



Book	Policy Manual
Section	Volume 34, No. 2 for Board Approval
Title	Revised Policy - Vol. 34, No. 2 - May 2022 - FOOD SERVICE PROGRAM
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Status	

~~8500—FOOD SERVICE PROGRAM~~

~~The Board of Managers will provide cafeteria or serving facilities in all schools served by the Cooperative where space and facilities permit and food service for the purchase and consumption of lunch for all students, as appropriate given their individual schedules.~~

~~[] The Board also will provide a breakfast program in accordance with procedures established by the State Department of Education.~~

~~The Board does not discriminate on the basis of race, color, national origin, sex (including sexual orientation or gender identity), disability, age (except as authorized by law), religion, military status, ancestry, or genetic information, or any other legally protected category (collectively, 'Protected Classes') in its educational programs or activities, including the Food Service program. Students and all other members of the Cooperative community and third parties are encouraged to promptly report incidents of unlawful discrimination and/or retaliation related to the Food Service program to a teacher, administrator, supervisor, or other Cooperative official so that the Board may address the conduct. See Policy 2260—Nondiscrimination and Access to Equal Educational Opportunity.~~

~~The Food Service program will comply with Federal and State regulations pertaining to the selection, preparation, consumption, and disposal of food and beverages, including but not limited to the current USDA school meal pattern requirements and the USDA Smart Snacks in School nutrition standards, as well as to the fiscal management of the program. 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.~~

~~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 within _____ (_____) school days from a health care provider who has prescriptive authority in the State of Indiana or the dietary modification may be discontinued until such statement is received.~~

~~The medical certification must identify:~~

- ~~A. the student's physical or mental impairment and why the student's disability or medical condition necessitates such a restriction of the student's diet;~~
- ~~B. an explanation of what the Food Service Program must do to accommodate the student'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/building administrator, school nurse, and the members of the student's IEP 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 Team, the dietary modification shall be included in the student's IEP.~~

~~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 Cooperative's Compliance Officer named in those policies.~~

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

~~{Choose one of the following two options.}~~

~~[] 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.~~

~~[] The Food Service Program shall accommodate a student's request for specific substitutions to the standard meal pattern requirements that is based solely on religious or lifestyle choices.~~

~~{End of Options}~~

~~Operation and Supervision of the Food Service Program~~

~~The operation and supervision of the Food Service program is the responsibility of the _____. The Food Service program will be operated on a self-supporting basis with revenue from students, staff, Federal reimbursement, and surplus food. The Board will assist the program by furnishing available space, initial major equipment, and utensils.~~

~~Meal Charges~~

~~Lunches sold by the Cooperative may be purchased by students, staff members and community residents in accordance with the procedures established by the Director of Special Education ('Director').~~

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

~~[] The Board recognizes that circumstances may result in a student's need to charge lunch or breakfast on occasion and shall permit such charges.~~

~~[] Staff members and adult community residents shall not be permitted to charge meals.~~

~~The Director shall develop procedures regarding meal charges, which shall be implemented by the _____. This procedure will provide direction so that deposits into a student's account are not considered income to the child nutrition program until the student charges a meal to his/her account. Further, the procedures will provide direction so that: 1) students attending Cooperative schools who do not have funds in their account or on hand to cover the cost of their meal at the time of service are treated consistently, 2) address feeding students with unpaid meal balances without stigmatizing them, 3) provide for notification of parents when a student charges a meal, and 4) establish a plan to collect the charges made by students so that the unpaid charges are not classified as 'bad debt' at the end of the school year.~~

~~Significant negative lunch account balances shall not be permitted. A significant negative lunch account balance is any balance owed in excess of \$_____.~~

~~{CHOOSE ONE OF THE FOLLOWING TWO OPTIONS}~~

~~{Option 1}~~

~~[] If a student has a significant negative lunch account balance, the student shall be provided a regular reimbursable meal that follows the USDA meal pattern, the cost of which shall continue to accrue to the student's negative lunch account balance.~~

~~{End of Option 1}~~

~~{Option 2}~~

~~[] If a student has a significant negative lunch account balance, the student shall be provided an alternate meal (-) at a reduced price recommended by the Director and approved by the Board [end of option], the cost of which shall continue to accrue to the student's 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 2}~~

~~Furthermore, if a student has a significant negative lunch account balance, the student shall not be permitted to charge any à la carte food or beverage items. Any significant negative lunch account balance should be pursued for collection before it is determined to be uncollectible pursuant to Policy 6151.~~

~~The Board's policy and Director's procedure related to meal charges shall be distributed in writing to all households of students attending Cooperative Schools schools at the start of each school year and to households of students transferring to a Cooperative school during the school year. Additionally, the Board's policy and Director's procedure related to meal charges shall be distributed to all Cooperative staff responsible for policy enforcement, including~~

~~Cooperative food service employees, accounting staff, and all other staff involved in enforcing any aspect of the meal charge policy () at the beginning of the school year () and upon hire during the school year. If the Cooperative contracts with any third party to provide food services, the Board's policy and Director's procedure also must be distributed to the contractor and its employees working in the Cooperative schools.~~

~~A lunch account becomes inactive after weeks with no deposits or withdrawals. An inactive lunch account that has a positive balance of \$ _____ [SBOA recommends \$10.00] or less may be receipted back into the _____ [select one of the following options] () school lunch fund () extracurricular activity fund [END OF OPTION] where the School Lunch Program funds are maintained. An inactive lunch account that has a nominal negative account balance of \$ _____ or less may be offset against the positive balances in the Fund; provided, however, that if the parent requests and can document entitlement to the positive balance in the account, the parent is entitled to a refund of that amount.~~

~~Bad Debt/Uncollectable Uncollectible Debt~~

~~Significant negative lunch account balances that are not collected in the year when the debt was incurred shall be classified as bad debt. Bad debt incurred through the inability to collect lunch payment from students is not an allowable cost chargeable to any Federal program. Once classified as bad debt, non-Federal funding sources shall reimburse the school lunch program account for the total amount of the bad debt. If funds to reimburse the Cooperative for this bad debt are not available from another source, such as school or community organizations (like the PTA) or any other non-Federal source, the funds to reimburse the school lunch program shall be transferred from the Cooperative operations fund or other State or local funding to make that reimbursement. Once the uncollectable/uncollectible/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). Any related collection costs, including legal costs, arising from such bad debt after they have been determined to be uncollectable/uncollectible also are unallowable.~~

~~Bad debt may be removed from accounts receivable in accordance with Policy 6151.~~

~~Additional Compliance~~

~~In accordance with Federal law, the _____ will 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. [Please note: schools participating in more than one (1) child nutrition program are required to obtain only two (2) food safety inspections per school year if the nutrition programs offered use the same facilities for the preparation and service of meals. Also, the requirement for two (2) inspections does not apply to schools that offer only the Special Milk Program.]~~

~~A periodic review of the Food Service accounts will be made by the _____.~~

~~Any surplus funds from the National School Lunch Program will be used to reduce the cost of the service to students or to purchase cafeteria equipment.~~

~~Surplus funds from à la carte foods may accrue to the Food Service program.~~

~~With regard to the operation of the Cooperative Food Service program, the Director shall require:~~

- ~~A. maintenance of sanitary, neat premises free from fire and health hazards;~~
- ~~B. preparation of food that complies with Federal food safety regulations;~~
- ~~C. planning and execution of menus in compliance with USDA requirements;~~
- ~~D. purchase of food and supplies in accordance with State and Federal law, USDA regulations, and Board policy; (see Policy 1130, Policy 1214, Policy 3113, Policy 3214, Policy 4113, Policy 4214, and Policy 6460);~~
- ~~E. compliance with food holds and recalls in accordance with USDA regulations;~~
- ~~F. accounting and disposition of food service funds pursuant to Federal and State law and USDA regulations;~~
- ~~G. safekeeping and storage of food and food equipment pursuant to State and Federal law and USDA regulations;~~
- ~~H. regular maintenance and replacement of equipment;~~
- ~~I. compliance with the Cooperative's time and effort record-keeping policy by all Cooperative employees whose salaries are paid from USDA funds or with non-Federal funds used to meet a match or cost share requirement. (See Policy 6116)~~

~~The Cooperative's Food Service program will serve only food items and beverages as determined by the Food Service Department to be in compliance with the current USDA Dietary Guidelines for Americans. Any competitive food items and beverages that are available for sale to students à la carte in the dining area between midnight and thirty (30) minutes following the end of the last lunch period also shall comply with the current USDA *Nutrition Standards for the National School Lunch and School Breakfast Programs*, and the USDA *Smart Snacks in Schools* regulations. Foods and beverages unassociated with the food-service program may be vended subject to the rules and regulations set forth in Policy 8540.~~

~~The Director shall require that the Food Service program serve foods in the schools of the Cooperative that are wholesome and nutritious and reinforce the concepts taught in the classroom.~~

To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: https://www.usda.gov/sites/default/files/documents/Complain_combined_6_8_12_508.pdf, or 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
Director, Center for Civil Rights Enforcement
1400 Independence Avenue, SW Washington, D.C. 20250-9410;**
2. **Fax: (202) 690-7442; or**
3. **E-mail: program.intake@usda.gov**

This institution is an equal opportunity provider.

All verbal or written civil rights complaints regarding the school nutrition programs that are filed with the Cooperative must be forwarded to the Center for Civil Rights Enforcement of USDA Food and Nutrition Service within three (3) days.

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Legal

Healthy, Hunger-Free Kids Act of 2010 and Richard B. Russell National School Lunch Act, 42 U.S.C. 1751 et seq. Child Nutrition Act of 1966, 42 U.S.C. 1771 et seq.

7 CFR Parts 15b, 210, 215, 220, 225, 226, 227, 235, 240, 245, 3015

2 C.F.R. Part 200

USDA Smart Snacks in School Food Guidelines (effective July 1, 2014)

SP 32-2015 Statements Supporting Accommodations for Children with Disabilities in the Child Nutrition Programs

Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794

34 CFR Part 104