

Food/School Nutrition Services

The Board shall provide a District-wide school nutrition program in compliance with applicable state and federal statutes and regulations. It is the intent of the Board that school nutrition services be a self-supporting program.

MEALS

Lunchrooms shall serve meals that meet or exceed the requirements specified by state and federal regulations.

MEAL CHARGES

When a student accumulates more than three (3) meal charges, the Superintendent/ designee shall initiate the established collection process to include notification of parents and appropriate follow-up. Food Service funds shall not be used to pay outstanding meal charges.

Students shall not be permitted to charge a la carte items, nor shall adults be permitted to charge meals or a la carte items.

FOOD SERVICE/SCHOOL NUTRITION DIRECTOR

The District (or food service area to which the District belongs) shall appoint/select a Food Service/School Nutrition Director to oversee and manage the school nutrition service program.

ANNUAL REPORT/PUBLIC FORUM

Immediately following the release of the annual school nutrition report, the Board shall discuss the findings and seek public comment during a publicly advertised Board meeting.

By January 31 of each year, the Board shall hold an advertised public forum to present a plan to improve school nutrition in the District.

The District shall compile a summary of findings and recommendations and submit the summary to the Kentucky Board of Education.

DISCRIMINATION COMPLAINTS

The District does not discriminate on the basis of race, color, national origin, sex, age, or disability in its school nutrition program.

In compliance with state and federal requirements, the Superintendent/designee shall develop a process to address complaints of alleged discrimination in the delivery of benefits or services in the District's school nutrition program, whether received in written or verbal form. District personnel shall assist parents/guardians and students wishing to file a complaint.

SPECIAL DIETARY NEEDS

Students whose dietary needs qualify them for an adaptation under law shall be provided accommodations in keeping with local procedures.

REFERENCES:

KRS 156.160; KRS 156.502; KRS 158.852; KRS 158.856; KRS 160.290
702 KAR 006:010; 702 KAR 006:050; 702 KAR 006:075; 702 KAR 006:090
7 CFR §210.23, FNS Instruction 113
Section 504 of Rehabilitation Act of 1973, Americans with Disabilities Act

Adopted/Amended: 07/23/2012
Order #: 2012.433

Free and Reduced-Price Meals

The Superintendent/designee shall annually submit, for Board approval, a fee schedule governing the price of all meals and, in keeping with state and federal requirements, implement a process to protect the confidentiality of information concerning student eligibility for free and reduced-price meals.

Only District employees and contractors designated by the Superintendent/designee and representatives of agencies directly connected with the administration or enforcement of the District's School Nutrition Program shall have access to individual student eligibility information without parental consent. A list of designated District employees and contractors by position shall be maintained at the school and in the Central Office.

REFERENCES:

KRS 160.290

702 KAR 006:010; 702 KAR 006:050

7 C.F.R. §245.6; 20 U.S.C. 1232g, 34C.F.R. 99.1 – 99.67

42 USC §1751 et seq.

42 U.S.C. Section 1771 et seq.

RELATED POLICY:

09.14

Adopted/Amended: 07/27/2009

Order #: 0128463

Competitive Foods**MINIMAL NUTRITIONAL VALUE**

The sale of competitive foods and beverages to students during the school day shall be in compliance with current federal and state regulations.

DEFINITIONS

"Competitive Food" shall mean any food or beverage item sold in competition with the National School Breakfast/Lunch program with the exception of foods or beverages sold a la carte in the cafeteria.

"School day" means the period of time between the arrival of the first student at the school building and the end of the last instructional period.

"School-day-approved beverage" means water, one hundred percent (100%) fruit juice, low-fat milk, and any beverage that contains no more than ten (10) grams of sugar per serving.

NUTRITIONAL STANDARDS

No school may sell competitive foods or beverages, whether from vending machines, school stores or canteens, classrooms, teacher or parent groups, from the time of arrival of the first student at the school building until thirty (30) minutes after the last school lunch period. At the elementary school level during the school day, only school-day approved beverages shall be available in vending machines, school stores, or canteens or as fundraisers that involve sale of beverages by students, teachers, or groups.

Beginning with the 2006-2007 school year, each school shall limit access to no more than one (1) day each week to retail fast foods in the cafeteria, whether sold by contract, commercial vendor, or otherwise.

Foods and beverages sold during the school day outside of the National School Breakfast/Lunch program shall, at minimum, comply with local standards and minimum nutritional standards specified by Kentucky Administrative Regulation, unless the District requests, and is granted, an annual waiver from the Kentucky Board of Education (KBE).

Fund-raising activities held off of school property are not subject to regulatory requirements of 702 KAR 006:090.

FOOD/BEVERAGES AS REWARDS

When possible, rewards given to students shall be other than food/beverages items. When food/beverage items are used as rewards, such items shall comply with nutritional guidelines set out in Kentucky Administrative Regulation.

REFERENCES:

7 CFR 210.11b; 7 CFR 220.12

KRS 156.160; KRS 158.850; KRS 158.854; 702 KAR 006:090

U. S. Dept. of Agriculture's *Dietary Guidelines for Americans*

RELATED POLICY:

07.12

Adopted/Amended: 07/25/2005

Order #: 0127639

Vending Machines**REQUEST**

Vending machines will be installed in the school only at the request of the Principal and subject to approval by the Board.

BIDDING

The Board may bid the installation of vending machines, using specifications established by the Superintendent/designee.

STUDENT USE

Vending machine use by students shall be in compliance with current federal and state regulations.

At the elementary school level during the school day, only school-day approved beverages shall be sold in vending machines (water, one hundred percent [100%] fruit juice, low-fat milk, and any beverage that contains no more than ten (10) grams of sugar per serving).

SALES

Any sales from vending machines shall be in compliance with applicable state and federal law and regulation. Specifically, competitive foods or beverages shall not be sold from vending machines from the time of the arrival of the first student at the school building until thirty (30) minutes after the last school lunch period.

REFERENCES:

KRS 156.160

KRS 158.854

KRS 160.290

7 CFR 210.11b

702 KAR 006:090

RELATED POLICY:

07.111

Adopted/Amended: 07/25/2005

Order #: 0127639

School Nutrition Procurement

OPEN BIDDING

In all applicable cases, food, food products, supplies, and equipment purchased with school food service funds shall be procured in accordance with the process and procedures established in Policy 04.32 in a manner that provides full and open competition consistent with the standards in applicable federal regulations.¹

REFERENCES:

¹7 CFR 3016.36

7 CFR 210.21

KRS 160.290

KRS 424.260

KRS 45A.345 – KRS 45A.460

702 KAR 006:010

RELATED POLICY:

04.32

Adopted/Amended: 07/23/2012

Order #: 2012.433

Financial Reports of Lunchrooms

PRINCIPAL'S RESPONSIBILITY

Financial reports of the school lunch program shall be made monthly, by the Principal to the Superintendent's office, and periodically as required by state and federal agencies. Complete financial and inventory records shall be available to the Board and Superintendent at all times.

REFERENCES:

KRS 160.290

702 KAR 006:010

702 KAR 006:020

702 KAR 006:075

Adopted/Amended: 04/24/1996

Order #: 0579

Food Service Employees**FOOD SERVICE EMPLOYEES**

All food service employees shall meet the qualifications of and be in compliance with the responsibilities noted in 702 KAR 006:045.¹ In addition, food service directors and school cafeteria managers shall meet training and credential requirements specified in statute.²

REFERENCES:

¹702 KAR 006:045

²KRS 158.852

KRS 156.160

KRS 161.011

RELATED POLICY:

See Section 03.2

Adopted/Amended: 07/25/2005

Order #: 0127639

Service Notification

The Superintendent or his designee shall notify in writing each full-time food service employee of his hours, terms, and conditions of employment; lines of authority; general responsibilities; and shall include a service termination policy.

Full-time food service employees shall be paid in accordance with a uniform pay scale.

REFERENCE:

702 KAR 006:040 (2) (3)

RELATED POLICIES

03.27

07.162

Adopted/Amended: 04/24/1996

Order #: 0579

Service Termination for Food Service Employees

Full-time food service employees are employed annually for the period of time students are in school and for reasonable periods at the beginning and end of the school year, as determined by the Board.

TERMINATION FOR CAUSE

Employment of food service employees may be terminated for cause at any time by the Superintendent for the reasons specified in policy 03.27.

SUSPENSION WITHOUT PAY

A food service employee may be suspended without pay for good reason by the Superintendent, pending action to consider the employee's status.

REFERENCES:

KRS 160.380

KRS 161.011

702 KAR 006:040 (2)

RELATED POLICY:

03.27

Adopted/Amended: 04/24/1996

Order #: 0579

School and Community Nutrition Program**PROGRAM FUNDS**

Because the District receives federal, state, and local funds to finance the school and community nutrition program, it is imperative that funds be properly safeguarded, that accurate records be kept, and that reports be made as required. In order to achieve this, the following procedures will be implemented:

1. All funds received as payment for meals (school nutrition program breakfast and/or lunch) and federal and state reimbursements shall be used only for food, labor, equipment, and supplies for the operation/improvement of the school nutrition program.
2. School nutrition program funds may not be used for:
 - a. The purchase of land.
 - b. The purchase or construction of buildings.
3. All schools shall make the required reports as required by the Kentucky Department of Education.
4. A copy of all reports, financial records, and applications for free- and/or reduced-price meals shall be kept for a period of three (3) fiscal years and are subject to audit by state and federal officials.
5. All meals receiving federal reimbursement are priced as a complete unit.
6. The school nutrition program is operated on a nonprofit basis. Actual cash balances shall be maintained in accordance with state/federal regulation, as appropriate.

FOOD SERVICE/SCHOOL NUTRITION DIRECTOR REPORT

Each year, the District/area Food Service/School Nutrition Director shall assess the school nutrition program and issue a written report to parents, the Board, and school-based decision making councils by a date specified by the Superintendent/designee. The annual report shall include:

- An evaluation of compliance with the National School Breakfast/Lunch program;
- An evaluation of the availability of contracted fast foods or foods sold through commercial vendors;
- A review of access to foods and beverages sold outside the National School Breakfast/Lunch program, including vending machines, school stores, canteens and a la carte cafeteria sales;
- A list of foods and beverages available to students, noting the nutritional value of those foods and beverages; and
- Recommendations for improving the school nutrition environment.

Review/Revised:7/26/10

Food Allergies and Special Dietary Needs

The District School Nutrition Program shall provide modified menus or food preparation for students as required by their individual education plan (IEP), Section 504 plan, or health plan.

The District School Nutrition Program shall be informed of any student who is unable to consume the meals normally served at the school in which s/he is enrolled.

Nutrition Program services shall provide for substitution of food items based on child-specific medical guidance.

PARENTAL ASSISTANCE

Parents will be asked to:

1. Notify the school principal of any food allergy or special dietary need related to a disabling condition or medical necessity.
2. Provide medical information from a District-approved recognized medical authority (RMA) authorized to practice within the State of Kentucky as noted in the student's IEP, 504 plan or health plan.
3. Provide updated medical information as requested by the District.
4. Participate in any meetings or discussions regarding the student's meal plan.
5. Notify the school of any changes relating to the food allergy or special dietary need.

SCHOOL SITE RESPONSIBILITIES

1. Identify children requiring special dietary modifications
2. The Principal or designee shall refer a student with known or suspected special dietary needs for special services as required by law and shall notify the Special Education Director, Section 504 Coordinator, school nurse or health services assistant, as appropriate, given the nature of the medical requirement or disabling condition known or suspected.
3. The Principal or designee shall make staff and the student aware of precautions needed related to field trips, classroom parties, allergy alert identification, intervention strategies, and other issues necessary to promote student safety.
4. Admissions and Release Committee (ARC) chairs, Section 504 chairs, the school nurse, or the school nurse assistant, as appropriate, shall communicate plan requirements to all potential plan implementers, such as designated School Nutrition staff, the student's teachers, etc.
5. Monitor and update the IEP, Section 504 plan, or health plan as needed.

FOOD & NUTRITION SERVICES RESPONSIBILITIES

1. Provide food item services and/or substitutions for students based on medical need. Menus will not be modified based on personal preference.
2. Provide training to school nutrition personnel on how to react to food allergies and food-related emergencies and how to modify menus.
3. Maintain special dietary information on each student identified as having special dietary needs and update this information as needed.

Review/Revised:7/23/12

Notice of Meal Charges

Date: _____

Student Name: _____

Homeroom: _____

Grade: _____

To the parents of _____,

Your child's school food account has an overdrawn balance. The current balances are:

Breakfast: \$ _____

Lunch: \$ _____

Please supply funds to bring the negative balances current, plus any additional prepayment funds, immediately to ensure continued meal service for your child.

Please call (859) 567-4531 if you have any questions.

Thank you,

Cafeteria Manager

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, or political beliefs. Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact SDA's TARGET Center at (202) 720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

Review/Revised:6/22/09

Notice of Returned Check

Date: _____

Dear: _____

(Name of parent/guardian)

This is to inform you that the check you submitted for payment of your child's meal(s), check number _____, dated _____, drawn on account number _____ with the following banking institution, _____, has been returned for the following reason:

☐ Insufficient funds☐ Uncollected funds☐ Closed account☐ Other, as specified _____

We have submitted this check for payment on two (2) different occasions and the check was returned both times. Please send cash or a money order in the amount of \$_____ to clear the bill. We will return your check upon receipt of this amount. If you have any questions, please contact me at the following number: _____.

(school telephone number)

If you have not contacted me or submitted the amount indicated in this correspondence within ten (10) working days from the date of this letter, I will direct our attorney to pursue appropriate action.

Sincerely,

*Principal's Signature*xc: ☐ Cafeteria Manager☐ Food Service Director☐ Other as specified _____

Review/Revised:6/22/09

Free and Reduced-Price Meals

Since schools in the District participate in the National School Lunch Program, School Breakfast Program, and/or the Donated Food Program, federal and state policies and regulations must be followed.

STUDENTS

To implement required policies and regulations, these procedures will be followed for student participants:

1. Free and reduced-price meals will be granted on the basis of need as determined by state and federal guidelines.
2. Letters explaining the School Food Service Program shall be sent to all parents each year at the opening of school and as needed throughout the year. If applicable, an application form for free and reduced-price meals will accompany the letter. Applications will be kept on file for a period of three (3) fiscal years and are subject to audit by state and federal officials.
3. If school personnel have knowledge of a student who is in need of free or reduced-price meals but does not have the parents' cooperation to submit an application, an application shall be submitted in the student's name by the SFS Director.

The parents shall be notified that the child has been certified eligible to receive free/reduced price meals.

4. After reviewing the application for free and reduced-price meals, the eligibility of each student shall be determined by the SFS Director.
5. Written notification of approval or denial of the application shall be provided to the parents by the SFS Director.
6. If the parent or guardian is dissatisfied with the above decision regarding free and reduced-price meals, an appeal may be made to the Superintendent/designee.
7. A master list/roster to track student withdrawals, transfers, and entries shall be maintained by the Superintendent/designee.

ADULTS

All school personnel regularly assigned to a school may have access to meals served in the School Food Service Program. The cost of the meal shall be determined by the Board. Charges for adult meals shall be as follows:

1. Those adults who are assigned to work full or part-time in the School Food Service Program and whose salaries are paid entirely from food service funds may receive meals at no cost.
2. All other District employees who do not provide a service in the operation and administration of the School Food Service Program and all other adults shall pay the full adult meal price.

Review/Revised:6/22/09

Eligibility for Free Meals Based on TANF/Food Stamp Participation

Date

Dear _____:

Each student listed below has been automatically approved for free meals for the current school year based on his/her eligibility for Temporary Aid to Needy Families (TANF) or Food Stamps.

The child(ren) listed above will receive free meals. If you receive an eligibility application, DO NOT complete it or return it to the school. If you have children who are not eligible for TANF or Food Stamps or if you feel another child's name should be included, you must complete an Application for Free and Reduced Price Meals and return it to the school as soon as possible.

If you do not want your child(ren) to receive free meals or if you have any questions, please contact:

Director of Nutrition Services
(859) 567-5862

Sincerely,

Director of Nutrition Services

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, or political beliefs. Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact SDA's TARGET Center at (202) 720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

Review/Revised:6/22/09

Competitive Foods

SALE OF COMPETITIVE FOODS

The sale or serving of any food or beverage item to students in competition with the School Food Service Program shall be permitted only in accordance with current federal and state laws and regulations. Specifically, the sale of competitive foods shall be prohibited from the time of arrival of the first student until one-half (1/2) hour after the close of the last lunch period.

Review/Revised:6/22/09

Vending Machines

FACULTY ACCESS

The Principal shall designate responsibility for maintenance of vending machines for faculty use, including receipts, supplies, and stocking. The person(s) responsible shall be a classified staff member designated by Principal.

STUDENT AND PUBLIC ACCESS

Vending machines approved for limited student and public use will be placed in a controlled access area. Student access to vending machines shall be in compliance with current District policy/procedures relative to competitive foods. Vending machines may be used by the public when the building is open to the public after regular school hours.

The Principal shall designate responsibility for maintenance of these vending machines, including receipts, supplies, and stocking. The person(s) responsible shall be a classified staff member designated by Principal.

Review/Revised:6/22/09

Bidding of School Food Service Supplies**LIKE ITEMS IN EXCESS OF \$20,000**

If the total amount of purchases for like items is \$20,000 or more, formal bid procedures will be utilized. Food, food products, supplies, and equipment will be bid annually (during the month of June for bread, milk, and juice) as well as in accordance with a schedule determined by the local educational cooperative.

BID SPECIFICATIONS

The bid specifications, including delivery and storage instructions, for all lunchroom/cafeteria supplies shall be prepared by the SFS Director.

1. The request for bid shall be advertised in the local newspaper with the greatest circulation in the District.
2. Specifications and bid documents shall be mailed to all potential bidders.
3. Bids shall be opened and tabulated by the SFS Director.
4. The bids shall be submitted to the Board of Education for action.

PERISHABLES

Applicable federal law (7 C.F.R. §3016.36) does not provide a bidding exception for perishable food items purchased with school food service funds. Perishables purchased using school food service funds shall be procured in accordance with 7 CFR 3016.36 and 7 CFR 210.21.

EMERGENCY PURCHASES

If it is necessary to make an emergency purchase in order to continue service, the purchase shall be made and a log of all such purchases shall be maintained and reviewed by the SFS Director.

The log of emergency purchases shall include: item name, dollar amount, vendor, and reason for emergency.

RECORDS MANAGEMENT

The following records will be maintained for a period of three (3) years plus the current year:

1. Records of all phone quotes
2. Logs of all emergency and noncompetitive purchases
3. All written quotes and bid documents
4. Comparison of all price quotes and bids with the effective dates shown
5. Price comparison showing bid or quote awarded
6. Log of approval substitutions

Bidding of School Food Service Supplies**CONFLICT OF INTEREST**

The following conduct will be expected of all persons who are engaged in the award and administration of contracts supported by School Food Service Program Funds.

1. No employee, officer, or agent of the District shall participate in selection or in the award or administration of a contract supported by Program funds if a conflict of interest, real or apparent, would be involved. Conflicts of interest arise when one of the following has a financial or other interest in the firm selected for the award:
 - a) District employee, officer, or agent;
 - b) Any member of his/her immediate family;
 - c) His/her partner;
 - d) An organization that employs or is about to employ one of above.
2. District employees, officers, or agents shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to subagreements.
3. The purchase during the school day of any food or service from a contractor for individual use is prohibited.
4. The removal of any food, supplies, equipment, or school property such as records, recipe books, and the like is prohibited.
5. The outside sale of such items as used oil, empty cans, and the like will be sold by contract between the District and the outside agency. Individual sales by any school person to an outside agency or other school person is prohibited.

DISCIPLINARY ACTION

Failure of any employee to abide by the above-stated code may result in disciplinary action, including but not limited to, a fine, suspension, or dismissal.

RELATED PROCEDURE:

04.32 AP.1

Review/Revised:7/23/12

Financial Reports of School Food Service

In order to meet the requirements of the Board and the Kentucky Department of Education (KDE), Division of Nutrition and Health Services, the Superintendent or designee shall complete the required Monthly Report and Claim for Reimbursement Form. All other optional forms provided by KDE shall be completed at the direction of the Superintendent or designee.

REFERENCE:

Kentucky Department of Education, Division of Nutrition and Health Services

Review/Revised:6/22/09