



Book	Policy Manual
Section	8000 Operations
Title	REVISED POLICY - VOL. 17, NO. 2 - FOOD SERVICE PROGRAM
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### **REVISED POLICY - VOL. 17, NO. 2**

#### **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 transgender 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 ( ) **School Nutrition Program Director** (X-) **Food Service Supervisor**. 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 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.

**[NOTE: F.S. 595.405(4) requires the Board to conduct two (2) public hearings before adopting or rejecting a policy which makes universal-free school breakfast meals available 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. Following the public hearings, the Board may choose whether or not to include either Option 1 or the second paragraph of Option 2 in this section of the policy.]**

#### **Option 1**

~~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-price breakfast meals in accordance with the USDA Guidelines. The food service program shall 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 Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition standards as well as to the fiscal management of the program.~~

#### **Option 2**

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.

**[END OF OPTIONS]**

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.

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.

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.

The Board recognizes that circumstances may result in a student needing to charge for meals if his/her account has an insufficient balance to cover the charge. However, no account will be allowed to exceed a significant negative balance except as established below.

The Superintendent shall develop procedures regarding meal charges, which shall be implemented by the Food Service Supervisor \_\_\_\_\_ . This procedure will provide direction so that students Districtwide who are eligible for reduced price or who pay the established price for meals, but do not have funds in their account or in hand to cover the cost of their meal at the time of service are treated consistently, that parents of students who charge meals are notified when a student charges a meal, and that efforts are made to collect the charges made so that the unpaid charges are not classified as "bad debt" at the end of the school year.

A student whose account has a significant negative balance may not charge or purchase "a la carte" items, including extra main course entrees.

**[CHOOSE ONE OPTION]**

**[ ] OPTION 1**

If a student has a significant negative lunch account balance, s/he shall be provided a regular reimbursable meal that follows the USDA meal pattern, the cost of which shall continue to accrue to his/her significant negative balance. The student's parent(s) shall be contacted to collect the outstanding charges.

**[END OF OPTION 1]**

**[X] OPTION 2**

If a student has a significant negative lunch account balance, s/he shall be provided an alternate meal, ~~the cost of which shall continue to accrue to his/her significant negative balance, and his/her 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. ~~(-) at a reduced-price recommended by the Superintendent and approved by the Board [end of option]~~ regulations so that it qualifies for reimbursement under the National School Lunch/Breakfast Program.

**[END OF OPTION 2]**

If the negative balance is not brought to a positive balance within 2 \_\_\_\_\_ days of these efforts, the School District will take action to collect the unpaid debt by means of ( ) collection agencies ( ) small claims court (x) other legal methods deemed necessary by the School District.

If a student withdraws or graduates and has a positive balance of less than \$ \_\_\_\_\_, the balance may be receipted into the (x-) school lunch fund ( ) extra-curricular activity fund 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 \$ \_\_\_\_\_ [use the same amount as above], the ( ) parents ( ) student shall be notified by mail and given the option of receiving a refund within \_\_\_\_\_ days. If no response is received within \_\_\_\_\_ days, the account will be closed and the funds will no longer be available.~~ Unclaimed balances will be transferred to (x-) the school lunch fund ( ) the extra-curricular activity fund where the school lunch program funds are maintained.

The Board's policy and Superintendent'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 School District during the school year.

Substitutions to the standard meal requirements shall be made, at no additional charge, for students for whom a health care provider who has

prescriptive authority in the State of Florida has provided 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. To qualify for such substitutions the medical certification must identify:

- A. the student's disability and the major life activity affected by the disability;
- B. an explanation of why the disability affects the student's diet; and
- C. the food(s) to be omitted from the student's diet and the food or choice of foods that must be substituted (e.g., caloric modifications or use of liquid nutritive formula).

[x] On a case-by-case basis, substitutions to the standard meal requirements may be made, at no additional charge, for students who are not "disabled persons", but have a signed statement from a qualified medical authority that the student cannot consume certain food items due to medical or other special dietary needs. 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.

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

In addition to students, lunches sold by the school may be purchased 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.

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.

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 Supervisor 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.

**[Please note: Schools participating in more than one (1) child nutrition program are only required to obtain 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 only offer the Special Milk Program.]**

A periodic review of the food-service accounts shall ~~also~~ be made by the Food Service Supervisor. 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.

Meal charges 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 District 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 District's general fund or other State or local funding to make that reimbursement.

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).

Any related collection cost, including legal cost, arising from such bad debt after they have been determined to be uncollectable are also unallowable.

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.

See also AP 8500A.

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Legal

[F.S. 595.405](#)

[F.S. 1001.41](#)

[F.S. 1001.42](#)

[F.S. 1001.51](#)

[F.S. 1013.12](#)

[F.A.C. 5P-1.002](#)

[F.A.C. 5P-1.003](#)

[F.A.C. 5P-1.004](#)

[F.A.C. 5P-1.005](#)

[42 U.S.C. 1758](#)

[Health, 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 C.F.R. Part 15b](#)

[7 C.F.R. Part 210](#)

[7 C.F.R. Part 215](#)

[7 C.F.R. Part 220](#)

[7 C.F.R. Part 225](#)

[7 C.F.R. Part 226](#)

[7 C.F.R. Part 227](#)

[7 C.F.R. Part 235](#)

[7 C.F.R. Part 240](#)

[7 C.F.R. Part 245](#)

[7 C.F.R. Part 3015](#)

[80 F.R. 11077](#)

[OMB Circular No. A-87 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](#)

Cross References

- [po1129 - CONFLICT OF INTEREST](#)
- [po1214 - SOLICITATION OR ACCEPTANCE OF GIFTS OR UNAUTHORIZED COMPENSATION](#)
- [po2260 - NONDISCRIMINATION AND ACCESS TO EQUAL EDUCATIONAL OPPORTUNITY](#)
- [po3129 - CONFLICT OF INTEREST](#)
- [po3214 - SOLICITATION OR ACCEPTANCE OF GIFTS OR UNAUTHORIZED COMPENSATION](#)
- [po4129 - CONFLICT OF INTEREST](#)
- [po4214 - SOLICITATION OR ACCEPTANCE OF GIFTS OR UNAUTHORIZED COMPENSATION](#)
- [po6116 - TIME AND EFFORT REPORTING](#)
- [po6460 - VENDOR RELATIONS](#)
- [po8550 - COMPETITIVE FOOD SALES](#)
- [ap8500 - FOOD SERVICE PROGRAM](#)
- [ap8500A - NUTRITIONAL GUIDELINES](#)

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