

# Committee Report

**CONSENT CALENDAR**

**March 26, 2021**

**HOUSE OF REPRESENTATIVES**

**REPORT OF COMMITTEE**

**The Committee on Education to which was referred HB  
202,**

**AN ACT relative to school lunch payment policies.**

**Having considered the same, report the same with the  
following resolution: RESOLVED, that it is  
INEXPEDIENT TO LEGISLATE.**

**Rep. Erica Layon**

**FOR THE COMMITTEE**

## **COMMITTEE REPORT**

Committee:	<b>Education</b>
Bill Number:	<b>HB 202</b>
Title:	<b>relative to school lunch payment policies.</b>
Date:	<b>March 26, 2021</b>
Consent Calendar:	<b>CONSENT</b>
Recommendation:	<b>INEXPEDIENT TO LEGISLATE</b>

### **STATEMENT OF INTENT**

This bill to protect students from stigma in school lunch programs is already covered in current New Hampshire law and federal regulations, therefore it is unnecessary.

Vote 20-0.

Rep. Erica Layon  
FOR THE COMMITTEE

Original: House Clerk  
Cc: Committee Bill File

## CONSENT CALENDAR

Education

**HB 202**, relative to school lunch payment policies. **INEXPEDIENT TO LEGISLATE.**

Rep. Erica Layon for Education. This bill to protect students from stigma in school lunch programs is already covered in current New Hampshire law and federal regulations, therefore it is unnecessary.

**Vote 20-0.**

Original: House Clerk

Cc: Committee Bill File

# Voting Sheets

**HOUSE COMMITTEE ON EDUCATION**

**EXECUTIVE SESSION on HB 202**

**BILL TITLE:** relative to school lunch payment policies.

**DATE:** March 23, 2021

**LOB ROOM:** 301-303

**MOTIONS: INEXPEDIENT TO LEGISLATE**

Moved by Rep. Layon

Seconded by Rep. Hobson

Vote: 20-0

**CONSENT CALENDAR: YES**

**Statement of Intent:** Refer to Committee Report

Respectfully submitted,

Rep Barbara Shaw, Clerk



2021 SESSION

Education

Bill #: HB 202 Motion: ITL AM #: \_\_\_\_\_ Exec Session Date: 3-23-2021

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Ladd, Rick M. Chairman	✓		
Cordelli, Glenn Vice Chairman	✓		
Boehm, Ralph G.	✓		
Allard, James C.	✓		
Lekas, Alicia D.	✓		
Moffett, Michael	✓		
Hobson, Deborah L.	✓		
Andrus, Louise	✓		
Ford, Oliver J.	✓		
Layon, Erica J.	✓		
Soti, Julius F.	✓		
Myler, Mel	✓		
Luneau, David J.	✓		
Shaw, Barbara E. Clerk	✓		
Cornell, Patricia	✓		
Tanner, Linda L.	✓		
Ellison, Arthur S.	✓		
Mullen, Sue M.	✓		
Ley, Douglas A.	✓		
Woodcock, Stephen L.	✓		
<b>TOTAL VOTE:</b>	<b>20</b>	<b>0</b>	

# Hearing Minutes



HOUSE COMMITTEE ON EDUCATION

PUBLIC HEARING ON HB 202

**BILL TITLE:** relative to school lunch payment policies.

**DATE:** March 2, 2021

**LOB ROOM:** 201/203

**Time Public Hearing Called to Order:** 9:10 AM

**Time Adjourned:** 9:25 AM

**Committee Members:** Reps. Ladd, Cordelli, Shaw, Boehm, Allard, A. Lekas, Moffett, Hobson, Andrus, Ford, Layon, Soti, Myler, Luneau, Cornell, Tanner, Ellison, Mullen, Ley and Woodcock

**Bill Sponsors:**

Rep. Horrigan  
Rep. Myler

Rep. Mullen  
Rep. Luneau

Rep. Shaw

TESTIMONY

\* Use asterisk if written testimony and/or amendments are submitted.

**\*Rep. Sue Mullen – Bill Sponsor**

- Presented written testimony

**\*Cheri White – Neutral – DOE**

- Presented written testimony

Respectfully submitted,

Rep. Barbara Shaw, Clerk

HOUSE COMMITTEE ON EDUCATION

BILL TITLE: PUBLIC HEARING on Bill # HB 202  
DATE: relative to school lunch payment policies  
3-2-2021

ROOM: 201-203 Time Public Hearing Called to Order: 9:10 AM  
Time Adjourned: 9:25 AM

(please circle if present) all present

Committee Members: Reprs. Ladd, Cordelli, Shaw, Boehm, Allard, A. Lekas, Moffett, Hobson, Andrus, Ford, Layon, Soti, Myler, Luneau, Cornell, Tanner, Ellison, Mullen, Ley and Woodcock

TESTIMONY

\* Use asterisk if written testimony and/or amendments are submitted.

- ① Rep. Sue Mullen - sponsor  
\* written testimony -- (will forward to Jennifer)
- ② Cheri White - neutral - DOE  
\* written testimony

Respectfully submitted,  
Rep. Barbara Shaw,  
Clerk

# House Remote Testify

## Education Committee Testify List for Bill HB202 on 2021-03-02

Support: 86 Oppose: 3 Neutral: 1 Total to Testify: 1

Export to Excel

<u>Name</u>	<u>City, State</u> <u>Email Address</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>Signed Up</u>
White, Cheri	Concord, NH cheri.f.white@doe.nh.gov	State Agency Staff	NH Department of Education	Neutral	Yes (0m)	3/1/2021 7:35 AM
Briggs, Ronald	Concord, NH Rongb1950@gmail.com	A Member of the Public	Myself	Support	No	3/1/2021 7:47 AM
Straiton, Marie	Pembroke, NH m.straiton@comcast.net	A Member of the Public	Myself	Support	No	3/1/2021 8:44 AM
Lucas, Janet	Campton, NH janluca1953@gmail.com	A Member of the Public	Myself	Support	No	3/1/2021 8:51 AM
Carter, Lilian	Deering, NH lcarter0914@gmail.com	A Member of the Public	Myself	Support	No	3/1/2021 9:11 AM
Blanchard, Sandra	Loudon, NH sandyblanchard3@gmail.com	A Member of the Public	Myself	Support	No	3/1/2021 9:42 AM
DeMark, Richard	Meredith, NH demarknh114@gmail.com	A Member of the Public	Myself	Support	No	3/1/2021 2:22 PM
House, Don	Belmont, NH donhouse@metrocast.net	A Member of the Public	Myself	Support	No	3/1/2021 9:58 AM
Torpey, Jeanne	Concord, NH jtorp51@comcast.net	A Member of the Public	Myself	Support	No	3/1/2021 10:51 AM
Jones, Andrew	Pembroke, NH arj11718@yahoo.com	A Member of the Public	Myself	Support	No	3/1/2021 11:21 AM
Kallinich, Kayla	Boston, MA kaylakall47@gmail.com	A Member of the Public	Myself	Support	No	3/1/2021 5:27 PM
Rettew, Annie	CONCORD, NH abrettew@gmail.com	A Member of the Public	Myself	Support	No	3/1/2021 3:49 PM
Jakubowski, Deborah	Loudon, NH Dendeb146@gmail.com	A Member of the Public	Myself	Support	No	3/1/2021 4:28 PM

Istel, Claudia	Acworth, NH claudia@sover.net	A Member of the Public	Myself	Support	No	3/2/2021 12:43 AM
Stinson, Benjamin	CONCORD, NH benrkstinson@gmail.com	A Member of the Public	Myself	Support	No	3/2/2021 2:14 AM
Brookmeyer, Janet	Grantham, NH brookmeyermusic@gmail.com	A Member of the Public	Myself	Support	No	3/2/2021 6:22 AM
Wazir, Safiya	Merrimack, NH s.wazir@leg.state.nh.us	An Elected Official	My Constituents	Support	No	3/1/2021 6:15 PM
Taylor, Stephen	Plaistow, NH 1stcorinfa@gmail.com	A Member of the Public	Myself	Support	No	3/1/2021 7:04 PM
Hope, Lucinda	Tilton, NH lmhope46@gmail.com	A Member of the Public	Myself	Support	No	3/1/2021 7:10 PM
Falk, Cheri	Wilton, NH Falk.cj@gmail.com	A Member of the Public	Myself	Support	No	3/1/2021 7:13 PM
Keeler, Margaret	New London, NH peg5keeler@gmail.com	A Member of the Public	Myself	Support	No	3/1/2021 7:19 PM
Lynch, Laura	Temple, NH Lynch.lauranh@gmail.com	A Member of the Public	Myself	Support	No	3/1/2021 7:21 PM
Hinebauch, Mel	Concord, NH melhinebauch@gmail.ocm	A Member of the Public	Myself	Support	No	3/1/2021 7:23 PM
jakubowski, dennis	Loudon, NH dendeb146@gmail.com	A Member of the Public	Myself	Support	No	3/1/2021 7:39 PM
Dewey, Karen	Newport, NH pkdewey@comcast.net	A Member of the Public	Myself	Support	No	3/1/2021 8:27 PM
Jachim, Nancy	Newport, NH nancyjachim@gmail.com	A Member of the Public	Myself	Support	No	3/1/2021 8:44 PM
Maisttison, Maureen	Hollis, NH maisttisonm@outlook.com	A Member of the Public	Myself	Support	No	3/1/2021 9:09 PM
Hayes, Randy	Canterbury, NH rcompostr@gmail.com	A Member of the Public	Myself	Oppose	No	3/1/2021 9:26 PM
Ladd, Nancy	Warner, NH LADDNEWTON@HOTMAIL.COM	A Member of the Public	Myself	Support	No	3/1/2021 9:37 PM
Arnold, Neil	Marlborough, AL krisarn@myfairpoint.net	A Member of the Public	Myself	Support	No	3/1/2021 9:40 PM
Downing, George	Keene, NH gdowning@sau29.org	An Elected Official	Myself	Support	No	3/1/2021 9:54 PM

Weber, Jill	NH, NH jill@frajilfarms.com	A Member of the Public	Myself	Support	No	3/1/2021 9:55 PM
Richman, Susan	Durham, NH susan7richman@gmail.com	A Member of the Public	Myself	Support	No	3/1/2021 10:08 PM
Anastasia, Patti	LONDONDERRY, NH patti.anastasia@gmail.com	A Member of the Public	Myself	Support	No	3/1/2021 10:28 PM
Manseau, Joline	Hollis, NH Joline.manseau@gmail.com	A Member of the Public	Myself	Support	No	3/1/2021 10:28 PM
Turell, Yusi	Durham, NH yusiwang@gmail.com	A Member of the Public	Myself	Support	No	3/2/2021 4:39 AM
McNamee, Brigid	Concord, NH brigidmcnamee@yahoo.com	A Member of the Public	Myself	Support	No	3/2/2021 7:19 AM
Platt, Elizabeth-Anne	CONCORD, NH lizanneplatt09@gmail.com	A Member of the Public	Myself	Support	No	3/2/2021 7:50 AM
perez, maria	Milford, NH mariaeli63@gmail.com	An Elected Official	Distric 23	Support	No	3/2/2021 8:02 AM
Spielman, Kathy	Durham, NH jspielman@comcast.net	A Member of the Public	Myself	Support	No	3/2/2021 8:10 AM
Spielman, James	Durham, NH jspielman@comcast.net	A Member of the Public	Myself	Support	No	3/2/2021 8:13 AM
ellermann, maureen	CONCORD, NH ellermannf@aol.com	A Member of the Public	Myself	Support	No	3/2/2021 6:45 AM
Bergevin, Leslie	Loudon, NH Leslie.bergevin@gmail.com	A Member of the Public	Myself	Support	No	3/2/2021 7:01 AM
St John, Michelle	HOLLIS, NH stjohnmichelle@gmail.com	A Member of the Public	Myself	Support	No	3/2/2021 8:21 AM
Newton, Jay	Gilford, NH Jjnewt@gmail.com	A Member of the Public	Myself	Support	No	3/2/2021 8:27 AM
Howard Jr., Raymond	Alton, NH brhowardjr@yahoo.com	An Elected Official	Myself	Oppose	No	3/2/2021 8:32 AM
hatch, sally	Concord, NH sallyhatch@comcast.net	A Member of the Public	Myself	Support	No	3/2/2021 8:34 AM
Cunningham, Shela	Belmont, NH shelacunningham@metrocast.net	A Member of the Public	Myself	Support	No	3/2/2021 8:40 AM
Dahme, Pat	Concord, NH Patkind62@gmail.com	A Member of the Public	Myself	Support	No	3/2/2021 8:46 AM

Courser, Rebecca	Warner, NH rcourser@hotmail.com	A Member of the Public	Myself	Support	No	3/2/2021 8:47 AM
Clark, Denise	Milford, NH denise.m.clark03055@gmail.com	A Member of the Public	Myself	Support	No	3/2/2021 9:06 AM
Porter, Todd	Hollis, NH admiral5555@yahoo.com	A Member of the Public	Myself	Support	No	3/2/2021 9:11 AM
Necol, Barbara	Peterborough, NH bnecol@myfairpoint.net	A Member of the Public	Myself	Support	No	3/2/2021 9:15 AM
Frost, Sherry	Dover, NH sherry.frost@leg.state.nh.us	An Elected Official	Myself	Support	No	3/2/2021 9:18 AM
Raspiller, Cindy	Mont Vernon, NH raspicl@hotmail.com	A Member of the Public	Myself	Support	No	3/2/2021 9:27 AM
Brown, Howard	Mont Vernon, NH hobro39@hotmail.com	A Member of the Public	Myself	Support	No	3/2/2021 9:27 AM
Brown, William	Mont Vernon, NH brownwd95@gmail.com	A Member of the Public	Myself	Support	No	3/2/2021 9:28 AM
Brown, Morgan	Mont Vernon, NH mmbrown1998@gmail.com	A Member of the Public	Myself	Support	No	3/2/2021 9:29 AM
Cook, Richard	Warner, NH r_cook@mcttelecom.com	A Member of the Public	Myself	Support	No	3/2/2021 9:41 AM
Koch, Helmut	Concord, NH helmut.koch.2001@gmail.com	A Member of the Public	Myself	Support	No	3/2/2021 12:55 PM
Irwin, Virginia	Newport, NH bidy.irwin@gmail.com	A Member of the Public	Myself	Support	No	3/2/2021 1:27 PM
Bates, David	Warner, NH dbates3@yahoo.com	A Member of the Public	Myself	Support	No	2/27/2021 6:58 AM
Josephson, Timothy	Canaan, NH josephsonth@gmail.com	An Elected Official	Mascoma Valley Regional School Board	Support	No	2/27/2021 10:42 AM
Kusch, Dan	Center Sandwich, NH Dan.kusch@gmail.com	A Member of the Public	Myself	Support	No	2/27/2021 12:31 PM
Vogt, Robin	Portsmouth, NH robin.w.vogt@gmail.com	A Member of the Public	Myself	Support	No	2/27/2021 3:53 PM
Fenner-Lukaitis, Elizabeth	Warner, NH glukaitis@mcttelecom.com	A Member of the Public	Myself	Support	No	2/27/2021 3:57 PM
Casino, Joanne	Concord, NH joannecasino@comcast.net	A Member of the Public	Myself	Support	No	2/28/2021 10:30 AM

Bruce, Susan	Concord, NH susanb.red@mac.com	A Member of the Public	Myself	Support	No	2/28/2021 11:10 AM
Richards, Matthew	Manchester, NH mricha711@gmail.com	A Member of the Public	Myself	Support	No	2/28/2021 11:39 AM
Minton, Faith	Warner, New Hampshire, NH minton.faiht@gmail.com	A Member of the Public	Myself	Support	No	2/28/2021 1:16 PM
Corell, Elizabeth	Concord, NH Elizabeth.j.corell@gmail.com	A Member of the Public	Myself	Support	No	2/28/2021 9:51 PM
Fogarty, Maggie	Concord, NH mfogarty@afsc.org	A Lobbyist	American Friends Service Committee - NH	Support	No	2/28/2021 2:11 PM
Telerski, Laura	Nashua, NH Laura.Telerski@Leg.State.NH.US	An Elected Official	Hillsborough 35	Support	No	2/28/2021 3:00 PM
Fordey, Nicole	Litchfield, NH nikkif610@gmail.com	A Member of the Public	Myself	Support	No	2/28/2021 3:20 PM
Campbell, Kay	Epsom, NH kkcampbell43@yahoo.com	A Member of the Public	Myself	Support	No	2/28/2021 3:31 PM
Schlosser, nancy	wilmot, NH nancyschlosser1@gmail.com	A Member of the Public	Myself	Oppose	No	2/28/2021 4:16 PM
Nelson, Elizabeth	Derry, NH BethDavid@comcast.net	A Member of the Public	Myself	Support	No	2/28/2021 5:08 PM
Hackmann, Kent	Andover, NH hackmann@uidaho.edu	A Member of the Public	Myself	Support	No	2/28/2021 5:23 PM
Larson, Ruth	Alton, NH ruthlarson@msn.com	A Member of the Public	Myself	Support	No	2/28/2021 7:33 PM
Smith, Sara	Pembroke, NH sara.rose.ssmith@gmail.com	A Member of the Public	Myself	Support	No	2/28/2021 8:36 PM
Gordon, Laurie	Weare, NH Lmgord23@gmail.com	A Member of the Public	Myself	Support	No	2/28/2021 8:45 PM
Spencer, Louise	Concord, NH lpskentstreet@gmail.com	A Member of the Public	Myself	Support	No	2/28/2021 9:16 PM
Perencevich, Ruth	Concord, NH rperence@comcast.net	A Member of the Public	Myself	Support	No	2/28/2021 9:17 PM
Spencer, Rob	Concord, NH kentstusa@aol.com	A Member of the Public	Myself	Support	No	2/28/2021 9:17 PM
Damon, Claudia	Concord, NH cordsdamon@gmail.com	A Member of the Public	Myself	Support	No	2/28/2021 9:27 PM

barnes, ken	hopkinton, NH kbarnes@kenbarneslaw.com	A Member of the Public	Myself	Support	No	2/28/2021 10:18 PM
Pedersen, Michael	Nashua, NH PedersenUSA@aim.com	An Elected Official	Hillsborough 32	Support	No	2/28/2021 10:25 PM
st.martin, tom	candia, NH rockygorgenh@gmail.com	A Member of the Public	Myself	Support	No	2/28/2021 11:31 PM
Johnson, Sara	Warner, NH nhchicagocubfan@gmail.com	A Member of the Public	Myself	Support	No	3/1/2021 5:35 AM
Greenwood, Nancy	Concord, NH nancgreenwood@yahoo.com	A Member of the Public	Myself	Support	No	3/1/2021 7:04 AM



# Testimony



New Hampshire

Department of Education

Serving New Hampshire's Education Community

# Technical Advisory

Food and Nutrition Programs

RSA 189:11-a

**Effective July 2, 2016, the New Hampshire Bill SB 371 was enacted which will amend RSA 189:11-a. This Technical Advisory provides information regarding meal charge policies.**

## I. Actual Text

1. New Paragraph: School Boards: Food and Nutrition Programs. Amend RSA 189:11-a by inserting after paragraph VII the following new paragraph:

VIII. A school lunch meal payment policy which is implemented by a school board either before or after the effective date of this section shall ensure that all students have access to a healthy school lunch, that the school district will make every reasonable effort to inform parents of the policy, and that no student will be subject to different treatment from the standard school lunch meal or school cafeteria procedures. The department of education or the state board of education, upon request of the local school board, may provide communication assistance to school districts and parents of school children regarding the school lunch meal payment policy.

## II. Department Comment:

Schools participating in the National School Lunch and Breakfast Programs provide healthy, nutritious meals to students each day. Title 7, Code of Federal Regulations (7CFR), Part 210.10(a)(1): General nutrition requirements states that "Schools must provide nutritious and well-balanced meals to all the children they serve." The nutritious and well-balanced meals are also known as reimbursable meals, which are meals that follow the meal pattern guidelines as put forth by the United States Department of Agriculture (USDA). (<http://www.fns.usda.gov/school-meals/nutrition-standards-school-meals>) In turn, schools receive federal funds for reimbursable meals served to all students.

7 CFR 245.5 states that parents or guardians of all children in attendance at a school participating in a Federal school meals service program must be informed of the availability of reimbursable school meals and must be provided information about applying for free or reduced price meals at any time. Households, in turn, may complete and submit a free and reduced price meal application to the school food service department, or the applicable official at the LEA. In addition, at the beginning of the school year and throughout the school year as appropriate, schools provide notice to households whose children are on the Direct Certification List who are automatically eligible for free meals and who do not need to submit a free and reduced price meal application.

School meal program information must include the opportunity to apply for free or reduced price meals, the cost of the school meals, how parents provide payments for school meals, and any school policies regarding non-payment or meal charging. (SP 46-2016 and SP 57-2016) This is also

Issued by:

*Virginia M. Barry, Ph.D.*

Date Issued:

November 15, 2016

Supersedes

issue dated:

October 24, 2016

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New Hampshire

Department of Education

Serving New Hampshire's Education Community

# Technical Advisory

Food and Nutrition Programs

RSA 189:11-a

an opportunity for parents to learn how the student accounts are managed, whether manually (such as the collection of tickets), computerized with swipe cards or anything in between.

## Considerations for creating meal charging policies/standard practice

SP 46-2016 requires all SAUs operating a Federal school meal program to have in place a written and clearly communicated system to address meal charges. The policy or standard practice must consist of a written document explaining how the SAU will handle situations where children eligible to receive reduced price or paid meals do not have money in their account or in hand to cover the cost of their meal at the time of service. SAUs must develop policies/standard practices regarding, for example, the expectations for pre-payments for meals for both paid and reduced price participants, the purchase of any a la carte items as being done on a cash basis only with no charging allowed, and the steps that the school will take in the event that the parents have not provided sufficient payments for meals for either paid or reduced price participants. Certain USDA regulations will affect the meal charging policies/standard practice.

1. Schools must inform students and parents or guardians about how students who pay the full or reduced price cost of a reimbursable meal are impacted by having insufficient funds on hand or in their account to purchase a meal. Policies/standard practices for meal charging must be provided to the State agency during the Administrative Review and be in place as of July 1, 2017. (reference SP 46-2016)
2. Schools may **not** do the following (reference United States Department of Agriculture, Food and Nutrition, Instruction 765-7, Revision 2):
  - Deny meals to free students regardless of any other charges at the school;
  - Deny meals to any student for disciplinary reasons;
  - Deny meals because of unpaid charges if the student has money in hand for the current day's meal.
3. According FNS Instruction 765-7, Revision 2 (taken from: [www.fns.usda.gov/school-meals/faqs#Denial of Meals](http://www.fns.usda.gov/school-meals/faqs#Denial%20of%20Meals)), at the very least the alternate meal must always be offered to preprimary (any child who has not entered the first grade) and young primary students (elementary students), or for any handicapped/disabled students who may be unable to take full responsibility for a meal payment. The meal offered to the disabled student must conform to the special dietary needs requirements of the student, if applicable.
4. The SAU must ensure the policy/standard practice is provided in writing to all households at the start of each school year and to households transferring to the school or school district during the school year. For example, SAUs are encouraged to include the policy/standard practice in student handbooks and/or on online sites that households use to access student accounts. (reference SP 47-2016 and SP 57-2016)

Issued by:

*Virginia M. Barry, Ph.D.*

Date Issued:

November 15, 2016

Supersedes

issue dated:

October 24, 2016

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New Hampshire

Department of Education

Serving New Hampshire's Education Community

# Technical Advisory

## Food and Nutrition Programs

RSA 189:11-a

5. Policies/standard practices regarding meal charging will also include information about recovering unrecovered/delinquent debt. Please refer to Title 2, Code of Federal Regulations (2CFR), Section 200.426, SP 47-2016 and SP 57-2016 for further information on debt.

### III. SB 371

The State (SB 371) ruling supports the USDA meal charging regulations already in place, is intended for elementary schools, and allows for meal payment policies/standard practices in all public schools in the State. It specifies the following:

1. *“All students will have access to a healthy school lunch.”*  
The meal offered through the meal policy/standard practice must be a meal choice for every student in the elementary school, follow USDA meal pattern guidelines and regulations and therefore be a healthy school lunch. For example, if the meal designated in the meal charge policy/standard practice is a sun-butter and jelly sandwich, this entrée must be a choice for all students and be in compliance with the USDA meal pattern requirements.
2. *“The school district will make every reasonable effort to inform parents of the policy.”*  
Please refer to #4 under Considerations found above. This may be accomplished in a number of ways. Examples include, the policy/standard practice is included in the school handbook or the policy/standard practice is on the SAU or school website.
3. *“No student will be subject to different treatment from the standard school lunch meal or school cafeteria procedures.”*  
The standard school lunch meal consists of 5 components. Therefore the meal designated in the meal charge policy/standard practice of the SAUs school cafeteria(s) must also consist of 5 components and meet the meal pattern regulations. The children shall not be required to use a separate dining area, go through a separate serving line, enter the dining area through a separate entrance or consume their meals or milk at a different time. (Supported by FNS Instruction 113-1 – Civil Rights compliance and enforcement)
4. *“The department of education or the state board of education, upon request of the local school board, may provide communication assistance to school districts and parents of school children regarding the school lunch meal payment policy.”* Communication assistance is provided to school districts and parents of school children regarding the school lunch payment policy requirements through the Technical Advisory which is made public by the New Hampshire Department of Education.

Resources are available for meal charge policies and can be found at:

<http://www.fns.usda.gov/school-meals/unpaid-meal-charges>

Issued by:

*Virginia M. Barry, Ph.D.*

Date Issued:

November 15, 2016

Supersedes

issue dated:

October 24, 2016

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New Hampshire

# Department of Education Technical Advisory

*Serving New Hampshire's Education Community*

## Food and Nutrition Programs

RSA 189:11-a

**IV Contact:** Cheri White, Administrator, Bureau of Nutrition Programs and Services, phone (603) 271-3860 or [cheri.white@doe.nh.gov](mailto:cheri.white@doe.nh.gov)

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, 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: 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](mailto:program.intake@usda.gov).

This institution is an equal opportunity provider.

Issued by:

*Virginia M. Barry, Ph.D.*

Date Issued:

November 15, 2016

Supersedes

issue dated:

October 24, 2016

Page 4 of 4

***Testimony in Favor of HB 202:***

***“AN ACT relative to school lunch payment policies.”***

Rep. Timothy Horrigan (Strafford 6)  
House Education Committee; March 2, 2021

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HB 202 (2021) is a repeat of last year's “anti-lunch shaming” bill HB 1127 (2020) which passed the full House on the consent calendar, but got caught up in the disruption caused by the pandemic. The Senate eventually tabled it, along with 426 other bills.

So here it is again.

HB 202 would require schools to serve the same lunch to each and every child, regardless of whether not his or her family already owes a “lunch debt.”. This would abolish the humiliating practice of providing a separate and not quite equal meal to a child who cannot pay for his or her lunch.

HB 202 would also:

- prohibit public identification or stigmatization of a student who cannot pay for a meal or who owes a meal debt.
  - prohibit a child who cannot pay for a meal or who owes a meal debt from doing chores or other work to pay for meals, unless chores or other work are required of all students.
  - require a school to direct communications about a child's meal debt to a parent or guardian and not the student.
- 

Rep. Timothy Horrigan; 7A Faculty Rd; Durham, NH 03824  
email: Timothy.Horrigan@leg.state.nh.us

Bill as  
Introduced

HB 202 - AS INTRODUCED

2021 SESSION

21-0379

06/08

HOUSE BILL           **202**

AN ACT               relative to school lunch payment policies.

SPONSORS:       Rep. Horrigan, Straf. 6; Rep. Mullen, Hills. 7; Rep. Shaw, Hills. 16; Rep. Myler, Merr. 10; Rep. Luneau, Merr. 10

COMMITTEE:       Education

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ANALYSIS

This bill requires school boards that provide free or reduced cost meals to refrain from certain actions that could stigmatize a child who requests such a meal.

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Explanation:       Matter added to current law appears in ***bold italics***.  
Matter removed from current law appears ~~[in brackets and struckthrough.]~~  
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.



STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty One*

AN ACT relative to school lunch payment policies.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1 1 New Paragraphs; Free and Reduced Cost Meals; Anti-Stigmatization Practices. Amend RSA  
2 189:11-a by inserting after paragraph VIII the following new paragraphs:

3 IX. Each school board that makes meals available at no cost or at a reduced cost shall:

4 (a) Prohibit public identification or stigmatization of a student who cannot pay for a  
5 meal or who owes a meal debt.

6 (b) Prohibit a child who cannot pay for a meal or who owes a meal debt from doing  
7 chores or other work to pay for meals, unless chores or other work are required of all students.

8 (c) Require a school to direct communications about a child's meal debt to a parent or  
9 guardian and not the student. Nothing in this section shall prohibit a school from sending a student  
10 home with a letter addressed to a parent or guardian, provided that the letter shall not be  
11 distributed to the child in a manner that stigmatizes the child.

12 X. Any school that participates in the National School Breakfast Program or the National  
13 School Lunch Program shall not provide to any child who qualifies for a free or reduced price  
14 breakfast or lunch an alternate meal that is not provided to students generally.

15 2 Effective Date. This act shall take effect 60 days after its passage.