

School Lunch Program Meal Charges

Priority/Required By Law

The District encourages all parents and guardians (hereinafter “parents”) to provide a healthy breakfast and lunch for their student(s). Parents are welcome to send students to school with a “brown bag/lunch box” meal. The District provides the opportunity to purchase (*breakfast and*) lunch from the school cafeteria. Each meal meets or exceeds the federal nutrition standards. Payment is expected no later than when the meal is served. Payment may be in cash (*check*) or as a debit against funds deposited into an established student lunch account.

The school lunch program is required by federal law to operate as a non-profit which must end each fiscal year without a negative balance. Uncollected debt must be paid to the school lunch program from other funds. Therefore, parents of students required to pay the full or reduced price for meals must ensure that the school lunch program is paid for their student’s meals. The District’s policy is to quickly escalate efforts to bring student meal accounts into positive balance, to avoid circumstances where these accounts build significant debt.

Each year the director of food services will send home paper work that outlines the process of establishing your lunch account and other processes related to the school lunch program.

Free or Reduced Price Meals

The District participates in the federally supported program to provide free or reduced price meals to students from families whose economic circumstances make paying for meals difficult. Income guidelines for eligibility are based on family size and are updated each year by the USDA. The District will ensure parents are informed of the eligibility requirements and application procedures for free or reduced cost meals as well as the requirements of this policy.

As required by the Civil Rights Act of 1964 and USDA guidance, parents with Limited English Proficiency (“LEP”) will be provided with information on this policy and the free and reduced price meal program in a language the parents can understand. The District will utilize USDA and community resources to fulfill this requirement. This policy and links to application materials for the free or reduced price meal program will be posted on the school web site and made available to parents at each school.

Students Without Cash in Hand or A Positive Account Balance

Regardless of whether a student has money to pay for a meal or has a negative balance in the student meal account, a student requesting a meal shall be provided with a meal from among the choices available to all students. The only exception will be where the student’s parents have provided the District with specific written direction that the student not be provided with a school lunch program meal, the student has a meal sent from home, or otherwise has access to an

appropriate meal. Under no circumstances will a student's selected meal be thrown away because of the status of the student's meal account.

It is the parents' responsibility to provide their student with a meal from home or to pay for school prepared meals. Therefore, the District's policy is to direct communications to parents about student meal debt. When parents chose to provide meals sent from home, it is the parents' responsibility to explain to their student the necessity of the student not using the school meal program.

Unresolved Debt

If parents continue to fail to provide the student with a meal sent from home, continue to fail to provide funds for their student to use the school lunch program, continue to refuse to cooperate with reasonable requests by District staff to address the overdue debt, and the parent is believed to have the ability to pay, the Superintendent may pursue payment through civil legal action, including filing a claim in small claims court pursuant to RSA Chapter 503. The Superintendent is delegated authority to assess the likelihood that civil action will lead to payment, the resources required to pursue collection, and to pursue such action only when doing so is in the best interest of the District.

If a student's meal account has a negative balance of \$__.00 or more the student will be allowed to charge only an alternative meal. In accordance with state law, the alternative meal will be one of the meal choices generally available to all students, but which has the lowest cost to the lunch program to produce. The purpose of limiting students with negative balance meal accounts to the alternative meal is to mitigate the losses to the District from providing uncompensated meals, while ensuring that the student has access to a healthy meal. These students will also not be allowed to charge a la carte or extra items. It is the parents' responsibility to explain to the student that only alternative meals may be charged. A notice which directs the parent to have their student select only the alternative meal and not to charge a la carte or extra items, until the student's meal account is brought into positive balance, will be included with the communication demanding payment of the negative balance.

Legal References

15 U.S.C. § 1692-1695 federal Fair Debt Collection Practices Act (FDCPA)
42 U.S.C. 1758(b)(6), Use or disclosure of information
Civil Rights Act of 1964 & 7 C.F.R. Part 15, Subpart A & B
2 C.F.R. §200.426
7 C.F.R §210.09
7 C.F.R §210.10
7 C.F.R §210.15
7 C.F.R. §245.5
USDA SP 46-2016
USDA Guidance SP37-2016: Meaningful Access for Persons with Limited English Proficiency (LEP) in the School Meal Programs

RSA 189:11-a

RSA 358-C , New Hampshire's Unfair, Deceptive or Unreasonable Collection Practices Act;
NH Dept. of Education Technical Advisory – Food and Nutrition Programs

See also Policy:

JLCF – Wellness

EF – Food Service Management

EFA – Availability and Distribution of Healthy Foods

EFE – Vending Machines

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