

SCHOOL LUNCH PROGRAM MEAL CHARGES

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 a meal from Dining Services.

Student Meal Accounts

The District uses a point-of-sale computerized meal payment system. Students will have a dining services lunch account for food and beverage purchases. Parents and guardians can make a payment online at any time (see website) www.londonderry.org/departments/dining for details). Cash or a check (made payable to Londonderry School District) may be submitted to the cashier in the cafeteria, the main office, the Dining Services Office or mailed to Londonderry Dining Services 295 Mammoth Road, Londonderry, NH 03053. Parents of students who will be purchasing meals using this system are required to establish and maintain a positive balance in the student's meal account.

The use of checks or on-line payments is 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 at \$25.00 per transaction. 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 a letter sent to the parent/guardian seeking payment.

Students Without Cash in Hand or A Positive Account Balance

Londonderry School District will provide a meal to a student even if he or she is in the negative. The student's account will be charged for that meal and the parent/guardian is responsible for those monies owed.

The District's policy is to ensure that students have access to healthy meals and that no student will be subject to different treatment from the standard school meal or school cafeteria procedures. Therefore, the District will allow students to purchase a meal, even if the student's meal account has insufficient funds. This policy applies to all meal offerings generally available at the cafeteria: breakfast and lunch. Please note that students at a \$0.00 balance or in the negative may not purchase a la carte and / or vending items. Contact the Dining Services department at any time to establish restrictions to what your student can or cannot purchase with their funds.

Parental Restrictions on Use of Student Meal Account

Parents are responsible for establishing any restrictions the parent chooses to place on their student's account. Unless restricted by the parent, a student may purchase à la carte items in addition to the regular meal choices. Setting and ensuring compliance with limitations on the use of the student's meal account afford families an opportunity to develop their student's understanding of the responsible use of credit and debit accounts, which will benefit the student throughout life. 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. (The District's on-line payment system allows a parent to check their student's balance at any time.)

Balance Statements/ Unresolved Debt

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 Dining Services 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.

The District will work proactively with parents to maintain a positive balance in their student's meal account. Notices of low balance will be sent by e-mail from the Dining department. Only those staff members 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).

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 Chief Financial Officer may pursue payment through civil legal action, including filing a claim in small claims court pursuant to RSA Chapter 503, if the account reaches \$250.00 or more. The Chief Financial Officer 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. All debt collection efforts shall comply with RSA Chapter 358-C, New Hampshire's Unfair, Deceptive or Unreasonable Collection Practices Act.

Parents should monitor and keep all financial obligations in good standing within the Londonderry School District. If at any time the parent (s) wish to ask for a review of the account, a letter or email must be sent to the District Dining Service Manager.

If the account reaches \$500 or more on June 15th of any year; the parent or guardian has five business days from the time the collection letter is written and sent to contact the Dining Service Manager to address the open balance. The Dining Service Manager will accept or deny the proposed payment plan. If a settlement plan cannot be reached by both parties, the account will

be sent to our attorney to begin collection proceedings. The District reserves the right to pursue legal action on any unpaid balances.

Once an account has been referred for collections, the account will be charged a one-time nonrefundable \$250 penalty to recoup administrative and legal costs. Collection letters will be drawn once a year as we begin closing the fiscal year. Once a court date has been set, all efforts to reduce the responsibility of the parent (s) will be taken up by the court.

School building administrators and the Director of Dining Services will communicate on a regular basis to inform parents/guardians of all outstanding obligations. If it is determined the account has reached one of the levels listed above, the appropriate sur-charge will be added.

The District recognizes that unexpected financial hardships occur and will work with parents in this circumstance to limit the amount of accumulated debt. To do so, it is essential that parents respond to notices and cooperate with district staff efforts. Fairness and equal treatment requires that those able to pay, but who fall behind, must promptly bring their students meal account into a positive balance. The District's proactive approach is intended to help ensure students have healthy meals and that parents do not accumulate significant debt to the school meal program.

Parents/Guardians are responsible for the financial obligations of their student(s). In addition to the opportunity of purchasing meals, Students are issued textbooks and other educational materials. It is the responsibility of the student to return those items in an acceptable condition at the conclusion of use.

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.

Parents shall be provided with an application for free or reduced cost meals annually as well as posted on the school district website, and upon enrollment of a transfer student during the school year. The communication explaining the availability of the free or reduced price meals shall include all the elements required by federal regulation, 7 C.F.R. 245.5. Each notice shall also identify a member of the District staff, with contact information, who is available to answer questions or assist the parents with applying for free or reduced price meals.

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

website and made available to parents at each school.

The District will proactively enroll students found to be categorically eligible into the free or reduced price meal program. The District will seek to enroll eligible students in the free or reduced price meal program upon learning from any source of the student's potential eligibility. When eligibility is established, the District will apply the earliest effective date permitted by federal and state law.

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 of the policy and training on the policy during their initial training or orientation. In accordance with federal requirements, a record shall be maintained documenting that new staff receive the policy and training. The record must also document that all applicable staff 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 such as, but not limited to, diabetes, provided these needs have been documented in a health plan, Sec 504, or IEP. 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.

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

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 , 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: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW Washington, D.C. 20250-9410;
- (2) fax: (202) 690-7442; or

(3) email: 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.

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 is consistently not provided with meals, either through a meal sent from home or the payment for 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.

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- No later than July 1, 2017, all SFA's operating the Federal school meal program are required to have a written meal charge policy.

USDA Guidance SP37-2016: Meaningful Access for Persons with Limited English Proficiency (LEP) in the School Meal Programs

RSA 189:11-a VIII

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

LONDONDERRY SCHOOL DISTRICT

Adopted: May 21, 2019