



Book	Policy Manual
Section	Policies for the Board
Title	Copy of FOOD SERVICES PROGRAM
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Adopted	February 28, 2006
Last Revised	March 25, 2024

8500 - **FOOD SERVICES PROGRAM**

~~The School Board shall provide cafeteria or serving facilities in all schools where space and facilities permit, and will provide food service for the purchase and consumption of lunch for all students.~~

~~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, 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 School Corporation 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 Corporation 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 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.~~

~~Further, the Food Service program shall comply with the School Lunch Fund provisions of Chapter 4 of the State Board of Accounts Uniform Compliance Guidelines for Indiana Public School Corporations.~~

The Board will provide cafeteria or serving facilities in all schools where space and facilities permit and food service for the purchase and consumption of lunch for all students.

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

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The School 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.

Further, the School Food Service program shall comply with the School Lunch Fund provisions of Chapter 4 of the State Board of Accounts Uniform Compliance Guidelines for Indiana Public School Corporations.

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 Nutrition 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 five (5) 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 child's physical or mental impairment and why the student's disability or medical condition necessitates such a restriction of the child's diet;
- B. an explanation of what 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 (Director), the Director 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 Corporation'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 Nutrition Service Director shall be informed that a signed medical statement from a health care provider who has prescriptive authority in the State of Indiana that the student cannot consume certain food items due to a medical condition or some other special dietary need must be submitted within five (5) school days or the dietary modification may be discontinued until such statement is received.

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. an explanation of what the Food Service Program must do to address the student's medical or dietary restriction; 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, 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 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.~~

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 a disability making such a request of the Food Service Director shall be informed that medical certification that the student has a disability that restricts their diet, in accordance with the criteria set forth in 7 C.F.R. Part 15b must be submitted within five (5) 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 a statement is received.

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

Operation and Supervision of the Food Service Program

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

Additional Compliance

In accordance with Federal law, the Nutrition Service Director 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.

A periodic review of the Food Service accounts will be made by the Nutrition Service Director.

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 Corporation Food Service program, the Superintendent shall require the:

- 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 USDA regulations;
- H. regular maintenance and replacement of equipment;
- I. compliance with the Corporation's time and effort record keeping policy by all Corporation 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 Corporation'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 after the close of the instructional day shall also comply with the current USDA *Nutrition Standards for the National School Lunch and School Breakfast Programs* and the USDA's 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 Superintendent will require that the Food Service program serve foods in the schools of the Corporation 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: www.usda.gov/sites/default/files/documents/Complain_combined_6-8-23-608.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 Corporation must be forwarded to the Civil Rights Division of USDA Food and Nutrition Service within three (3) days.

Meal Charges

Meals sold by the Corporation may be purchased by students, staff members and community residents in accordance with the procedures established by the Superintendent or designee.

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

The Board recognizes that circumstances may result in a student's need to charge meals on occasion and shall permit such charges. To assist families, applications for Free and Reduced Price meals are available to establish household meal benefits.

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

The Superintendent or designee shall develop procedures regarding meal charges, (Administrative Guideline 8500B) which shall be implemented by the food service clerk. This procedure will provide direction so that deposits into a student's meal account are not considered income to the School Food Service Program until the student charges a meal to their account. Further, this procedure will: 1) provide direction so that students attending Corporation schools who do not have funds in their meal 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 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 "uncollectible debt" at the end of the school year.

Significant negative meal account balances shall not be permitted. A significant negative meal account balance is any balance owed in excess of \$ 30.00.

If a student has a significant negative meal 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 their meal account balance.

Furthermore, if a student has a significant negative meal account balance, the student shall not be permitted to charge any à la carte food or beverage items.

Any significant negative meal account balance should be pursued for collection before it is determined to be uncollectible pursuant to Policy 6151.

Every effort will be made to help families and prevent negative meal account balances. Administration may complete an application for a Free and Reduced Price meals on behalf of a household according to the USDA policy 7 CFR 245.6(d).

The Board's policy and Superintendent's or designee's procedure related to meal charges shall be distributed in writing to all households at the start of each school year and to households transferring to the school or Corporation during the school year. Additionally, the Board's policy and Superintendent's or designee's procedure related to meal charges shall be distributed to all Corporation staff responsible for policy enforcement, including Corporation food service employees, accounting staff, and all other staff involved in enforcing any aspect of the meal charge policy. If the Corporation contracts with any third party to provide food services, the Board policy and Superintendent's or designee's procedure also must be distributed to the contractor and its employees working in the Corporation schools.

A student meal account becomes inactive after nine (9) weeks with no deposits or withdrawals. An inactive account balance may be transferred to another household member. An inactive meal account that has a positive balance of \$10.00 or less may be receipted back into the School Lunch Fund where the School Food Service

Program funds are maintained. If a parent requests and can document entitlement to the positive balance in a student meal account, the parent is entitled to a refund of that amount. An inactive meal account that has a nominal negative balance of \$5.00 or less may be offset against the positive balances in the School Lunch Fund.

Uncollectible Debt

Significant negative meal account balances that are not collected in the year when the debt was incurred shall be classified as uncollectible debt. Uncollectible debt incurred through the inability to collect meal payment from students is not an allowable cost chargeable to any Federal program. Once classified as uncollectible debt, non-Federal funding sources shall reimburse the School Food Service Program account maintained in the School Lunch Fund the total amount of the uncollectible debt. If funds to reimburse the Corporation for this uncollectible 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 Food Service Program shall be transferred from the Corporation Operations Fund or other State or local funding to make that reimbursement.

Uncollectible debt charges related to negative meal accounts 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 uncollectible debt are unallowable.

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

Additional Compliance

In accordance with Federal law, the food service manager 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.

A periodic review of the School Food Service Program accounts will be made by the food service manager.

Any surplus funds from the School Food Service Program will be used to reduce the cost of the service to students or to purchase cafeteria equipment. Surplus funds from à la carte food sales may accrue to the School Food Service Program.

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- E. compliance with food holds and recalls in accordance with USDA regulations;
- F. accounting and disposition of School Lunch funds pursuant to Federal and State law and USDA regulations;
- G. safekeeping and storage of food and food equipment pursuant to USDA regulations;
- H. regular maintenance and replacement of equipment;
- I. compliance with the District's time and effort record-keeping policy by all School Corporation employees whose salaries are paid from USDA funds or with non-Federal funds used to meet a match or cost-share requirement.

The School Food Service Program will serve only food items and beverages determined 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 School Food Service Program may be vended subject to the rules and regulations set forth in Policy 8540.

The Superintendent or designee will require that the School Food Service Program serve foods in the schools of the Corporation 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: www.usda.gov/sites/default/files/documents/Complain_combined-6-8-23-608.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.

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Revised 11/22/21
Revised 5/22/23

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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

Uniform Compliance Guidelines for Indiana Public School Corporations (Indiana State Board of Accounts)