Disciplinary Action

Denial of Meals as a Disciplinary Action

USDA policy prohibits the denial of meals as a disciplinary action against any student who is enrolled in a school participating in the child nutrition programs. Disciplinary action which **indirectly** results in the loss of meals is allowable (e.g., a student is suspended from school). When withholding of meals is the disciplinary action or if the disciplinary action directly results in the loss of meals, it is inconsistent with the law and is not allowable.

IMPORTANT POINT

When considering a disciplinary action against any student, school officials should ensure that such action is consistent with the above policy and should make a reimbursable meal available to any child attending school who for disciplinary reasons is not allowed to eat in the cafeteria.

Students Working in the Cafeteria

Regulations state that recipients of free and reduced-price meal benefits shall not be required to work for those benefits. However, they are not prohibited from voluntarily working in the cafeteria. Some schools employ student helpers in the kitchen or serving area for monetary or other compensation. In these cases, parents of all workers must be informed in writing that their children have volunteered to work. The letters must state that if the children have been certified as eligible for free and reduced-price benefits, their continued eligibility is in no way dependent upon working. In addition, the letters should not be a part of or attached to the free and reduced-price letters to parents, applications or notices of approval or denial. Meals served to students who work in the cafeteria are eligible for reimbursement. They must be claimed in the category in which the student is eligible.



- 1. *Q*: In a disciplinary method such as in-school suspension (ISS), may students be required to bring a lunch from home?
 - A: If the school participates in the National School Lunch Program, students may not be required to bring a lunch. If the campus housing the ISS does not have food service available, the district is not required to provide meals.
- **2.** *Q*: May disciplined students be provided a lunch that is different than the meal served to students in the cafeteria?
 - A: Yes. If the meal is to be claimed for reimbursement, it must meet meal requirements.
- **3.** *Q*: May disciplined students be required to eat in a different location or at a different time from other students?
 - A: Yes, as long as the meal is served during the district's recognized meal times and the meals meet requirements.
- **4.** *Q*: In high school, must the offer versus serve provision be implemented for the ISS class?
 - A: If the delivery system is a prepackaged meal, such as a sack lunch, the offer versus serve provision is not required.

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Meal Tickets: Lost, Stolen and Misused

The USDA has issued an instruction regarding the handling of lost, stolen and misused paid, free and reduced-price meal tickets. The instruction states that schools may establish their own procedures regarding this matter, **except** that any system that **limits** the number of tickets reissued must conform to the following standards:

- 1. Parents and students must be advised in writing of the school's policy regarding missing meal tickets and of the students' corresponding responsibility for their tickets. Such notice shall be provided to all households at the time they begin receiving or purchasing meal tickets.
- 2. A minimum of **three** replacements, or special meal arrangements resulting from three lost or stolen tickets, must be allowed each student within each school year (includes initial ticket plus three replacements).
- 3. The school must maintain a list of student who have reported missing original tickets in the current school year and the number of occurrences for each student. Prior to denying a meal to any student without a ticket, the list should always be reviewed to determine if the student has already had at least three ticket replacements or special meal arrangements for lost or stolen tickets within that school year.
- 4. At least on advance written warning must be given to the student and the parents(s) prior to refusal to allow additional meals or ticket replacements. The written warning must include an explanation that the student has repeatedly requested replacement tickets and that each subsequent time the student fails to have a ticket, he/she will be expected to either bring lunch/breakfast or pay full price for lunch/breakfast.
- 5. Meals must always be provided to prekindergarten, kindergarten and handicapped students who may be unable to take full responsibility for a meal ticket.

Using the above criteria, school officials may develop the most administratively feasible system to handle missing tickets as determined by individual school circumstances and frequency of ticket issuance. In cases of repeated ticket loss or misuse, school administrators may wish to contact an adult household member to arrange a meeting to discuss the problem.

Replacement of Medium of Exchange

Some school districts are charging for the replacement of I.D. cards or other cards, tickets or tokens used as a medium of exchange in the school lunch and breakfast programs. These charges are being made on the initial replacement prior to the minimum replacement of three tickets. This is a reminder that the school district must replace a minimum of three tickets at no charge. However, if the district is using this card for other purposes as well as the school lunch and breakfast programs, there must be an alternate method for student to receive their meals. This could include making students get a temporary lunch card and go the end of the line, then finding their names on the roster to confirm eligibility or use a number that is coded instead of the card. The most important point to keep in mind is that the meal cannot be denied to the student unless the lost, stolen and misused ticket procedure has been followed.

Are Schools Required to Serve Children with No Money or Lunch from Home?

Schools are not required to serve children who receive reduced-price or full price meals but do not have money to pay. The Child Nutrition Programs Division offers no specific recommendations as to what policies school districts should adopt with regard to this problem: however, the following methods are commonly and successfully employed by districts throughout the state.

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Many districts have adopted a no-charge policy meaning the child who comes to school without money or a lunch from home is (1) given an alternate meal that is not claimed for reimbursement or (2) given an opportunity to call his/her parents so they may make provisions for his/her meal. In some schools, the school makes no accommodations for feeding the child with no money.

Other districts desiring to provide a controlled method for limited charges involve the principal's office in the process. Often the child must go to the office where he/she is given a note that is exchanged on the serving line for a meal. At the end of the day, the cashier exchanges the note in the office for cash. This method removes food service personnel from accounting and collecting for charged meals. Also, the administrative staff may aid a child who may have a problem with a parent or guardian providing meals when they are aware of the situation.