## CBSD MEAL CHARGE PROCEDURE

Important Change to State Law

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

directed to the parent/guardian. The amendment provides that such communication must occur when the student owes money for five or more meals. The school must then make at least two attempts to reach the parent or guardian.

School policy must require the following:

## Q and A's

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

Yes. The amendment prohibits schools from denying a meal to any student who requests one but does not have the money in their meal account to pay for the meal at the time of service. A meal can only be

## the student.

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

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

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

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

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

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

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

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

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