Schools*, updated in May of 2017. <https://fns-prod.azureedge.net/sites/default/files/cn/SP29-2017a1.pdf>

<sup>19</sup> M.G.L. Chapter 15 §1, M.G.L. Chapter 69 §1B

<sup>20</sup> DESE Public School Coordinated Program Review System. <http://www.doe.mass.edu/pqa/review/cpr/>

<sup>21</sup> DESE Information Services - Data Collection: Redefining Low Income - A New Metric for K-12 Education Data, July 2015 <http://www.doe.mass.edu/infoservices/data/ed.html> Previously, Chapter 70 funding was distributed largely based on the number of students approved by districts for free/ reduced-price meal status.

<sup>22</sup> USDA Special Nutrition Programs Report to Congress: *Direct Certification in the National School Lunch Program: State Implementation Progress, School Year 2014–2015* Report Number: CN-15-DC, December 2016. Available at: <https://www.fns.usda.gov/ops/child-nutrition-programs>. See also DESE Memorandum, "Virtual Gateway Direct Certification System Update: Matching Student for both Free and Reduced Price Meal Eligibility," [May 18, 2017](#).

<sup>23</sup> DESE and UMass Extension, "Making it Count" materials and videos to help improve student access and school accountability for free/reduced-price meal status. <http://www.makingitcount.info/making-it-count/access>.

<sup>24</sup> DESE Newsletter, *Making It Count*, Vol 1, Issue 1, Autumn 2016 <http://www.makingitcount.info/sites/default/files/pictures/MIC%201.1.pdf>

<sup>25</sup> DESE 2016-17 Selected Populations Report, sorted by "economically disadvantaged." [http://profiles.doe.mass.edu/state\\_report/selectedpopulations.aspx?mode=district&year=2017&Continue=View+Report](http://profiles.doe.mass.edu/state_report/selectedpopulations.aspx?mode=district&year=2017&Continue=View+Report)

<sup>26</sup> DESE Newsletter, *Making It Count*, Vol 1, Issue 1, Autumn 2016 (pg 3)

<sup>27</sup> Daily Hampshire Gazette, June 19, 2017 "New Amherst school district policy does away with 'lunch shaming'," <http://www.gazettenet.com/School-districts-adopting-policies-on-the-collection-of-overdue-lunch-payments-10810943>

<sup>28</sup> USDA FNS, *Overcoming the Unpaid Meal Challenge: Proven Strategies from our Nation's Schools* (May 2017) <https://www.fns.usda.gov/school-meals/2017-edition-overcoming-unpaid-meal-challenge-proven-strategies-our-nations-schools>

<sup>29</sup> American Federation of Teachers letter of 1/14/15 to USDA Child Nutrition Programs, available at <https://www.regulations.gov/document?D=FNS-2014-0039-0455>. See also AFT recommendations and cheese sandwich policies, <https://www.aft.org/childrens-health/nutrition/cheese-sandwich-policies>

<sup>30</sup> Federal Regulations: 7 C.F.R. § 210.10 re "Meal requirements for lunches and requirements for afterschool snacks."

<sup>31</sup> FNS Guidance, SP 11-2014, "Effective Date of Free or Reduced Price Meal Eligibility Determinations." <https://www.fns.usda.gov/effective-date-free-or-reduced-price-meal-eligibility-determinations>

<sup>32</sup> Federal Regulations: 7 CFR §245.6 (c)(1) "(E)ligibility for free or reduced price meals,... must remain in effect for the entire school year and for up to 30 operating days into the subsequent school year." (emphasis added)

<sup>33</sup> Chapter 197 of the Acts of 2010, *An Act Relative to School Nutrition*. <https://malegislature.gov/Laws/SessionLaws/Acts/2010/Chapter197> See M.G.L. Ch. 11, §222

<sup>34</sup> Department of Public Health, DESE and Mass in Motion: *Healthy Students, Healthy Schools: Revised Guidance for Implementing the Massachusetts School Nutrition Standards for Competitive Foods and Beverages*, updated June 2012. . <http://www.mass.gov/eohhs/docs/dph/mass-in-motion/school-nutrition-guide.pdf>

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- <sup>35</sup> Boston Globe, May 11, 2012, *In Mass. schools, bake sales are back on fund-raiser menu*.  
<https://www.bostonglobe.com/metro/2012/05/10/massachusetts-schools-bake-sales-are-back-fund-raiser-menu/OdsquSl4H3rU0fRlZVWL6O/story.html>
- <sup>36</sup> USDA, *Nutrition Standards for Competitive Foods in Schools. Implications for Foodservice Revenues*, published June 2013.  
[https://www.ers.usda.gov/webdocs/publications/43770/38064\\_eib114.pdf?v=41516](https://www.ers.usda.gov/webdocs/publications/43770/38064_eib114.pdf?v=41516).
- <sup>37</sup> Bhatia R, Jones P, Reicker Z. *Competitive Foods, Discrimination, and Participation in the National School Lunch Program*. Am. J. Public Health. 2011;101(8):1380-86 <https://www.ncbi.nlm.nih.gov/pubmed/21680939>
- <sup>38</sup> Food Research Action Center, *Establishing Unpaid Meal Fee Policies: Best Practices to Ensure Access and Prevent Stigma*, updated 1/3/18 <http://frac.org/wp-content/uploads/frac-unpaid-meal-fees-policy-guide.pdf>. For ex, VT waives the copay for both breakfast and lunch. ME funds copay for breakfasts <http://legislature.maine.gov/statutes/20-A/title20-Asec6602.html> (subsection B).
- <sup>39</sup> New York Governor Cuomo, FY 2019 New York State Executive Budget, Education, Labor and Family Assistance, Article VII Legislation (pg 81), January 16, 2018. <https://www.budget.ny.gov/pubs/archive/fy19/exec/fy19artVII/ELFA-ArticleVII.pdf>. See also press announcement of December 28, 2017: "Governor Cuomo Unveils 15th Proposal of 2018 State of the State: Launch Comprehensive No Student Goes Hungry Program" <https://www.governor.ny.gov/news/governor-cuomo-unveils-15th-proposal-2018-state-state-launch-comprehensive-no-student-goes>
- <sup>40</sup> The "No Student Hungry Campaign" is an advocacy priority of Hunger Solutions New York, Hunger Free America, as well as a statewide coalition of school nutrition and farmland groups. See press release: <https://www.farmland.org/press-releases/statewide-coalition-applauds-governor-cuomos-no-student-goes-hungry-proposal>
- <sup>41</sup> California - Chapter 726 of the Acts of 2017 (S.B.250), approved by Governor Jerry Brown on October 12, 2017. [https://leginfo.ca.gov/faces/billTextClient.xhtml?bill\\_id=201720180SB250](https://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=201720180SB250). See also Huffington Post: [https://www.huffingtonpost.com/entry/california-passes-law-ending-meal-shaming-in-schools\\_us\\_59e7a9cfe4b0e60c4aa36779](https://www.huffingtonpost.com/entry/california-passes-law-ending-meal-shaming-in-schools_us_59e7a9cfe4b0e60c4aa36779)
- <sup>42</sup> Oregon - Chapter 684 of the Acts of 2017 (H.B. 3454), approved by Governor Kaye Brown on August 8, 2017. [https://www.oregonlegislature.gov/bills\\_laws/lawsstatutes/2017orlaw0684.pdf](https://www.oregonlegislature.gov/bills_laws/lawsstatutes/2017orlaw0684.pdf)
- <sup>43</sup> West Virginia - State Board of Education Policies, §126-86-14. Rewards and Penalties, 14.1 available at: <https://wvde.state.wv.us/policies/> or <http://apps.sos.wv.gov/adlaw/csr/readfile.aspx?DocId=49780&Format=PDF>  
See also WSAZ Channel 3, 8/10/17, *Students won't go hungry under new West Virginia policy*.  
<http://www.wsaz.com/content/news/Students-wont-go-hungry-under-new-West-Virginia-policy-439733283.html>
- <sup>44</sup> New Mexico - Chapter 117 of the Acts of 2017 (S.B. 274), approved by Governor Susana Martinez on April 6, 2017. <https://www.nmlegis.gov/Legislation/Legislation?Chamber=S&LegType=B&LegNo=374&year=17&AspxAutoDetectCookieSupport=1>
- <sup>45</sup> New York Times, *New Mexico Outlaws School 'Lunch Shaming*, April 7, 2017.  
<https://www.nytimes.com/2017/04/07/well/family/new-mexico-outlaws-school-lunch-shaming.html>
- <sup>46</sup> California statute, Chapter 726 of the Acts of 2017, Section 3(d).  
[https://leginfo.ca.gov/faces/billTextClient.xhtml?bill\\_id=201720180SB250](https://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=201720180SB250)
- <sup>47</sup> FNS guidance SP-17-2014, "Discretionary Elimination of Reduced Price Charges in the School Meal Programs," January 2014  
<https://www.fns.usda.gov/discretionary-elimination-reduced-price-charges-school-meal-programs>; See also FNS Guidance SP-23-2017, March 2017 "Unpaid Meal Charges: Guidance and Q&A"
- <sup>48</sup> Maryland Hunger Solutions. *Elimination of Reduced Price Breakfast*. (Increase in SY2006/2007 from SY2003/2004).  
[http://www.mdhungersolutions.org/pdf/bfast\\_expand\\_goingfurther.pdf](http://www.mdhungersolutions.org/pdf/bfast_expand_goingfurther.pdf). See also Maryland Hunger Solutions Policy Brief: *School Breakfast in Maryland's Counties*. <http://mdhungersolutions.org/pdf/breakfastinmdcounties10.pdf>.
- <sup>49</sup> Alex-Peterson J, Lundborg P, Rooth DO. *Long-term Effects of Child Nutrition: Evidence from a School Lunch Reform*. Institute of Labor Economics. December 2017. <http://ftp.iza.org/dp11234.pdf>
- <sup>50</sup> Los Angeles Unified School District Food Services Division in California, Student Meal Charge Policy Letter for SY17/18, dated June 5, 2017 <https://achieve.lausd.net/cms/lib/CA01000043/Centricity/Domain/126/Parent%20Ltr.%2017-18%20Unpaid%20Student%20Meal%20Charges.pdf>



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## APPENDIX A

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### Seven strategies for districts to reduce meal debt and boost federal meal reimbursements

#### 1. Boost “direct certification” efforts to help more students qualify for free school meal status.

Boosting direct certification reduces meal debt for families, maximizes federal nutrition reimbursements for food services, positions a district or individual school to elect the community eligibility provision (CEP), and can help boost a district’s Chapter 70 state education allocation. Increasing direct certification is a win-win-win for all involved. Some of the districts that have invested administrative resources in recent years to boost their direct certification numbers include Brockton, Salem, Springfield and Worcester.

Steps that districts can take to improve direct certification include:

- **Conduct weekly direct certification matches:**

Schools districts are required to conduct direct certification matches a minimum of three (3) times in a school year – typically done before the start of the school year, during October and again in the spring. Yet families apply for qualifying benefits at all different times of the year, especially with unexpected changes in family composition or loss of a job. Districts are encouraged to run direct certification checks monthly, or even weekly, for both existing students as well as transfer students.

Why do it so frequently? The Massachusetts Department of Transitional Assistance (DTA) processes an *average of 22,000 SNAP applications per month*, and more than half the Massachusetts SNAP caseload involves families with minor children.<sup>51</sup> A family may not share with their child’s school that they recently applied and were approved for SNAP, TANF or Medicaid (MassHealth) benefits. Even if a family’s SNAP or TANF benefits end, once a student is approved for free (or reduced-price) meal status, the student remains eligible through the entire school year and first 30 days of the new school year.<sup>52</sup>

More frequent direct certification data checks – especially for families with meal debt – could flip the student to free meal status *without* having to send the family a NSLP application for the district to then process it. DESE also recommends districts remove from the data check all students who are directly certified because they remain free-meal eligible for the entire school year, which step reduces the data the district needs to be review.<sup>53</sup>

- **Improve procedures to identify students through “extended direct certification”:**

Under USDA rules, any student who lives in the same household as a child receiving SNAP, TANF or Medicaid (the latter when gross income is under 133% FPL), also qualifies for free meal status. Coined “extended direct certification,” this NSLP policy means *all children* living together get free meal status if *any child* in the home receives SNAP, TANF or qualifying Medicaid.<sup>54</sup>

Schools can often match these students by identifying students *living at the same address* –including students in different schools within or between districts – as well as matching students who may live with an infant or pre-school sibling/half sibling who receives these benefits. School districts sometimes miss the extended direct-certification students by not carefully tracking all children living in the home or not looking for common addresses.

- **Invest resources to resolve partial matches:**

Some students don't get directly certified due to the many problems with "partial matches" – where some but not all of a student's data shows they might be receiving a qualifying SNAP, TANF or Medicaid benefit but not an "exact match." Inconsistencies happen frequently with individual data collected by state agencies and school districts – such as transposed dates of birth, or misspellings of a student's name. These create the annoying "partial matches."

DESE has taken a number of steps to improve the direct certification matching algorithms, and DESE is available to work with districts that need technical assistance resolving partial matches. Sometimes, however, the district needs to boost administrative time to work the data.

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**Additional materials on how districts can improve direct certification:**

Food Research Action Center: <http://frac.org/research/resource-library/improving-direct-certification-will-help-low-income-children-receive-school-meals>

Mass Department of Elementary and Secondary Education and UMass Extension Service, "Making It Count!" website includes videos on processing NSLP applications, direct certification and verification: <http://www.makingitcount.info/making-it-count/access>

USDA [Fact Sheet](#) – "Community Eligibility: Increasing your ISP with Direct Certification" (Feb 2016).

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## 2. Elect the Community Eligibility Provision (CEP) where feasible

For school districts or individual schools that have the ISP numbers to qualify, *CEP is the single most important step a school district or school can take to eliminate school meal debt and feed all children.* Participating in CEP reduces the administrative tasks involved in processing NSLP free/reduced-price applications, collecting meal payments and tracking unpaid meal status. Further, offering free meals to all students eliminates any stigma associated with school meal programs and increases meal participation among all students.

In April of 2017, DESE identified the school districts or "local education agencies" (LEAs) and individual schools with "identified student percentage" (ISP) numbers at or near the 40% threshold to qualify for CEP in SY 17/18.<sup>55</sup> As noted above, the "identified students" are directly certified for free school meals one of two ways: first, through data matching when either they or another child in the household receives TANF, SNAP or Medicaid; second if the child is homeless, runaway, migrant, enrolled in Head Start or a foster child. Districts, or individual schools that elect and then qualify for CEP receive federal reimbursement at the free meal rate by multiplying the number of "identified students" by a ratio of 1.6. Once approved for CEP, a school or district may participate for four years before having to recertify.

As of mid-October 2017, 82 school districts and 519 individual schools were confirmed by DESE as CEP schools where student are offered both free lunches and breakfasts.<sup>56</sup> In SY16/17, according to data reported by the Food Research Action Center, *only 36.9 percent of qualifying Massachusetts school districts (69 of 176) adopted CEP and well below the US average of 46.5 percent.*<sup>57</sup> Indeed, some school districts such as Framingham, Garner, Lynn, Malden, Peabody, Randolph and Ware with school ISP rates of 60% or greater have yet to elect the CEP option. While CEP participation is improving, Massachusetts still has a ways to go.

### **3. Promote free/reduced-price meal applications year-round and whenever a family has meal debt:**

All districts are required to notify families about free and reduced price meal applications well before the start of the school year, often in early July – typically a snail-mailed or emailed packet coupled with multiple school forms and notices. But that’s often not enough.

Families don’t focus on all the details in the NSLP packet and often assume they can apply only at the start of school. Families initially denied free/reduced-price status may incorrectly assume they can’t reapply despite changes in income or household size. Again, districts or local schools may not be aware that a parent has lost a job, left the home, is out of the state or country, is hospitalized or incarcerated. A child may be too scared or embarrassed to share family crises with teachers or cafeteria staff, but nonetheless the child shows up in the cafeteria with no money for food or a growing account cap. Families with seasonal or self-employment income are especially confused about how to report their income, even though USDA gives districts some leeway in determining current and annual income.<sup>58</sup>

A number of districts affirmatively include information on the Food Services webpage that clearly inform parents they can submit NSLP applications at any point in the school year of their financial situation has changed. All districts are encouraged to do this.

Districts can be even more pro-active. Food Services Departments can include regular information on free/reduced price meals when sending emails or snail mail about the unpaid meal debt. The mailing could include an encouraging note suggesting the parent/guardian reach out to the Food Services director if questions. The mailing could include SNAP information, and remind families that they can apply for the NSLP free/reduced price meals *any time* during the year. A number of districts’ policies do include language that requires a NSLP application to be mailed to parents with any invoice for unpaid meal debt including the districts of Chesterfield, Leominster, Leicester, Monomy Regional and Ware.

### **4. Approve free/reduced-price meal status retroactive to the date the NSLP application was received**

Schools typically process free/reduced-price NSLP applications within 10 days of receipt and then send a letter of approval or denial to the family. However, USDA guidance clearly authorizes school districts to request federal meal reimbursement retroactive to the date the NSLP application was *received* and where the family is found eligible for free or reduced-price meals.

Any family who applies for free or reduced-price status is often not able to pay the full price of regular meals received pending the school’s determination. There is no reason for school districts to saddle

these families with meal debt pending action on an application when USDA expressly authorizes districts to retroactively bill for the meals served.

## **5. Continue a student's free or reduced-price status for the full 30 days in a new school year where possible**

If a student is approved for free or reduced-price meal status in the prior school year – through either direct certification or the paper NSLP application – districts may “carry over” that status up to thirty (30) “operational days” of the new school year, or until the district makes a new eligibility determination, if sooner.<sup>59</sup> With the exception of school districts that provide reimbursable meals to students on weekends and holidays (most do not), the district can continue to request reimbursement through that 30 day operational period.

For example, many districts started school year 2017/18 before Labor Day – around August 30<sup>th</sup>. Excluding weekends, Labor Day and Columbus Day, thirty (30) operational school days would allow the school to bill for federal reimbursement from August 30<sup>th</sup> through October 13<sup>th</sup> – unless the District confirmed the family was no longer free/reduced-price eligible. This can be particularly important for families who may work seasonally on Cape Cod, Cape Ann, the Berkshires or have other employment where household income may be temporarily higher but not permanent.

## **6. File free/reduced price applications on behalf of struggling students:**

USDA regulations also authorize school administrators to file applications on behalf of students who appear eligible based on the information available – on a case by case basis.<sup>60</sup> For any number of reasons, the parents/caregivers of a student may have failed to file the application.

Sometimes families have enrolled a child in school but are also dealing with a death, divorce, separation, disability, incarceration of a parent/caregiver or sudden job loss. If a teacher or school official has reason to believe the child is likely financially needy, USDA rules permit the school to file the NSLP application on the child's behalf. Only a handful of district meal charge policies cite this federal option.

## **7. Promote SNAP benefits to reduced-price status and free-meal status families who are not otherwise directly certified:**

As of November 2017, approximately 24,618 Massachusetts students were approved for reduced-price status based on household income between 130%-185% federal poverty level (FPL). And roughly 4% to 5% of free-meal status students qualify through the NSLP application process but not direct certification.<sup>61</sup> The SNAP gross income threshold in Massachusetts and many other states is pegged at 200% FPL<sup>62</sup>, with the monthly SNAP benefit based both on household size and countable net income. Working families with gross income under 185% FPL often qualify for a small amount of SNAP benefits.

Both reduced-price status students, and free-meal status students not directly certified through SNAP, are key populations for targeted SNAP outreach. Districts can coordinate outreach efforts with the Department of Transitional Assistance (DTA) and SNAP outreach partners, such as Project Bread. Further, if any siblings qualify for SNAP – including pre-school children – SNAP-ineligible older siblings in the home still qualify for free meal status through “extended direct certification.”

School districts can take a number of steps to “close the SNAP Gap” for low-wage working families:

- **Promote Project Bread’s FoodSource Hotline:** Project Bread’s website, <http://www.projectbread.org/get-help/> can be posted on a school’s Food Services webpage, or a FoodSource flier link included when mailing or emailing a NSLP application forms. Project Bread staff are skilled in screening for and taking SNAP applications and making referrals. The FoodSource Hotline Number is: 1-800-645-8333.
- **Send basic SNAP information to all families approved for reduced-price meal status:** Again, nearly 25,000 Massachusetts students with reduced-price meal status live in families with gross income between 130% and 185% FPL. These low-wage working families are key populations for targeted SNAP outreach.
- **Encourage families with a newborn or pre-schooler to also apply for SNAP:** Families with a new family member can definitely benefit from access to federal nutrition benefits like the Women, Infant and Children’s (WIC) program as well as SNAP. Unlike WIC, receipt of SNAP – for any child in the home, including a pre-schooler – triggers automatic free meal eligibility (“extended direct certification”) for all students in the household.



## End notes, Appendix A

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<sup>51</sup> DTA Monthly Performance Scorecards for 2017 and January 2018: <https://www.mass.gov/lists/dtas-performance-scorecards>

<sup>52</sup> Federal NSLP regulations: 7 C.F.R. § 245.6 (c)(1), re duration of eligibility.

<sup>53</sup> DESE Quarterly Newsletter, “Making it Count,” Vol.1, Issue 3, Spring 2017.

<sup>54</sup> Federal NSLP regulations: 7 C.F.R. § 245.6(b)(1)(i) re authorizing direct certification for any child living with a child receiving SNAP, TANF or Medicaid benefits. See also FNS *Child Nutrition Programs: Eligibility Manual for School Meals Determining and Verifying Eligibility*. July 18, 2017 (pg. 42) <http://www.sde.ct.gov/sde/lib/sde/PDF/DEPS/Nutrition/2017eligibilitymanual.pdf>

<sup>55</sup> DESE, Districts and Schools Eligible and Potentially Eligible to Participate in Community Eligibility Provision (CEP) in 2017-18 School Year: <http://www.doe.mass.edu/news/news.aspx?id=24395>

<sup>56</sup> Memo of Jeff Wulfson, DESE Acting Commissioner, to Board of Early and Secondary Education re growth in school breakfast participation including current CEP school participation by district and school, October 17, 2017. <http://www.doe.mass.edu/bese/docs/FY2018/2017-10/item10.html> For more information on CEP and district options to increase the number of students to qualify district for both CEP and Chapter 70 purposes, see Mass Budget Report, *Direct Certification for School Meals: Feeding Students, Counting Kids, Funding Schools*, available at [http://massbudget.org/report\\_window.php?loc=Direct-Certification.html](http://massbudget.org/report_window.php?loc=Direct-Certification.html)

<sup>57</sup> *Community Eligibility Continues to Grow in the 2016–2017 School Year*, Food Research Action Center, March 2017 [http://frac.org/wp-content/uploads/CEP-Report\\_Final\\_Links\\_032317.pdf](http://frac.org/wp-content/uploads/CEP-Report_Final_Links_032317.pdf) Updated March 2017, Table 1.

<sup>58</sup> FNS Memo SP 2017-19: Reporting Annual Income on School Meal Applications (March 15, 2017) <https://www.fns.usda.gov/school-meals/reporting-annual-income-school-meal-applications> See also FNS Child Nutrition Programs 2017 “Eligibility Manual” pages 26-28 re “Special Situations” <http://www.sde.ct.gov/sde/lib/sde/PDF/DEPS/Nutrition/2017eligibilitymanual.pdf>

<sup>59</sup> Federal NSLP regulations: 7 C.F.R. §245.6 (c)(1) “(E)ligibility for free or reduced price meals, as determined through an approved application or by direct certification, must remain in effect for the entire school year and for up to 30 operating days into the subsequent school year.” (Emphasis added). See also FNS *Child Nutrition Programs: Eligibility Manual for School Meals Determining and Verifying Eligibility*. pg 46 <http://www.sde.ct.gov/sde/lib/sde/PDF/DEPS/Nutrition/2017eligibilitymanual.pdf>

<sup>60</sup> Federal NSLP regulations: 7 C.F.R. § 245.6(d), re “Households that fail to apply: After the letter to parents and the applications have been disseminated, the local educational agency may determine, based on information available to it, that a child for whom an application has not been submitted meets the local educational agency’s eligibility criteria for free and reduced price meals or for free milk. In such a situation, the local educational agency shall complete and file an application for such child setting forth the basis of determining the child’s eligibility. ....., it need not require the submission of an application for any child from a family whose income would qualify for free or reduced price meals or for free milk under the local educational agency’s established criteria.” (Emphasis added).

<sup>61</sup> *Direct Certification in the National School Lunch Program: State Implementation Progress, School Year 14/15*, USDA (December 2016). Table A-1b, page 67. For SY14/15. <https://fns-prod.azureedge.net/sites/default/files/ops/NSLPDirectCertification2015.pdf> (No USDA report available yet for SY15/16)

<sup>62</sup> State regulations: 106 C.M.R. § 365.180, MA SNAP gross income test at 200% of the federal poverty level. See also USDA SNAP chart, as of August 2016, re states that have elected the “broad-based categorical eligibility” federal option to use slightly higher SNAP gross income tests: <https://fns-prod.azureedge.net/sites/default/files/snap/BBCE.pdf>

## APPENDIX B: DISTRICTS IN INVENTORY

### 124 School Districts with a 20% or greater “economically disadvantaged” student population\*\*

School District/DESE Link	% Eco Disadv Students	Link to District or School Policy
<a href="#">Abington</a>	21.7	<a href="#">Food Services, District Policy</a>
<a href="#">Acushnet</a>	22.8	<a href="#">Elementary and Middle Food Services Policy</a>
<a href="#">Agawam</a>	27	<a href="#">Agawam Food Services Webpage (District Policy)</a>
<a href="#">Amesbury</a>	22.4	NO policy available online
<a href="#">Amherst-Pelham</a>	21.7	<a href="#">District Policy JQA</a>
<a href="#">Assabet Valley Regional Vocational Technical</a>	22.5	NO policy available online
<a href="#">Attleboro</a>	29	<a href="#">Letter Linked from Food Services Webpage (District Policy)</a>
<a href="#">Avon</a>	23	<a href="#">Ralph D. Butler Elementary School Handbook</a> (p. 11) <a href="#">Avon School Committee Policy Manual</a> (p. 140) (SY16/17 handbook most recent available)
Ayer-Shirley	23.8	<a href="#">District Policy, EFD</a>
<a href="#">Berkshire Hills</a>	26	<a href="#">Muddy Brook Elementary Student and Family Handbook</a> (p. 20)
<a href="#">Beverly</a>	25.7	<a href="#">Food Services Policy</a>
<a href="#">Blackstone-Millville</a>	20.4	<a href="#">District Policy</a>
<a href="#">Blue Hills Regional Vocational Technical</a>	22.7	NO policy available online
<a href="#">Bourne</a>	25	<a href="#">Peebles and Bourndale Elementary School Student Handbook</a> (p. 64)

		<a href="#">Bourne High School Student and Caregiver Handbook</a> (p. 55)
<a href="#">Brewster</a>	25.4	<a href="#">Letter Linked from Food Services Webpage (District Policy)</a>
<a href="#">Bristol-Plymouth Regional Vocational Technical</a>	26.2	<a href="#">Bristol-Plymouth Regional Technical School Student-Parent Handbook</a> (p. 81)
<a href="#">Brookfield</a>	24.5	<a href="#">Brookfield Elementary School</a> (p. 7) 2016-17 handbook most recent available.
<a href="#">Cambridge</a>	28.4	<a href="#">Flyer Linked from Food Services Webpage (District Policy)</a>
<a href="#">Cape Cod Regional Vocational Technical</a>	35.8	<a href="#">Nutrition &amp; Fitness, District Policy</a>
<a href="#">Carver</a>	20.1	<a href="#">Carver Elementary School Handbook</a> (p. 29) <a href="#">Carver Middle High School Student/Parent Handbook</a> (p. 68)
<a href="#">Central Berkshire</a>	29.2	<a href="#">Official Policy Manual of the Central Berkshire Regional School District</a> (p. 223)
<a href="#">Chesterfield-Goshen</a>	26.4	<a href="#">New Hingham Regional Elementary School Handbook</a> (p. 9) (SY16/17 handbook most recent available)
<a href="#">Clarksburg</a>	36.4	NO policy available online
<a href="#">Clinton</a>	34.4	<a href="#">Clinton Food Services Webpage</a>
<a href="#">Conway</a>	23.4	NO policy available online
<a href="#">Dedham</a>	20.9	NO policy available online
<a href="#">Dennis-Yarmouth</a>	39.6	NO policy available online
<a href="#">Dracut</a>	21	NO policy available online
<a href="#">Eastham</a>	29.1	<a href="#">Eastham Elementary School Parent/Student Handbook</a> (p. 43)
<a href="#">Easthampton</a>	30.5	<a href="#">Letter Linked from Food Services Webpage (District Policy)</a>



<a href="#">Edgartown</a>	27.6	<a href="#">The Edgartown School Parent/Student Handbook</a> (p. 11) (SY16/17 handbook most recent available)
<a href="#">Essex Agricultural and Technical</a>	21	<a href="#">Essex Technical High School Student Handbook</a> (p. 44)
<a href="#">Fairhaven</a>	28.8	<a href="#">District Policy EFC-R</a>
<a href="#">Fall River</a>	65.8	NO policy available online
<a href="#">Falmouth</a>	27.8	<a href="#">Falmouth Public Schools Elementary Student/Guardian Handbook</a> (p. 33)  <a href="#">Falmouth High School Student/Parent/Guardian Handbook</a> (p. 50)
<a href="#">Farmington River Regional</a>	33.3	<a href="#">Farmington River Elementary School Student/Parent Handbook</a> (p. 15)
<a href="#">Florida</a>	25.9	NO policy available online
<a href="#">Framingham</a>	32.4	<a href="#">Potter Road Elementary School Parent Handbook</a> (p. 30)
<a href="#">Franklin County Regional Vocational Technical</a>	35.7	NO policy available online
<a href="#">Gardner</a>	49.6	<a href="#">District Policy EFDA</a>
<a href="#">Gateway</a>	29.8	<a href="#">Gateway Regional School District Food Services Webpage (District Policy)</a>
<a href="#">Gloucester</a>	34.7	<a href="#">Gloucester Public Schools Policy Manual</a> (p. 154)
<a href="#">Granby</a>	21.3	NO policy available online
<a href="#">Greater Fall River Regional Vocational Technical</a>	36.1	<a href="#">Diman Regional Vocational Technical High School Handbook</a> (p. 17)
<a href="#">Greater Lowell Regional Vocational Technical</a>	43.9	NO policy available online

<a href="#">Greater New Bedford Regional Vocational Technical</a>	36.9	<a href="#">Greater New Bedford Reg. Voc. Tech. High School Student Handbook</a> (p. 46)
<a href="#">Haverhill</a>	45.1	<a href="#">Haverhill Public Schools Pre-K-8 Student Handbook</a> (p. 51) <a href="#">Haverhill High School Student Handbook</a> (p. 15)
<a href="#">Holbrook</a>	32.4	<a href="#">J.F.K. Elementary School Food Services Webpage</a> <a href="#">Holbrook Middle/High School Food Services Webpage</a>
<a href="#">Holland</a>	27.4	NO policy available online
<a href="#">Hudson</a>	21.5	<a href="#">District Policy EFDA</a>
<a href="#">Hull</a>	28.1	<a href="#">Lillian M. Jacobs Elementary School Student/Parent Handbook</a> (p. 9)
<a href="#">Lanesborough</a>	21.8	NO policy available online
<a href="#">Lee</a>	34.6	<a href="#">District Policy</a>
<a href="#">Leicester</a>	22.4	<a href="#">District Policy EFA</a>
<a href="#">Leominster</a>	37.2	<a href="#">Leominster Public Schools Elementary Handbook</a> (p. 54)
<a href="#">Leverett</a>	23.5	<a href="#">Food Services webpage, District Policy</a>
<a href="#">Ludlow</a>	25.6	NO policy available online
<a href="#">Lynn</a>	51.7	<a href="#">Letter Linked from Lynn Public Schools Food Services Webpage</a>
<a href="#">Malden</a>	44	<a href="#">Malden Public Schools Grade K-8 Student and Family Handbook</a> (p. 23) <a href="#">Malden High School Student and Family Handbook</a> (p. 24)
<a href="#">Marion</a>	21.8	<a href="#">District Policy</a>

<a href="#">Marlborough</a>	32.9	<a href="#">District Policy 3.900</a>
<a href="#">Mashpee</a>	28.1	<a href="#">Food Services District Policy</a>
<a href="#">Medford</a>	28.7	<a href="#">Medford Public Schools Food Services Webpage</a>
<a href="#">Methuen</a>	31.8	<a href="#">District Policy EFC</a>
<a href="#">Middleborough</a>	27.6	<a href="#">Middleborough Public Schools Food Services Webpage (District Policy)</a>
<a href="#">Milford</a>	31.6	<a href="#">Milford Public Schools Elementary Family Handbook</a> (p. 37)
<a href="#">Millbury</a>	24.4	<a href="#">Raymond E. Shaw Elementary School Handbook</a> (p. 7) <a href="#">Millbury Junior/Senior High School Food Services Webpage</a>
<a href="#">Minuteman Regional Vocational Technical</a>	26.1	<a href="#">Minuteman High School Student Handbook</a> (p. 18)
<a href="#">Mohawk Trail</a>	33.2	<a href="#">Mohawk Trail Regional School Student Handbook</a> (p. 33)
<a href="#">Monomoy Regional</a>	24.8	<a href="#">District Policy EFDA</a>
<a href="#">Monson</a>	24.2	<a href="#">Monson Public Schools Handbook for Students and Families</a> (p. 18)
<a href="#">Montachusett Regional Vocational Technical</a>	23	<a href="#">Montachusett Regional Vocational Technical School Student Handbook</a> (p. 70)
<a href="#">Narragansett</a>	25.4	NO policy available online
<a href="#">North Brookfield</a>	35.2	<a href="#">North Brookfield Elementary School Parent/Student Handbook</a>
<a href="#">Northampton</a>	25.5	<a href="#">District Policy EFDA</a>
<a href="#">Northampton-Smith Vocational Agricultural</a>	31.1	<a href="#">District Policy</a>
<a href="#">Northbridge</a>	28.2	<a href="#">Northbridge Public Schools Food Services Webpage</a> (District

		<a href="#">Policy</a> )
<a href="#">Northeast Metropolitan Regional Voc/ Technical</a>	30.8	<a href="#">Northeast Metro Regional Voc. Tech. Student Handbook</a> (p. 39)
<a href="#">Northern Berkshire Regional Voc/ Technical</a>	30.2	<a href="#">McCann Technical School Food Services Webpage</a> Navigation: Select "Nutrition & Food Services" in left column
<a href="#">Norwood</a>	22.7	<a href="#">Norwood Public Schools Food Services Webpage</a>
<a href="#">Oak Bluffs</a>	22.2	NO policy available online
<a href="#">Orleans</a>	21.9	<a href="#">Letter Linked from Food Services Webpage</a>
<a href="#">Oxford</a>	33.8	<a href="#">Oxford Public Schools Food Services Webpage</a>
<a href="#">Palmer</a>	38.9	<a href="#">Palmer Public Schools Student/Guardian Handbook</a> (p. 16)
<a href="#">Pathfinder Regional Vocational Technical</a>	36.6	<a href="#">Pathfinder Regional Voc. Tech. High School Student Handbook</a> (p. 57)
<a href="#">Peabody</a>	30	NO policy available online
<a href="#">Pioneer Valley</a>	22.5	<a href="#">Bernardston Elementary Family Handbook</a> (p. 18)  <a href="#">Pioneer Valley Reg. School District Policies and Operational Procedures</a> (p. 748)
<a href="#">Plymouth</a>	23.7	NO policy available online
<a href="#">Plympton</a>	20.1	<a href="#">Dennett Elementary School Student Handbook</a> (p. 21)
<a href="#">Quabbin</a>	24.5	<a href="#">District Policy EFA</a>
<a href="#">Randolph</a>	44.3	NO policy available online
<a href="#">Revere</a>	41.8	NO policy available online
<a href="#">Rockland</a>	31.9	<a href="#">Rockland Food Services Webpage (District Policy)</a>

<a href="#">Saugus</a>	26.5	<a href="#">District Policy EFD</a>
<a href="#">Shutesbury</a>	30.6	<a href="#">District Policy EFCA</a>
<a href="#">Somerset</a>	21.1	<a href="#">Somerset Public Schools Policy Manual</a> Navigation: Select "Section E – Support Services." Then "EFCA – Meal Charge Policy."
<a href="#">South Hadley</a>	25.8	NO policy available online
<a href="#">South Middlesex Regional Vocational Technical</a>	38.1	<a href="#">District Policy, Nutrition &amp; Fitness Dept</a>
<a href="#">South Shore Regional Vocational Technical</a>	25.6	<a href="#">South Shore Regional Voc. Tech. Food Services Webpage</a>
<a href="#">Southeastern Regional Vocational Technical</a>	39.1	<a href="#">Southeastern Regional Voc. Tech. Food Service Website</a>
<a href="#">Southern Berkshire</a>	30.8	<a href="#">Mount Everett Regional Middle-High School Student/Parent Handbook</a> (p. 49)
<a href="#">Southern Worcester County Regional Vocational Technical</a>	26.8	NO policy available online
<a href="#">Southwick-Tolland-Granville Regional</a>	22.1	<a href="#">District Policy</a> .
<a href="#">Spencer-E Brookfield</a>	33.2	<a href="#">Spencer-East Brookfield Public Schools Food Services Webpage (District Policy)</a>
<a href="#">Stoughton</a>	26.7	NO policy available online
<a href="#">Sunderland</a>	30	NO policy available online
<a href="#">Swansea</a>	20.5	<a href="#">District Policy EFD</a>
<a href="#">Tisbury</a>	30.5	<a href="#">Tisbury Public Schools Food Services Webpage</a> Navigation: Select "Lunch Menu/Cafeteria" on upper left side.
<a href="#">Tri-County Regional</a>	20.8	<a href="#">Tri-County Reg. Voc. Tech. Food Services Webpage</a>

<a href="#">Vocational Technical</a>		
<a href="#">Truro</a>	24.1	<a href="#">Truro Central School Student Handbook</a> (p. 9) Navigation: Select “Student Handbook” under “School Publications and Forms.”
<a href="#">Up-Island Regional</a>	20.9	<a href="#">Chilmark School Parent/Student Handbook</a> (p. 8)
<a href="#">Upper Cape Cod Regional Vocational Technical</a>	25.8	<a href="#">Upper Cape Cod Reg. Tech. School Food Services Webpage</a>
<a href="#">Wales</a>	28.7	NO policy available online
<a href="#">Ware</a>	47.1	<a href="#">District Policy EFDA</a>
<a href="#">Watertown</a>	24.1	<a href="#">Hosmer Elementary Student Handbook</a> (p. 11)
<a href="#">Wellfleet</a>	31	<a href="#">Wellfleet Elementary School Parent and Student Handbook</a> (p. 13)
<a href="#">Westport</a>	23	<a href="#">Westport Community Schools Education Policy Reference Manual</a> (p. 259)
<a href="#">Weymouth</a>	27.2	<a href="#">Weymouth Public Schools Food Services Webpage</a> Navigation: If “Username/Password” box opens when the link is clicked, just select “Cancel” and the link will open.
<a href="#">Whately</a>	24	NO policy available online
<a href="#">Whittier Regional Vocational Technical</a>	29.1	NO policy available online
<a href="#">Winchendon</a>	40.2	<a href="#">Memorial School Student Handbook</a> (p. 23) <a href="#">Murdock High School Student-Parent Handbook</a> (p. 28)
<a href="#">Winthrop</a>	26.7	<a href="#">School Breakfast and Lunch Frequently Asked Questions</a>
<a href="#">Woburn</a>	24.9	<a href="#">District Policy</a> Navigation: Open <a href="#">this link</a> first. Then, with that page still open, open “District Policy” link to the left.
<a href="#">Worthington</a>	30	NO policy available online

**30 School Districts with less than 20% “economically disadvantaged” student population \*\***

School District/DESE Link	% Eco Disadv Students	Link to District or School Policy
<a href="#">Andover</a>	6.3	<a href="#">District Policy,EFD</a>
<a href="#">Auburn</a>	16.9	<a href="#">Auburn Public Schools Food Services Webpage</a> <a href="#">District Meal Charge Policy</a> , EFA
<a href="#">Bellingham</a>	17.7	<a href="#">School Nutrition Dept Charging Policy</a>
<a href="#">Braintree</a>	18.1	<a href="#">Food &amp; Nutrition Department Lunch Charge Policy</a> , EFC
<a href="#">Chelmsford</a>	11.2	<a href="#">District Policy</a> , 4801.01
<a href="#">Dartmouth</a>	19.9	<a href="#">Dartmouth Public Schools Food Services Webpage</a>
<a href="#">East Longmeadow</a>	17.0	<a href="#">District Policy</a> , EFDA
<a href="#">Easton</a>	10.9	<a href="#">District Policy</a> , JQ-1
<a href="#">Franklin</a>	8.2	<a href="#">Franklin High School Handbook</a> , SY17/18
<a href="#">Groton/Dunstable</a>	6.0	<a href="#">District Policy</a> , EFCD
<a href="#">Hampden/Wilbraham</a>	14.2	<a href="#">Food Services Meal Charge Policy</a> Navigation: Go to District Offices- Food Services - HWRSD Meal Charge Policy
<a href="#">Holliston</a>	6.9	<a href="#">District Policy</a> , EFDA
<a href="#">Lexington</a>	5.5	<a href="#">District Policy</a> , Navigation: Go to School Committee – Committee Policies, Section EFD/EFC
<a href="#">Lunenburg</a>	16.3	<a href="#">District Policies</a> , Section 3701.01
<a href="#">Martha's Vineyard</a>	19.8	<a href="#">District Policy</a>
<a href="#">Mattapoisit</a>	17.9	<a href="#">District Policy</a> , EFD

<a href="#">Maynard</a>	17.1	<a href="#">Food Services Policy</a> , Navigation: Go to bottom of page for PDF of Cafeteria Charge Policy
<a href="#">Nantucket</a>	18.6	<a href="#">District Policy</a> , Policy EFDA-Procedures
<a href="#">Nashoba Valley Regional Vocational Technical</a>	19.5	<a href="#">Nashoba Valley Food Services Webpage</a>
<a href="#">North Reading</a>	7.3	<a href="#">District Policy</a> , EEC
<a href="#">Old Colony Reg Voc/Tech</a>	17.6	<a href="#">Student Handbook SY17/18</a> , (p. 4)
<a href="#">Pembroke</a>	12.7	<a href="#">Food &amp; Nutrition Department Policy</a>
<a href="#">Reading</a>	7.1	<a href="#">District Policy</a> , EFDA
<a href="#">Rockport</a>	16.6	<a href="#">District Policy</a> , EFD
<a href="#">Seekonk</a>	15.3	<a href="#">District Policy</a> , EFD
<a href="#">Uxbridge</a>	19.8	<a href="#">District Policy</a> , EFD
<a href="#">Wakefield</a>	12.6	<a href="#">District Policy</a> , EFC-580
<a href="#">Weston</a>	4.7	<a href="#">Weston Public Schools Food Services Webpage</a>
<a href="#">Westwood</a>	4.8	<a href="#">District Policy</a> , EFD
<a href="#">Whitman-Hanson</a>	18.8	<a href="#">District Policy</a> , EFDA

\*\* “Economically disadvantaged” is a Department of Elementary and Secondary Education (DESE) metric used for both determining community eligibility (CEP) status, Chapter 70 funding and other distributions. The above inventory excludes CEP districts as well as charter schools.

The inventory includes the link to the most specific meal charge policies in two groups:

- All non-CEP and non-charger districts with 20% or greater economically disadvantaged, with or without school meal policies.
- 30 additional school districts with less than 20% population of “economically disadvantaged” students and have meal charge policies posted.

**District data and links current as of February 1, 2018.**



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## APPENDIX C:

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# AMHERST-PELHAM REGIONAL SCHOOLS

## POLICY JQA: FOOD SERVICES COLLECTIONS

### 1. Purpose

The purpose of this policy is to establish consistent meal account procedures through the district. Unpaid meal charges place a financial burden on the food service department which results in a financial strain on the general operating budget. The goals of this policy are:

- To establish a consistent district policy regarding charges and collection of charges
- To treat all students equitably and with dignity in the serving line regarding meal accounts
- To support positive situations between district staff, students, and parent/guardians to the maximum extent possible.
- To encourage parent/guardians to assume the responsibility of meal payments

### 2. Scope of Responsibility

*The Food Service Department:* 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/guardians of low or outstanding balances.

*The School District:* Responsible for ensuring that all students have access to a meal each and every day, creating a line of communication between families and the food service department, and supporting the food service department in collection activities.

*The Parent/Guardian:* Payment of charged meals.

### 3. Administration

All students will receive a regular lunch each and every day regardless of overdue balance. All efforts to collect overdue lunch balances will be directed at parents/guardians and will occur away from the cafeteria. Students will not be notified of balances unless they ask.

#### **Balances Owed**

The food service department will email monthly notices to parent/guardians of low or outstanding balances. In addition, notices will be mailed home at least three times a year. The food service department will work proactively with parents/guardians to keep them informed of their students' balances.

The ARPS Family Center will be available upon request to act as a liaison between parents/guardians and the food service department.

The school district will take into account individual circumstances that may affect the parent/guardian's ability to pay. Balances owed may be partially or entirely waived at the discretion of the superintendent or his/her designee.

Prior to the end of the school year, parents/guardians must make arrangements with the school district (food service department) to fully or partially pay, or waive, outstanding balances.

***Remaining Balances***

All seniors will receive a notice in May of remaining funds in their lunch account and may elect to transfer those funds to a sibling's account or receive a refund. All refund requests must be submitted to the Food Service Department and then forwarded to the Business Office for payment.

***Unclaimed Funds***

All refunds must be requested within one year of graduation. Unclaimed funds will then become the property of the Food Service Department.

APPROVED:  
Region—June 13, 2017

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MLRI highlights above.

Amherst-Pelham Policy JQA webpage:  
<http://www.arms.org/cms/One.aspx?portalId=926815&pageId=7192449>

## About the author

Patricia Baker joined MLRI's Benefits Unit in 1983. As a Senior Policy Advocate at MLRI, Pat works at both the state and federal level on a range of legislative, administrative, and policy matters that affect low-income families, elders and persons with disabilities. Prior to joining MLRI, Pat was an advocate in Western Massachusetts Legal Services from 1977 to 1983 where she focused on disability, unemployment, and public benefits cases. Ms. Baker has authored and edited numerous publications, including the SNAP Advocacy Guide as well as other MLRI Advocacy Guides involving cash assistance programs, immigrant eligibility issues and homeless rights, and co-authored and contributed to several national reports for the Food Research Action Center and Center for Budget and Policy Priorities. She is the recipient of multiple honors and awards including the 2013 Dr. Raymond Wheeler /Senator Paul Wellstone Anti-Hunger Advocacy Leadership Award, the 2014 Eos Foundation Changing the Equation Award and the 2009 Kit Clark Award for her advocacy – all of which contributed to a significant reversal of the state's low food stamp participation rate. Through her advocacy and leadership, Massachusetts has adopted state policy changes and federal options that have both removed access barriers and increased the value of monthly SNAP benefits and access to other nutrition programs.

For more information about this report, please contact Patricia Baker, [pbaker@mlri.org](mailto:pbaker@mlri.org)

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