

### SCHOOL LUNCH PROGRAM MEAL CHARGES

The Nashua School District (the District) encourages all parents/guardians 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 standard. 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 the 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 are required to pay the full or reduced price for 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.

#### Student Meal Accounts

NSD uses a point-of-sale (POS) computerized meal payment system which has an account for all students. Parents/guardians using the POS system are required to establish and maintain a positive balance in the student's meal account.

Funds may be deposited into a student lunch account by cash, check, or on-line payment. Checks should be made out to: Nashua School District Food Service. Payments should be presented to the kitchen cashier, the Main Office, or the Food Service Office. A check may also be mailed to: Food Service-Nashua School District, 36 Riverside Street, Nashua, NH 03062. The District utilizes MYSCHOOLBUCKS, [www.myschoolbucks.com](http://www.myschoolbucks.com), as an on-line payment vendor where parents/guardians securely fund student accounts. The use of checks or on-line payments are encouraged, as each provides a record. Parents are responsible for any fees charged by the on-line service. In accordance with United States Department of Agriculture ("USDA") guidance SP 02-2015, there will be no processing fee for deposits to a student meal account made by cash or check.

Bank fees incurred on any check returned for insufficient funds will be charged to the parent. A fee of \$25.00 will be charged to the parents for each check returned for insufficient funds. **The fee may not exceed \$25.00, RSA 358-C:5, I.)** In accordance with RSA 358-C:5, notice of the fee charged for a check that is returned for insufficient funds shall be included in any letter sent to a Parent seeking payment because the student meal account has a negative balance.

Each notice to parents will include information on how to verify a student meal account balance, resolve concerns regarding the accuracy of the account balance, or obtain information on the school meal program, including the name, title, hours when available, phone number, and e-mail address of an appropriate member of the District staff.

#### Parental Restrictions on Use of Student Meal Account

Parents who establish a meal account for their student are responsible for communicating with their student any restrictions the parent chooses to place on use of the account. Unless restricted by the parent, a student may purchase à la carte items in addition to the regular meal choices. Some students purchase more than one meal at one sitting. Parents must monitor the student's use of the meal account to ensure that a sufficient balance is available at all times for their student to charge meals.

**Balance Statements**

The District will work proactively with parents to maintain a positive balance in their student's meal account. A low balance statement will be sent to parents whenever the student's meal account falls to or below \$10.00.

The notices will be sent weekly by e-mail and a sealed letter will be sent home with the student. Only those District staff who have received training on the confidentiality requirements of federal and state law, including the United States Department of Agriculture's ("USDA") guidance for school meal programs, and who have a need to access a child's account balance and eligibility information may communicate with parents regarding unpaid meal charges. Volunteers, including parent volunteers, will not be used to communicate with parents regarding unpaid meal charges. 42 U.S.C. 1758(b)(6).

**Students Without Cash in Hand or A Positive Account Balance***Elementary Schools*

Regardless of whether a student has money to pay for a meal or has a negative balance in the student account, a student requesting a meal shall be provided with one from among the choices available to all students. No meal will be thrown away because of the balance of the student's account.

For any meal purchase where the account would result in a negative balance of \$10.00 or more, the student will continue to receive a "reimbursable" meal based on daily offerings. A reimbursable meal is defined as a meal consisting of meat/meat alternative, grains, fruits, vegetables, and a milk further defined by the National School Lunch Program requirements. Staff must take reasonable steps to minimize statements or actions that may overly identify children eligible for free meals. This "reimbursable" meal will be charged to the child's meal account at the standard lunch rate.

*Middle and High Schools*

If a student does not have enough money to purchase a meal, the student will be allowed to receive the meal of his/her choice until such time as the student attempts to make a purchase that would result in a negative balance of \$10.00 or more.

For any meal purchase where the account would result in a negative balance of \$10.00 or more, the student will receive a breakfast at the standard breakfast rate and will be provided a lunch based on daily offerings such as a sandwich of sunflower butter & jelly on whole wheat bread and a cup for water. The School District recognizes that the lunch replacement meal cost is non-reimbursable to the School District.

A la carte and snack purchases are not permitted for any student that has a negative balance. The student's account balance must have sufficient funds for these types of purchases.

This policy shall apply equally to all students regardless of free/reduce/or full pay status.

If a student with a negative balance their account seeks to purchase a meal with cash or check, the student will be allowed to do so. There is no requirement that the funds be applied first to the debt.

*Adults*

No purchases will be allowed without proper payment.

**Unresolved Debt**

If the student's meal account balance debt grows to \$20.00 or more a letter requesting immediate payment shall be sent by US Mail to the parent/guardian or the parent/guardian shall be contacted by the Principal or designee by phone or in person. Where warranted, the Principal or designee may arrange a payment schedule to address current student account arrearages while the school continues to provide the student with meals. At the discretion of the Principal or designee, an application for free or reduced cost meals should be explored with the parent/guardian if warranted.

If the student's meal account debt grows to \$50.00 or more, the parent/guardian will be requested to meet with the Principal or designee.

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, 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.

Applying the policy set forth above, the Superintendent shall determine if further collection efforts are in the best interest of the District. Any payments collected on debt that has been offset with District funds, shall be credited to the District. All debt collection efforts shall comply with RSA Chapter 358-C, New Hampshire's Unfair, Deceptive or Unreasonable Collection Practices Act.

Annually, the Director of Food Services will report:

1. The cost, if any, for an alternative meal at the elementary and middle school level.
2. By school level, the amount of unpaid meal charges, the number of students involved, and the number of unpaid balances that have been sent to collection.

**Assessment for Neglect Reporting**

If a student who has been determined to be ineligible for free or reduced cost meals or whose parents have refused to cooperate with filing an application for free or reduced cost meals and is consistently not provided with meals, either through a meal sent from home or funds to purchase a meal through the school meal program, the Principal will assess whether a report of child neglect is warranted to the New Hampshire Department of Health and Human Services, Division for Children, Youth, & Families, as required by RSA 169-C:29-31.

**Staff Enforcement of Policy/Training**

A copy of this policy and refresher training shall be provided annually to all food service and school staff responsible for serving student meals or enforcing this policy. New staff with these responsibilities shall be provided with a written copy and training on the policy during their initial training or orientation. In accordance with federal requirements, a record shall be maintained documenting that all applicable staff, including new hires, receive a copy of the policy and refresher training annually.

**Student with Special Dietary Needs**

Nothing in this policy prohibits providing an appropriate meal to a student with special dietary needs. If the meal is medically required, and the student has a negative student meal account balance, or does not have cash to purchase the meal, the necessary dietary needs will be met.

To request meal accommodations for students whose dietary needs qualify them for accommodation under law or to file a school meal program complaint with the District, contact the Director of Food Service at phone number 603-966-1300.

To file a program complaint of discrimination with the USDA, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html) and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

1. MAIL TO:
  - a. U.S. Department of Agriculture  
Office of the Assistant Secretary for Civil Rights  
1400 Independence Avenue, SW  
Washington, D.C. 20250-9410;
2. FAX TO:
  - a. (202) 690-7442; or
3. EMAIL TO:
  - a. [program.intake@usda.gov](mailto:program.intake@usda.gov).

This District is an equal opportunity provider.

### **Nondiscrimination**

It is the District's policy that in the operation of child feeding programs, no child will be discriminated against because of race, sex, color, national origin, age, or disability. 7 C.F.R. 245.5(a)(1)(viii). Students will not be denied meals due to the existence of other unpaid charges at the school or for disciplinary reasons.

### **Legal References:**

*RSA 189:11-a Food and Nutrition Programs*  
*RSA 358-C:5, Check Collection Charges*  
*2 C.F.R. §200.426, Bad Debts*  
*7 C.F.R §210.09, Agreement with State agency*  
*7 C.F.R §210.10, Meal requirements for lunches and requirements for afterschool snacks*  
*7 C.F.R §210.15, Reporting and recordkeeping*  
*7 CFR 245.5, Public announcement of the eligibility criteria*  
*7 CFR Part 15, Subpart A, Nondiscrimination*  
*15 U.S.C. § 1692-169, Federal Fair Debt Collection Practices Act (FDCPA)*  
*42 U.S.C. 1758(b)(6), Use or disclosure of information*  
*USDA SP 02-2015, Online Fees in the School Meal Programs*  
*USDA SP 37-2016, Meaningful Access for Persons with Limited English Proficiency (LEP) in the School Meal Programs*  
*USDA SP 46-2016, No later than July 1, 2017, all SFA's operating the Federal school meal program are required to have a written meal charge policy.*

***Legal References Disclaimer:** These references are not intended to be considered part of this policy, nor should they be taken as a comprehensive statement of the legal basis for the Board to enact this policy, nor as a complete recitation of related legal authority. Instead, they are provided as additional resources for those interested in the subject matter of the policy.*

Board Approved: 05/12/2025