

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 ~~CHARGE POLICY CHARGES~~

~~Every student's parent/guardian~~ ~~All parents/guardians~~ shall be provided the written meal charge policy at the beginning of each school year or upon enrollment in the District for ~~a student~~ ~~students~~ transferring in mid-year. In addition, ~~the parent/guardian~~ ~~parents~~ shall be advised of the available payment systems and meal prices.

The written meal charge policy shall be distributed to all school level staff including school ~~each~~ nutrition ~~employee~~ ~~employees~~ involved in policy enforcement.

~~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. If parents have not contacted the Cafeteria Manager or submitted the amount indicated within ten (10) working days from the date of the final notice, the debt will be considered delinquent and may be directed to the Board Attorney.~~

~~Food Service funds may be used to collect delinquent meal charges.~~

~~Jefferson County Public Schools (JCPS) participates in the Community Eligibility Provision (CE). This program is provided at all JCPS schools. JCPS students will receive a reimbursable breakfast and a reimbursable lunch at no cost to the student. Students who do not select a reimbursable meal as required by USDA regulations will have to pay a la carte for the individual items.~~

~~Students shall not be permitted to charge a la carte items, nor shall adults be permitted to charge meals or a la carte items. Bad debt in the form of meal charges shall not be allowed.~~

SCHOOL AND COMMUNITY NUTRITION SERVICES EXECUTIVE ADMINISTRATOR

FOOD SERVICE/SCHOOL NUTRITION PROGRAM DIRECTOR

The District shall appoint/select an ~~an Food Service/School Nutrition Program Director~~ ~~Executive Administrator for School and Community Nutrition Services~~ to oversee and manage the school nutrition service program. ~~All Food Service/School Nutrition Program Directors~~ ~~The Executive Administrator Administrators~~ ~~for School and Community Nutrition Services~~ shall meet minimum educational requirements and annual training requirements in accordance with federal and state law.

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 and physical activities in the District.

Food/School Nutrition Services**ANNUAL REPORT/PUBLIC FORUM (CONTINUED)**

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

DISCRIMINATION COMPLAINTS

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

Anyone wishing to initiate a complaint concerning discrimination in the delivery of benefits or services in the District's school nutrition program should go to the link below or mail a written complaint to the U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington D.C. 20250-9410, or email, program.intake@usda.gov.

http://www.ascr.usda.gov/complaint_filing_cust.html

District personnel shall assist a ~~parent/guardian or student parents/guardians and students~~ wishing to file a complaint.

Additionally, consistent with Board ~~Policy~~ Policies 01.1 and 09.13, the ~~District shall~~ district does not discriminate on the basis of religion, marital or parental status, political affiliations or beliefs, sexual orientation, gender identity, gender expression, ~~or~~ veteran status, genetic information, or limitations related to pregnancy, childbirth, or related medical conditions in its school nutrition program.

SPECIAL DIETARY NEEDS

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

~~Every student's parent/guardian~~ All parents/guardians shall be provided notice of how to request meal accommodations and how to submit a grievance related to a request for modifications based on a disability, at the beginning of each school year or upon enrollment in the District for students transferring in mid-year.

FOOD SANITATION PROGRAM

The School and Community Nutrition Services Unit shall organize and administer a sanitary program in each school location and retain a Retail Food Establishment permit as detailed by the Kentucky Cabinet for Health and Family Services, Division of Local Health for each location.

REFERENCES:

[KRS 156.160](#)

[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 C.F.R. part 15b; 7 C.F.R. §210.23; 7 C.F.R. §210.31; FNS Instruction 113

Section 504 of Rehabilitation Act of 1973, Americans with Disabilities Act

P.L. 111-296

Food/School Nutrition Services

REFERENCES (CONTINUED)

09.13

Adopted/Amended: 2/27/2018
Order #: 2018-48

Meal Pricing

~~The Superintendent/designee shall 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 students as required by law.~~

~~The District participates in the U.S. Department of Agriculture (USDA) Community Eligibility Provision (CEP) Program district wide. CEP permits eligible schools to provide meal service to all students at no charge, regardless of economic status, while reducing burden at the household and local levels by eliminating the need to obtain eligibility data from families through a separate collection.~~

~~A District student students may select a reimbursable breakfast and a reimbursable lunch each school day at no cost. A student who does Students who do not want to select a reimbursable meal will be required to pay the a la carte price for any individual items selected.~~

~~A student Students shall not be permitted to charge a la carte items, nor shall an adult adults be permitted to charge meals or a la carte items. A la carte can be purchased with cash, checks, or money orders in hand. A student Students may also make purchases from monies in the student's or adult's food service account. Bad debt in the form of meal charges shall not be allowed.~~

~~Adult Meal Prices shall will be evaluated and set based on the required Kentucky Department of Education KDE Adult Meal Price Tool that is completed by Nutrition Services each program year in accordance with USDA Food Nutrition Service (FNS) Instruction 782-5, Rev.1.~~

Only District employees 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 the written consent of a parent or guardian. ~~A District employee who demonstrates JCPS employees who demonstrate~~ a "need to know" shall will sign an affidavit of nondisclosure prior to being considered for approval by ~~School and Community Nutrition Services (SCNS)~~ for access to individual student eligibility information. A list of designated District employees authorized to receive this information shall be maintained by SCNS.

~~SCNS School and Community Nutrition Services~~ shall maintain an accurate and up-to-date file on each student within the District who is eligible for participation in this program.

~~Detailed collection procedures for student charges shall be established by the School and Community Nutrition Services Unit in accordance with federal guidelines. Food Service funds shall not be used to pay outstanding charges.~~

REFERENCES:

[KRS 160.290](#)
[702 KAR 006:010](#); [702 KAR 006:050](#)
 7 C.F.R. §245.6; 7 C.F.R. 210.18(q)
 20 U.S.C. 1232g, 34 C.F.R. 99.1 – 99.67
 42 U.S.C. §1751 et seq.
 42 U.S.C. Section 1771 et seq.
 P. L. 111-296

Meal Pricing

RELATED POLICY:

09.14

Adopted/Amended: 5/25/2021
Order #: 2021-88

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 all food and beverages sold to students on the school campus during the school day, other than those meals reimbursable under the programs authorized by the National School Lunch Act and the Child Nutrition Act.

"School-day" means the period of time from midnight before ~~until~~ ~~to~~ thirty (30) minutes after the end of the official school day.

“School Campus” shall mean all areas of the property under the jurisdiction of the school that are accessible to students during the school day.

NUTRITIONAL STANDARDS

No school may sell competitive foods or beverages, whether from a vending machine, school store or canteen, classroom, teacher, parent group ~~vending machines, school stores or canteens, classrooms, teacher or parent groups~~, from midnight before until thirty (30) minutes after the last school lunch period of the school day. From thirty (30) minutes after the last lunch period closes until thirty (30) minutes after the school day, food and beverages sold must conform with nutritional standards specified in state and federal regulations.

Fund-raising activities held off of the school campus or not during the school day are not subject to regulatory requirements of [702 KAR 006:090](#) or federal competitive food limitations.

REFERENCES:

7 C.F.R. 210.11b; 7 C.F.R. 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 POLICIES:

07.12

09.2

Adopted/Amended: 5/25/2021

Order #: 2021-88

Vending Machines

REQUEST

~~A vending machine shall~~ ~~Vending machines will~~ be installed in ~~a the~~ school only at the request of the Principal or the ~~Executive Administrator~~ ~~Director~~ of School and Community Nutrition Services.

BIDDING

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

STUDENT USE

Vending machine use by ~~a student~~ ~~students~~ shall be in compliance with current federal and state regulations. All sales from vending machines during and after the school day shall meet the nutrition guidelines established in state and federal regulations. Only school-day-approved beverages shall be ~~sold in elementary schools and middle schools~~ during the school day, e.g. water, one hundred percent ~~[100%]~~ fruit/vegetable juice, low-fat milk; (unflavored), ~~and~~ non-fat milk (unflavored or flavored) as permitted by the school meal requirements. ~~Size of these beverages shall not exceed eight (8) ounces for elementary schools, twelve (12) ounces for middle schools and twenty~~ twelve (12) ounces for high schools. ~~There are no~~ ~~No-size ounce~~ limits on water.

~~For students at the high school level, only school-day approved beverages may be sold in vending machines during the school day, e.g. water, one hundred percent [100%] fruit/vegetable juice, low-fat milk (unflavored), non-fat milk (unflavored or flavored), as permitted by the school meal requirements.~~

In addition to the beverages listed above, ~~a high school schools may offer~~ other beverages as allowed in 7 C.F.R. Parts 210 and 220 ~~may be available~~ in vending machines, ~~at the high school level, e.g. diet sodas, and calorie-free flavored waters, with or without caffeine. These specific beverages are limited to twenty (20) ounces for high schools.~~

~~Size of beverages shall not exceed eight (8) ounces for elementary schools, twelve (12) ounces for middle schools and twenty (20) ounces for high schools.~~

All sales, outside of the school meal program, shall be prohibited on the school campus from midnight before until thirty (30) minutes after the close of the last lunch period of the school day. From thirty (30) minutes after the last lunch period closes until thirty (30) minutes after the school day, ~~the~~ food and beverages sold ~~shall~~ ~~must~~ conform with nutritional standards specified in state and federal regulations.

REFERENCES:

[KRS 156.160](#); [KRS 158.854](#); [KRS 160.290](#)
7 C.F.R. 210.11b; 7 C.F.R. 220
[702 KAR 006:090](#)

RELATED POLICY:

07.111

Adopted/Amended: 11/17/2017
Order #: 2017-321

School and Community Nutrition Procurement

FOOD PURCHASING

The School and Community Nutrition Services (SCNS) Unit shall purchase food products and recurring common use items in compliance with the regulations stated in the Kentucky Model Procurement Code and in a manner that provides full and open competition consistent with the standards in applicable federal regulations. ~~A school shall~~ ~~Individual schools must~~ submit requests for food according to the method approved by the ~~SCNS School and Community Nutrition Services~~ Unit.

CONFLICT OF INTEREST

The following conduct ~~shall 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. ~~A conflict~~ ~~Conflicts~~ of interest ~~arises~~ ~~arise~~ when one of the following has a financial or other interest in the firm selected for the award:
 - a) ~~A~~ District employee, officer, or agent;
 - b) Any member of the immediate family of a District employee, officer, or agent;
 - c) The spouse or partner of a District employee, officer, or agent;
 - d) An organization that employs or is about to employ one of the above.
2. A District employee, officer, or agent shall neither solicit nor accept a gratuity, favor, or anything of monetary value from a contractor, potential contractor, or a party to a subagreement. In determining whether an item is an impermissible gratuity or of monetary value, "gratuity" means a payment, loan, subscription, advance, deposit of money, services, or anything of more than twenty-five dollars (\$25.00) in value, present or promised, unless a consideration of substantially equal or greater value is received.
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, including, but not limited to, records, and recipe books, is prohibited.
5. The outside sale of surplus items, including, but not limited to, used oil and empty cans will be sold by contract between the District and the outside agency. Individual sales by any school employee to an outside agency or other school employee is prohibited.

Failure of any employee to abide by the conflict of interest provisions of this policy may result in disciplinary action, including but not limited to, a fine, suspension, or termination.

School and Community Nutrition Procurement**USE OF DONATED COMMODITIES**

The ~~SCNS School and Community Nutrition Services~~ Unit shall develop a program for the use of donated foods in compliance with the regulations of the ~~U.S. Department of Agriculture-USDA~~, the Kentucky Department of Education, and Kentucky Department of Agriculture. Commodity foods shall be used solely for the benefit of eligible persons served by the ~~SCNS School and Community Nutrition Services~~ Unit.

DONATION OF PERISHABLES

Donation of leftovers, scraps, unused food, or commodities to ~~an organization or agency organizations~~ shall occur pursuant to procedures established by the Superintendent/designee and a partnership ~~agreement agreements~~ with the recipient ~~organization or agency organizations or agencies~~. Food items may be donated only if they are: food items deemed surplus after being served once as a leftover; perishable food items deemed to go out of date before they can be used as intended in the Federal meal programs administered by SCNS; or perishable food items deemed surplus as a result of an unscheduled school closing. Donated surplus perishable food items shall be the sanitation and transportation responsibility of the recipient organization or agency.

REFERENCES:

2 C.F.R. 200.318
2 C.F.R. 200.320
[KRS 160.290](#)
[KRS 424.260](#)
[KRS 45A.345 – KRS 45A.460](#)
[702 KAR 006:010](#)

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Financial Reports - School and Community Nutrition Services

Financial records and reports for the School and Community Nutrition Services (SCNS) Unit shall be maintained in compliance with all federal and state regulations. Full cost accounting principles shall be applied to establish each school's expenditures and receipts.

School lunch program financial reports shall be made monthly, by the Executive Administrator, ~~SCNS School and Community Nutrition Services~~ to the Superintendent through the Chief Financial Officer, 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](#)

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Food Service/School Nutrition Employees**FOOD SERVICE/SCHOOL NUTRITION EMPLOYEES**

All food service/school nutrition employees shall meet the qualifications of and be in compliance with the responsibilities set forth ~~noted~~ in federal regulation. In addition, the Executive Administrator, School and Community Nutrition Services and every school cafeteria manager ~~managers~~ shall meet training and credential requirements specified in state law.¹

REFERENCES:

¹[KRS 158.852](#)

[KRS 156.160](#)

[KRS 161.011](#)

7 C.F.R. §§ 210.30 (b) – (g); 42 U.S.C. § 1776(g)

7 C.F.R. § 210.31

RELATED POLICIES:

See Section 03.2

07.1

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Service Notification

The Superintendent/~~designee or the Superintendent's designee~~ shall notify in writing each full-time food service employee of the hours, terms, and conditions of employment; lines of authority; general responsibilities; and 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

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Service Termination for Food Service Employees

~~A full-time Full-time~~ food service ~~employee shall have an annual contract employees~~ 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 ~~a~~ food service ~~employee employees~~ may be terminated for cause at any time by the Superintendent for the reasons specified in Board Policy 03.27 Discipline, Suspension, and Dismissal of Classified Employees. The process for termination shall be implemented in accordance with Board Policy 03.27 and related District Administrative Procedures.

PENALTIES UNDER FEDERAL LAW

~~An Any~~ employee who embezzles, willfully misapplies, steals, or obtains by fraud any funds, assets, or property, whether received directly or indirectly from ~~the~~ School and Community Nutrition Services (SCNS) Unit, shall be subject to appropriate disciplinary action and ~~or~~ penalties as set ~~forth out~~ in federal law. ~~An Any~~ employee who receives, conceals, or retains for personal use or gain, funds, assets, or property provided by ~~the SCNS Unit School and Community Nutrition Services~~, whether received directly or indirectly from ~~the SCNS Unit Nutrition Services of the District~~, knowing such funds, assets, or property have been embezzled, willfully misapplied, stolen, or obtained by fraud, shall be subject to disciplinary action and ~~or~~ penalties set ~~forth out~~ in federal law.

REFERENCES:

[KRS 160.380](#)

[KRS 161.011](#)

[702 KAR 006:040](#) (2)

RELATED POLICIES:

03.27

04.41

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