

8500 - FOOD SERVICE PROGRAM

The School Board shall provide cafeteria facilities in all school facilities where space and facilities permit and will provide food service for the purchase and consumption of lunch for all students. The Board shall annually encumber the funds needed to operate the program.

It is the intent of the Board to participate in the National School Lunch and School Breakfast Program and to offer paid, free, or reduced-price meals in accordance with the Child Nutrition Program, the National School Lunch Act, and Florida law. The operation of the food service program shall also be in compliance with the regulations set forth in State law and the Florida Administrative Code.

~~The Board does not discriminate on the basis of race, color, national origin, sex (including gender status, sexual orientation, or gender identity), disability (including HIV, AIDS, or sickle cell trait), pregnancy, age (except as authorized by law), religion, military status, ancestry, or genetic information (collectively, "protected classes") in its educational programs or activities. Students and all other members of the School District community and third parties are encouraged to promptly report incidents of unlawful discrimination and/or retaliation to a teacher, administrator, supervisor, or other District official so that the Board may address the conduct. See Policy 2260—Nondiscrimination and Access to Equal Educational Opportunity.~~

Students who are eligible for free or reduced-price meals shall be approved and properly accounted for by the Principal in accordance with criteria established by the Child Nutrition Program and National School Lunch Act. The Board requires that the identity of students receiving free or reduced-price meals be safeguarded and kept confidential.

~~Each elementary, middle, and high school shall make a breakfast meal available if a student arrives at school on the bus less than fifteen (15) minutes before the first bell rings and shall allow the student at least fifteen (15) minutes to eat the breakfast.~~

The operation and supervision of the food service program shall be the responsibility of the Food Service Coordinator. The District will adhere to the professional standards for school nutrition personnel who manage and operate the food service program, including the requirements related to hiring and training that are set forth in **United States Department of Agriculture ("USDA")** regulations ~~and AP 8500A~~.

Further, as required by USDA regulations and upon recommendation of the Superintendent, the Board will annually certify:

- A. the School Nutrition Program Director meets the hiring standards and training requirements set forth in USDA regulations; and
- B. each employee in the food service program has completed the applicable training requirements set forth in USDA regulations.

The food service program shall comply with Federal and State regulations pertaining to the selection, preparation, delivery, consumption, and disposal of food and beverages, including but not limited to the current USDA school meal pattern requirements and the USDA's Smart Snacks in School nutrition standards, as well as to the fiscal management of the program. Further, the food-service program shall comply with Federal and State regulations pertaining to the fiscal management of the program as well as all the requirements pertaining to food service hiring and food service manager/operator licensure and certification. In addition, as required by law, a food safety program based on the principles of the Hazard Analysis and Critical Control Point (HACCP) system shall be implemented with the intent of preventing food-borne illnesses. For added safety and security, access to the facility and the food stored and prepared therein shall be limited to food service staff and other authorized persons.

The Superintendent shall recommend and the Board shall approve the cost of meals for elementary, middle, and high schools annually.

School Breakfast

[DRAFTING NOTE: F.S. 595.405(2) requires each school board to implement school breakfast programs that make breakfast meals available to students in schools that serve any combination of grades kindergarten through 5. F.S. 595.405(5) provides that "[e]ach district school board is encouraged to provide universal, free school breakfast meals to all students in each elementary, middle, and high school." (emphasis added). The statute does not require that

breakfast be served in all middle and high schools, with the exception of F.S. 595.405(5) which requires that "[a] universal school breakfast program shall be implemented in each school in which 80 percent or more of the students are eligible for free or reduced-price meals, unless the district school board, after considering public testimony at two or more regularly scheduled board meetings, decides not to implement such a program in such schools."

[X] Option 1

School breakfast meals shall be made available to students at all schools in the District. Each elementary, middle, and high school shall make a breakfast meal available if a student arrives at school on the bus less than fifteen (15) minutes before the first bell rings and shall allow the student at least fifteen (15) minutes to eat the breakfast.

[] Option 2

~~School breakfast meals shall be made available to students at all schools that serve any combination of grades kindergarten through 5.~~

[X] Additionally, the Board shall provide breakfast meals in all schools in which eighty percent (80%) or more of the students are eligible for free or reduced-price meals.

Breakfast meals shall be available if a student arrives at school on the bus less than fifteen (15) minutes before the first bell rings and shall allow the student at least fifteen (15) minutes to eat the breakfast.

~~Breakfast meals shall be available to all students in each elementary, middle, and high school. The Board will do so by participating in the National School Breakfast Program and offering paid, free, and reduced-priced breakfast meals in accordance with USDA Guidelines.~~

~~Further, the Board shall offer breakfast meals free of charge to all students in each elementary, middle, and high school in which eighty percent (80%) or more of the students are eligible for free or reduced-price meals.~~

Summer Food Service

The Board shall provide a Federal food service program for students during summer intervention programs that are mandated under Federal law. If the Board determines that it is unable to provide a Federal food service program during the summer, for financial reasons, the Board will communicate that decision to its residents in a manner it determines to be appropriate.

Nutrition Standards

The Board shall approve and implement nutrition standards governing the types of food and beverages that may be sold on the premises of its schools and shall specify the time and place each type of food or beverage may be sold.

In adopting such standards, the Board shall:

- A. consider the nutritional value of each food or beverage;
- B. consult with a dietitian licensed under F.S. 468.509, a dietetic technician registered by the commission on dietetic registration, or a school nutrition specialist certified or credentialed by the school nutrition association;
- C. consult and incorporate to the maximum extent possible the dietary guidelines for Americans jointly developed by the ~~United States Department of Agriculture (USDA)~~ and the United States Department of Health and Human Services; and
- D. consult and incorporate the USDA Smart Snacks in School nutrition guidelines.

The District's food service program shall serve only food items and beverages determined by the Food Service Department to be in compliance with the current USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition guidelines.

The Superintendent will require that the food service program serve foods in the schools of the District that are wholesome and nutritious and reinforce the concepts taught in the classroom.

The Superintendent is responsible for implementing the food service program in accordance with the adopted nutrition standards and shall provide a report to the Board at one of its regular meetings, annually, regarding the District's compliance with the standards. () The Superintendent shall assure that the District's vendors and/or Food Service Management Contractor is provided a copy of this policy and any implementing guidelines and that any pertinent agreements are consistent with this policy and any implementing guidelines. **[END OF OPTION]**

No food or beverage may be sold on any school premises except in accordance with the standards approved by the Board.

~~The Superintendent shall recommend and the Board shall approve the cost of meals for elementary, middle, and high schools annually.~~

Competitive Food Sales

The Food and Nutrition Services department will comply with the provisions set forth in Federal law, incorporated in F.A.C. 5P-2.001, regarding the sale of competitive food and foods of minimal nutritional value.

[Choose one (1) of the following two (2) options]

[] Option 1

Only the Food and Nutrition Services department shall sell food and beverages to students in elementary schools during regular school hours.

In secondary schools, the Food and Nutrition Services department shall be the sole provider of food and beverage items sold until

☐ thirty (30) minutes

☐ one (1) hour

☐ _____

following the last lunch period, at which time other school organizations may begin to sell foods and beverage items in accordance with the Board's wellness policy (Policy 8510) and procedures (AP 8510) with principal approval. Accordingly, all food items and beverages for sale to students for consumption on campus from vending machines, from school stores, or as fund-raisers by student clubs and organizations, parent groups, or boosters clubs shall comply with the current USDA Dietary Guidelines for Americans and the USDA Smart Snacks in Schools regulations and applicable State law and Florida Administrative Code rule, and shall only be available between thirty (30) minutes following the last school lunch period and thirty (30) minutes after the close of the regular school day.

[X] Option 2

The Food and Nutrition Services department shall be the sole provider of food and beverage items sold in all schools until

☒ thirty (30) minutes

☐ one (1) hour

☐ _____

following the last lunch period, at which time other school organizations may begin to sell foods and beverage items in accordance with the Board's wellness policy (Policy 8510) and procedures (AP 8510) and with principal approval. Accordingly, all foods and beverages for sale to students on campus from vending machines, from school stores, or as fund-raisers by student clubs and organizations, parent groups, or boosters clubs shall comply with the current USDA Dietary Guidelines for Americans and the USDA Smart Snacks in Schools regulations, applicable State law, and Florida Administrative Code rule, and shall only be available between thirty (30) minutes following the last school lunch period and thirty (30) minutes after the close of the regular school day.

[END OF OPTIONS]

☐ Food and beverages sold during the school day outside the cafeteria may be operated on a "profit share" program with prior approval of the Director of the Food and Nutrition Services department and the principal.

Meal Charges

Meals sold by the school may be purchased by students in accordance with administrative procedures established by the Superintendent.

A periodic review of the food service accounts shall be made by the _____. Any surplus funds from the National School Lunch Program or the Healthy, Hunger-Free Kids Act of 2010 (P.L. 111-296) shall be used to reduce the cost of the service to students or to purchase cafeteria equipment. Surplus funds from a la carte foods may accrue to the food service program.

Cafeteria purchases ☐ shall ☐ may **[END OF OPTION]** be prepaid into individual food service accounts before meal service begins ☐ or paid as they receive meals **[END OF OPTION]**. Prepayments into individual food service accounts may be made _____.

[DRAFTING NOTE: Describe the process for prepaying into accounts, such as payments may be made anytime, weekly, monthly, for a set amount, online, etc.]

The only deductions made from prepaid accounts will be for the purchase of meals or other allowable food purchases in the cafeteria.

If a student withdraws or graduates and has a positive balance of less than \$_____, the balance may be receipted into the ☐ school lunch fund ☐ extra-curricular activity fund **[END OF OPTION]** where the school lunch program funds are maintained unless the parent requests a refund. If a student withdraws or graduates with a positive balance greater than \$_____ **[DRAFTING NOTE: use the same amount as above]**, the ☐ parents ☐ student **[END OF OPTION]** shall be notified by mail and given the option of receiving a refund within _____ days. If no response is received within _____ days **[DRAFTING NOTE: Use the same number of days as stated in the notice.]**, the account will be closed and the funds will no longer be available. Unclaimed balances will be transferred to ☐ the school lunch fund ☐ the extra-curricular activity fund **[END OF OPTION]** where the school lunch program funds are maintained.

☐ If a student repeatedly comes to school with no lunch and no money for lunch, the Food Service Manager should notify the principal as this may be a sign of abuse or neglect and proper authorities may be contacted. **[END OF OPTION]**

Bad Debt

Bad debt incurred through the inability to collect lunch payment from students is not an allowable cost chargeable to any Federal program. Any related collection cost, including legal cost, arising from such bad debt after they have been determined to be uncollectable are also unallowable. District efforts to collect bad debt shall be in accordance with Policy 6152—*Student Fees, Fines, and Charges*.

Bad debt is uncollectable/delinquent debt that has been determined to be uncollectable no sooner than the end of the school year in which the debt was incurred ☐ and after the Superintendent determines that sufficient reasonable effort and approaches to collecting the debt have been made. **[END OF OPTION]** If the uncollectable/delinquent debt cannot be recovered by the School Meals Program in the year when the debt was incurred, then this is classified as bad debt. Once classified as bad debt, non-Federal funding sources must reimburse the NSFS for the total amount of the bad debt. The funds may come from the District general fund, State or local funding, school or community organizations such as the PTA, or any other non-federal source. Once the uncollectable/delinquent debt charges are converted to bad debt, records relating to those charges must be maintained in accordance with the record retention requirements in 7 C.F.R. 210.9(b) (17) and 7 C.F.R. 210.15(b).

Negative Account Balances

[DRAFTING NOTE: USDA regulations provide local control with respect to permitting negative lunch account balances, including prohibiting it altogether. As a practical matter, a hard-line rule prohibiting any negative account balances is not recommended. Rather, permitting some limited negative balances to occur, while placing some restrictions on those

situations, is likely the most appropriate. Nonetheless, this first option recognizes that each School District does have the choice to prohibit a negative balance without any exceptions].

Parents will be initially notified by _____ [DRAFTING NOTE: Enter method of first notification (e.g., phone call, email, letter, etc.).] of a negative balance in their student's account _____ [DRAFTING NOTE: Enter a time period, (e.g., upon every occurrence, every week, etc.)]. Negative balances are expected to be corrected upon the notification by District personnel. The _____ [DRAFTING NOTE: Enter staff assigned responsibility for initial notification.] will be responsible for making this initial notification to parents.

[] OPTION #1

No student will be permitted to purchase any meals for which the student does not have sufficient balance in their food service account or sufficient cash on hand to purchase the food items.

Students receiving paid or reduced price lunch who do not have sufficient account balance or cash on hand to purchase a meal () will not be provided an alternative meal () will be provided an alternative meal [END OF OPTION] that meets the USDA guidelines applicable to alternative meal options. The Superintendent shall, in coordination with the District's food service, assure that any alternative meals that are provided meet the requisite USDA guidelines for alternative meals. The cost of the alternative meal will be added to the delinquent account.

[] OPTION #2

Students will be permitted to purchase meals from the District's food service using either cash on hand or a food service account. A student may be allowed to incur a negative food service account balance subject to the following conditions:

Students may be permitted to accumulate negative food service account balance () not to exceed \$ _____ () not to exceed an amount equal to one school week of regular meal price [END OF OPTIONS]. () Students up to grade 8 will be allowed to incur a negative balance not to exceed \$ _____. [END OF OPTIONAL SENTENCE] [DRAFTING NOTE: The Board may establish a different permissible negative balance for elementary grades to account for the students' lower level of responsibility for managing these accounts at the younger grade levels.] A student () shall be () shall not be [END OF OPTION] permitted to purchase a la carte items without sufficient account balance or cash on hand. () Likewise, any student that has a negative account balance may not purchase a la carte items with cash unless the student is also able to bring their account current. [END OF OPTION]

[] A student who has exceeded the permissible negative balance amount in their account and does not have cash on hand sufficient to purchase a meal will be treated respectfully. The District will provide meals to students with unpaid meal balances without stigmatizing them, will provide parents of students who charge meals with notification when a student charges a meal, and will make efforts to collect the charges incurred by the students so that the unpaid charges are not classified as bad debt at the end of the school year.

[] [Option A]

If a student has reached the permissible level of negative lunch account balance, they shall be provided a regular reimbursable meal that follows the USDA meal pattern, the cost of which shall continue to accrue to a negative lunch account balance.

[End of Option A]

[] [Option B]

If a student has a significant negative lunch account balance, they shall be provided an alternate meal () at a reduced price recommended by the Superintendent and approved by the Board [END OF OPTION], the cost of which shall continue to accrue to a negative lunch account balance, and the student's parent(s) shall be contacted to collect the outstanding charges. The alternate meal will be a low cost alternative to the regular reimbursable meal and shall meet USDA nutritional standards or the Smart Snacks in Schools Regulations so that it qualifies for reimbursement under the National School Lunch/Breakfast Program.

[End of Option B]

(-) Negative lunch account balances will carry over from year to year until paid in full or until a student enters ninth (9th) grade. Upon entering 9th grade, any negative lunch account balances will be converted to school fees. Parents/Guardians will be responsible for paying all fees in accordance with Policy 6152—*Student Fees, Fines, and Charges*. Fee waivers are applied in accordance with Policy 6152.01—*Waivers of School Fees for Instructional Materials*. **[END OF OPTION]**

Students who have qualified for free lunches are still responsible for paying off any debt that was incurred prior to qualifying for free lunches.

Dietary Modifications

A request for substitutions to the standard meal requirements due to food allergies shall be accommodated, when requested by an adult student with a disability or the parent of a student with a disability, without delay and at no additional charge. The adult student with a disability or the parent of a student with disability making such a request of the Food Service Director shall be informed that medical certification that the student has a disability that restricts his/her diet, in accordance with the criteria set forth in 7 C.F.R. Part 15b must be submitted in order for the dietary modification to be implemented.

The medical certification must identify:

- A. the child's physical or mental impairment and why the student's disability or medical conditions necessitates such a restriction of the child's diet;
- B. an explanation of why the food service program must do to accommodate the child's disability; and
- C. the food(s) to be omitted from the student's diet and the recommended food or choice of foods that must be substituted (e.g., caloric modifications or use of liquid nutritive formula).

After a request for a dietary modification is submitted to the Director of Food Service, the Director of Food Service shall, in turn, notify the Principal, school nurse, and the members of the student's IEP or 504 Team that the dietary modification shall be made for the student, pending the receipt of the required medical certification.

If deemed necessary by the student's IEP or 504 Team, the dietary modification shall be included in the student's IEP or 504 plan.

An adult student with a disability or the parent of a student with a disability who believes the accommodation requested is not being appropriately addressed may access the processes and assistance described in Policy 2260 and/or Policy 2260.01 by contacting the District's Compliance Coordinator named in those policies.

A request for substitutions to the standard meal requirements due to food allergies shall be accommodated, when requested by an adult student who is not identified as having a disability or the parent of a student who is not identified as having a disability, without delay and at no additional charge. An adult student who is not identified as having a disability or the parent of a student who is not identified as having a disability making such a request of the Director of Food Service shall be informed that a signed medical statement from a health care provider who has prescriptive authority in the State of Florida that the student cannot consume certain food items due to a medical condition or some other special dietary need must be submitted in order for the dietary modification to be implemented.

To qualify for continuing consideration and substitutions the medical statement must identify:

- A. the medical or dietary need that restricts the student's diet;
- B. the food(s) to be omitted from the student's diet and the food(s) or choice of foods that may be substituted; and
- C. the food(s) to be omitted from the student's diet and the recommended food or choice of foods that must be substituted (e.g., caloric modifications or use of liquid nutritive formula).

The request for such dietary modifications shall be submitted to the Director of Food Service, who shall, in turn, notify the Principal and school nurse that the dietary modification shall be made for the student. Upon request of the parent or adult student, a meeting of a team including the parent, the Director of Food Service, school nurse, and Principal shall be convened to determine the specific substitution(s) that will be made to the standard meal pattern for the student.

For non-disabled students who need a nutritionally equivalent milk substitute, only a signed request by a parent or guardian is required.

The food service program shall not accommodate a student's request for specific substitutions to the standard meal pattern requirements that is based solely on religious or lifestyle choices.

In addition to students, lunches sold by the school may be purchased by staff members and community residents in accordance with administrative guidelines established by the Superintendent. Lunches may be made available, free of charge, to senior citizens who are serving as volunteers to the District.

Modifications Based on Compliant Medical Documentation

[DRAFTING NOTE: The section below contains three (3) categories of circumstances in which a student may receive a modified meal. The first category "Compliant Medical Documentation" is mandatory; whereas the second two (2) categories, i.e., "Noncompliant Medical Requests" and "Requests Not Based on a Medical Statement", are optional. The Board may choose either or neither of the two (2) optional categories.]

An adult student or student's parent requesting special dietary accommodations for a student with a disability that restricts the diet must provide the Medical Statement for Special Dietary Needs signed by a State authorized medical authority, which is a medical professional authorized in the State of Florida to write prescriptions. The request must contain the following information:

- A. an explanation of how the student's physical or mental impairment restricts the diet;
- B. the food(s)/type(s) of foods to be avoided;
- C. the food(s)/type(s) of foods to be substituted;
- D. additional pertinent information, if any, that will assist in accommodating the student's needs.

If a Medical Statement for Special Dietary Needs is incomplete, unclear, or lacks sufficient detail, the special dietary accommodation coordinator or food service director shall request that the student or parent/guardian request that the medical authority supplement the response so that a safe meal can be provided.

A special dietary accommodation for a student who has a disability that restricts the student's diet must be supported by a Medical Statement for Special Dietary Needs, which should be submitted to () the Food Service Director who shall serve as the Special Dietary Accommodation Coordinator () the Special Dietary Accommodation Coordinator [END OF OPTIONS]. [insert name, address, phone, email address.] **[DRAFTING NOTE - at least one person must be identified as responsible for coordinating compliance with disability-based dietary modifications per 7 C.F.R. Part 15b.6.]**

A student with a disability may have an IEP or 504 plan that requires specific instruction, services, or accommodation related to the student's nutritional needs. If a student's IEP or 504 plan contains the same information that is required on a Medical Statement for Special Dietary Needs, then it is not necessary to obtain and submit a separate Medical Statement for Special Dietary Needs.

The individual making an initial request for such substitutions must inform the Food Service Director or Special Dietary Accommodation Coordinator that the student has a disability that restricts the student's diet. The School District will honor the request upon receipt of the required documentation from a State authorized medical authority. If the Special Dietary Accommodation Coordinator is unable to grant a requested accommodation following receipt of the medical authority's statement, the student or parent shall be provided with an explanation of the basis for the decision. Compliant requests shall be immediately implemented.

Disability Accommodation Grievance Procedure

The following procedure is intended to provide prompt and equitable resolution to any concern or disagreement regarding the food service program's administration of meal modifications made or requested on the basis of a student's disability. None of the procedures described in this policy section shall prevent a student or parent from pursuing a complaint with any State or Federal agency, including the USDA, using the procedures described at the end of this policy or otherwise available under Florida or Federal law.

- A. If an initial request for accommodation in the form of substituted meals is denied, the student or parent may request review of that decision by the ☐ Principal ☒ District's Compliance Coordinator ☐ Superintendent ☐ _____ [END OF OPTIONS] [DRAFTING NOTE: The grievance procedure can be designed as appropriate for each District.] and shall provide any communications between the student or parent and food service officials concerning the accommodation request, any documentation provided by a medical authority, and any additional information the student or parent believes is pertinent to the decision. A review of the materials provided and of the initial decision shall be completed and a response provided to the student or parent as soon as practicable following receipt of the request for review. If the initial decision is reversed, including due to additional information provided on review, the dietary accommodations shall be implemented without delay. If the initial decision is affirmed ☒ the decision is final ☐ the decision may be appealed to the Superintendent whose decision is final ☐ _____ [END OF OPTIONS].
- B. Any other complaint or disagreement with the food service administration concerning implementation of special dietary accommodations based on a student's disability shall be presented to the Special Dietary Accommodation Coordinator. The student or parent shall specify the nature of the concern and any requested remedy in writing. The Coordinator shall promptly review the grievance and either contact the student or parent for any required clarification of the request or to seek to reach an agreement regarding how to best address the concern. If no agreement is reached, the Coordinator shall make a determination and notify the student or parent in writing as soon as practicable. If the grievance is affirmed in any respect, the Coordinator shall propose a plan for implementing appropriate remedial measures. If the student or parent is dissatisfied with the Coordinator's determination, the student or parent may submit a written request to the Building Principal or Superintendent for review. The Superintendent's determination shall be final.

~~[Optional Provision --for medical statements not compliant with 7 C.F.R. Part 15b]~~

~~☐ Modifications Based on Noncompliant Medical Requests~~

~~On a case by case basis, substitutions to the standard meal requirements may be made, at no additional charge, for students who provide a signed statement from a qualified medical authority that the student cannot consume certain food items due to medical or other special dietary needs, but which does not comply with the requirements above. To qualify for such consideration and substitutions the medical statement must identify:~~

- A. ~~the medical or dietary need that restricts the student's diet; and~~
- B. ~~the food(s) to be omitted from the student's diet and the food(s) or choice of foods that may be substituted.~~

[END OF OPTION]

[Optional Provision - Based on preferences with no medical documentation] [DRAFTING NOTE: If the Board chooses to include this category of modification, it must also choose among the options below.]

☒ Modification Based on Student/Parental Preference

When a request for a special dietary accommodation is not supported by an authorized Medical Statement for Special Dietary Needs or included in a student's IEP or 504 plan, the School District cannot provide

modified meals that are not in compliance with USDA Child Nutrition Program requirements. However, the Board authorizes the following:

A. **☒ Fluid Milk Substitution [If Selected Choose One]**

1. **☒ The School District shall have no legal obligation to accommodate a student's or a parent's preference for a fluid milk substitute if there is no Medical Statement for Special Dietary Needs on file requiring such a substitute. However, the District will assist the student in choosing a reimbursable meal through offer versus serve (OVS). [DRAFTING NOTE: This gives students the ability to decline some of the food options offered as part of the reimbursable meals. For example: Five (5) components need to be offered and students need to take three (3) options. They can decline milk for example, and it is still a reimbursable meal. The intent is to give students a choice and avoid food waste. Schools have the ability whether or not they use OVS.]**
2. **☐ The School District shall offer a Federally approved milk substitute with a written and signed request from a parent that identifies the reason for the special dietary accommodation.**

B. **☒ Religious Reason [If Selected Choose One]**

1. **☒ The School District shall have no legal obligation to accommodate a student's or parent's request for accommodations based on religious requests. However, the District will assist the student in choosing a reimbursable meal through offer versus serve (OVS).**
2. **☐ The School District will provide substitutions based on religious requests to any student, for any religious reason with a written and signed request by a parent that identifies the reason for the accommodation. A substitution for a religious request must meet USDA Child Nutrition Program meal pattern requirements.**

C. **☒ General Dietary Preference [If Selected Choose One]**

1. **☒ The School District shall have no legal obligation to accommodate a student's or parent's general health, nutrition, or food preferences. However, the District will assist the student in choosing a reimbursable meal through offer versus serve (OVS).**
2. **☐ The School District will provide substitutions based on lifestyle preferences to any student with a written and signed request by a parent that identifies the reason for the accommodation. A substitution for a personal request must meet USDA Child Nutrition Program meal pattern requirements.**

[END OF OPTIONS]

Review

Upon receipt of a request for a special dietary accommodation, the Food Service Director or Special Dietary Accommodation Coordinator shall review the request to ensure it is supported as required by Federal law and Board policy and if not, shall request additional or clarifying information from the student or parent making the request.

Implementation

When the need for a special dietary accommodation is supported by a Medical Statement for Special Dietary Needs signed by a State authorized medical authority, the District will offer a reasonable modification that effectively accommodates the student's disability. Following USDA Child Nutrition Program regulations, the District may consider factors such as cost and efficiency and is not required to prepare a specific meal, provide a specific brand of food, or provide a meal beyond the meals provided to other students.

For students who have an IEP or 504 plan that requires specific food related accommodations, the District shall provide the accommodation as required by law, seeking clarifying medical information, as necessary.

A special dietary request will be approved and implemented upon submission of a completed authorized Medical Statement.

Student Absence

If a student receiving a special dietary accommodation is absent or does not wish to participate in school lunch on a day an accommodation is planned, the student or parent shall contact the Special Dietary Accommodation Coordinator by 9:00 a.m. [or enter a time] the same day.

Renewing A Special Dietary Request

An authorized Medical Statement does not need to be updated annually. However, the Special Dietary Accommodation Coordinator may annually seek clarification or updates on special dietary requests.

Discontinuation of a Special Dietary Request

A special dietary request or part of a request may be discontinued by a parent by submitting the request in writing to the Special Dietary Accommodation Coordinator or shall be discontinued consistent with the medical authorities recommendation provided with the Medical Statement for Special Dietary Needs.

[] Lunch Service for Non-Students

In addition to students, lunches sold by the school may be purchased by staff members and community residents in accordance with administrative guidelines/procedures established by the Superintendent. Lunches may be made available, free of charge, to senior citizens who are serving as volunteers to the District.

Emergency First Aid

In each school cafeteria, there shall be a poster that is easily visible and prominently placed that contains step-by-step instructions on how to provide emergency first aid for choking on conscious individuals. During all times while the food service program is operating and students are being served food, at least one (1) employee shall be present in the area in which the food is being consumed who has received instruction in methods to prevent choking and demonstrated an ability to perform the Heimlich maneuver.

Food Safety Compliance

~~In addition, as required by law, a food safety program that is based on the principles of the Hazard Analysis and Critical Control Point (HACCP) system shall be implemented with the intent of preventing food borne illnesses. For added safety and security, access to the facility and the food stored and prepared therein shall be limited to food service program staff and other authorized persons.~~

In accordance with Federal law, the Food Service Coordinator shall take such actions as are necessary to obtain a minimum of two (2) food safety inspections per school year, which are conducted by the State or local governmental agency responsible for food safety inspections. The report of the most recent inspection will be posted in a publicly visible location, and a copy of the report will be available upon request.

~~A periodic review of the food service accounts shall be made by the Finance Director. Any surplus funds from the National School Lunch Program shall be used to reduce the cost of the service to students or to purchase cafeteria equipment. Surplus funds from a la carte foods may accrue to the food service program.~~

Operation of the Food Service Program

With regard to the operation of the school food service program, the Superintendent shall require:

- A. the maintenance of sanitary, neat premises free from fire and health hazards;
- B. the preparation of food that complies with Federal food safety regulations;
- C. the planning and execution of menus in compliance with USDA requirements;
- D. the purchase of food and supplies in accordance with State and Federal law, USDA regulations, and Board policy; (see Policy 1129, Policy 1214, Policy 3129, Policy 3214, Policy 4129, Policy 4214, and

Policy 6460)

- E. complying with food holds and recalls in accordance with USDA regulations;
- F. the administration, accounting, and disposition of food-service funds pursuant to Federal and State law and USDA regulations;
- G. the safekeeping and storage of food and food equipment pursuant to State and Federal law and USDA regulations;
- H. the regular maintenance and replacement of equipment;
- I. all District employees whose salaries are paid for with USDA funds or non-Federal funds used to meet a match or cost share requirement must comply with the District's time and effort record-keeping policy (see Policy 6116).

The Superintendent will require that the food service program serve foods in the schools of the District that reinforce the nutrition concepts taught in the classrooms.

The District shall serve only nutritious food in accordance with the nutritional standards adopted by the Board in compliance with the current USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition guidelines. Foods and beverages in competition with the District's food-service program must comply with the current USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition guidelines, ~~and may only be sold in accordance with Board Policy 8550.~~

The Superintendent is responsible for implementing the food service program in accordance with the adopted nutrition standards and shall provide a report regarding the District's compliance with the standards at one of its regular meetings annually.

Vending Machines

The Board recognizes that vending machines can produce revenues which are useful to augment programs and services to students and staff. It will, therefore, authorize their use in District facilities providing that the following conditions are satisfied.

- A. ☒ The installation, servicing, stocking, and maintenance of each machine is contracted for with a reputable supplier of vending machines and their products.
- B. ☒ The installation, servicing, stocking, and maintenance of each machine is contracted for with a reputable supplier of vending machines and their products.
- C. ☒ No products are vended which would conflict with or contradict information or procedures contained in the District's educational programs on health and nutrition.
- D. ☒ No food or beverages are to be sold or distributed which will compete with the District's food-service program.
- E. ☒ Food items and beverages () available for sale to students **[END OF OPTION]** in vending machines for consumption on campus shall comply with the current USDA Dietary Guidelines for Americans and the USDA Smart Snacks in Schools regulations and applicable State law.

In accordance with the nutritional standards adopted by the Board, the placement of vending machines in any classroom where students are provided instruction unless the classroom is also used to serve meals to students is prohibited.

Nondiscrimination Statement

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender status, sexual orientation, or gender identity), disability (including HIV, AIDS, or sickle cell trait), pregnancy, age (except as authorized by law), religion, military status, ancestry, or genetic

information (collectively, "protected classes") or reprisal or retaliation for prior civil rights activity. The District's nondiscrimination statement below is complementary to the District's nondiscrimination policies, including Policy 2260 - Nondiscrimination and Access to Equal Opportunity and Policy 1422/Policy 3122/Policy 4122 - Nondiscrimination and Equal Employment Opportunity.

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotape, American Sign Language), should contact the responsible state or local agency that administers the program or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.

To file a program discrimination complaint, a Complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form which can be obtained online at: <https://www.usda.gov/sites/default/files/documents/ad-3027.pdf> or <https://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/sfa-civil-rights-complaints-procedure-template.pdf>, from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to USDA by:

- A. Mail:
U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410; or
- B. Fax:
(833) 256-1665 or (202) 690-7442; or
- C. E-mail:
program.intake@usda.gov.

This institution is an equal opportunity provider.

Policy Distribution

This policy shall be distributed 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. The policy will also be provided to all District staff with responsibility for enforcing the policies.

See also AP 8500A.