Port Orford-Langlois School District 2CJ

Code: EFAA-AR
Adopted: 6/08/04
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Orig. Code(s): EFAA-AR

Reimbursable School Meals and Milk Programs

(National School Lunch Program, School Breakfast Program, Special Milk Program)

The district's nutrition and food services will be operated in accordance with the following requirements:

Meal Pricing Procedures

1. The district may operate the Special Milk Program (SMP) at schools where students do not have access to program meals. Under SMP, the district will choose one of the following options:

   a. Nonpricing (serve SMP milk at no charge to all students);
   b. Pricing programs without a free option (charge all students for SMP milk); or
   c. Pricing programs with a free option (distribute confidential applications for free milk and charge only those students for SMP milk who do not qualify for free milk based on the household's application or direct certification from Supplemental Nutrition Assistance Programs (SNAP)).

2. Reimbursable meals and afterschool snacks will be priced as a unit.

3. Reimbursable meals and after school snacks will be served free or at a reduced price to all children who are determined by the district to be eligible for free or reduced -price meals.

4. Annually, the district will establish prices for reimbursable student meals and afterschool snacks ~~milk~~. The price charged to students who do not qualify for free or reduced -price meals will be established annually by the district in compliance with state and federal laws.

5. The price charged to students who qualify for reduced -price meals will be established annually by the district in compliance with state and federal laws.

6. The district will offer SMP with the free option to students who are not able to participate in the district's lunch or breakfast programs.

7. The district will implement claiming alternative Community Eligibility at the following schools under its jurisdiction: *Driftwood Elementary School*.

Application Procedures

1. Households receiving SNAP or Temporary Assistance to Needy Families (TANF) benefits as identified by Oregon Department of Education (ODE), will be automatically eligible for free meals and afterschool snacks, for the students listed on the official document. Districts must access this document at least three times per year.

2. Students receiving support through the migrant education program, Runaway and Homeless Youth Act, McKinney-Vento Homeless Assistance Act, federal Head Start and state-funded prekindergarten programs, with income eligibility criteria identical or more stringent than federal Head Start, or are in state or court placement foster care, will be automatically eligible for free meals and afterschool snacks, for the students listed on the official documents.

3. Households that submit a confidential application will be notified of their student's eligibility for free or reduced -price meals. Households that are denied free or reduced -price benefits will be notified in writing using the ODE template letter distributed to the district annually.

4. On a case-by-case basis~~,~~ when a student is known to be eligible for free or reduced -price meal benefits, and the household fails to submit a confidential application, the superintendent or designee may complete an application for the student documenting how they know~~he/she knows~~ the household income qualifies the student for free or reduced -price meal benefits. Parents of a student approved for free or reduced -price benefits, when application is made for the student by a school official, will be notified of the decision and given the opportunity to decline benefits.

5. Students who do not qualify for free or reduced -price meals are eligible to participate in the SMP, National School Lunch Program (NSLP) and School Breakfast Program (SBP) and will be charged "paid" prices set by the district. "Paid" category students will be treated equally to students receiving free or reduced -price benefits in every aspect of the district's NSLP and Summer Food Service Program (SFSP).

6. The district has established a fair hearing process under which a household can appeal a decision with respect to the household's application for benefits or any subsequent reduction or termination of benefits.

7. In the event of major employers contemplating large layoffs in the attendance area of the district, the district will provide confidential applications and eligibility criteria for free and reduced -price meals to the employer for distribution to affected employees.

Financial Management of the Nonprofit School Food Service

1. The district will maintain a nonprofit school nutrition and food service operation.

2. Revenues earned by the school nutrition and food services will be used only for the operation or improvement of NSLP and SBP, SFSP.

3. Lunch and breakfast meals served to teachers, administrators, custodians and other adults not directly involved with the operation of the district's nutrition and food services will be priced to cover all direct and indirect cost of preparing and serving the meal.[1]

4. District nutrition and food services revenues will not be used to purchase land or buildings.

5. The district will limit its nutrition and food services net cash resources to an amount that does not exceed three months average expenditures.

[1] For meals with portion sizes equivalent to student meals, the adult meal price will be no less than the amount of reimbursement for a free-eligible meal, plus the value of commodity foods used in the meal preparation.

6. The district will maintain effective control and accountability for, and adequately safeguard, all nutrition and food services' cash, real and personal property, equipment and other assets, and ensure they are used solely for nutrition and food services purposes.

7. The district will meet the requirements for allowable NSLP, ~~and~~ SBP SFSP costs as described in 2 C.F.R. 200.

8. In purchasing nutrition and food services goods or services, the district will not accept proposals or bids from any party that has developed or drafted specifications, requirements, statements of work, invitations for bids, requests for proposals, contract terms and conditions or other documents for proposals used to conduct the procurement.

9. All procurement transactions for nutrition and food services goods and services will be conducted according to state, federal and district procurement standards using the applicable cost thresholds.

10. In the operation of its nutrition and food services program, the district will purchase food products where at least 50 percent of the ingredients are produced or processed in the United States, whenever possible.

11. The district may use facilities, equipment and personnel supported with nutrition and food services revenue to support a nonprofit nutrition program for the elderly.

Civil Rights and Confidentiality Procedures

1. The district will not discriminate against any student because of their~~his/her~~ eligibility for free or reduced -price meals.

2. The district will not discriminate against any student or any nutrition and food services employee because of race, color, national origin, marital status, sex, sexual orientation, parental status, religion, age or disability.

3. The district will assure that all students and nutrition and food services employees are not subject to different treatment, disparate impact or a hostile environment.

4. Established district procedures will be followed for receiving and processing civil rights complaints related to applications for NSLP, ~~and~~ SBP and SFSP benefits and services, and employment practices with regard to the operation of its NSLP, ~~and~~ SBP and SFSP. The district will forward any civil rights complaint regarding the district's nutrition and food services to ODE's director of Child Nutrition Programs within three days of receiving the complaint.

5. The district will make written or oral translations of all nutrition and food services materials available to all households who do not read or speak English.

6. The district will maintain strict confidentiality of all information obtained through a confidential application for free and reduced -price meals or direct certification, including students' eligibility for free or reduced -price meals and all household information. The district's NSLP, ~~and~~ SBP and SFSP operators are not required to release any information from a student's confidential application for free or reduced -price meals. No information may be released from a student's eligibility information without first obtaining written permission from the student's parent or legal guardian/adult household member signing the application, except as follows:

a. An individual student's name and eligibility status may be released without written consent only to persons who operate or administer federal education programs; persons who operate or administer state education or state health programs at the state level; persons evaluating state, education assessment; or persons who operate or administer any other NSLP, SBP, SMP, CACFP, SFSP or SNAP;
b. Any other confidential information contained in the confidential application for free and reduced -price meals or free milk (e.g., family income, address, etc.) may be released without written consent only to persons who operate or administer the NSLP, SBP, SMP, CACFP, SFSP and the Special Supplemental Nutrition Program for Women, Infants and Children (WIC); the Comptroller General of the United States for audit purposes; and federal, state or local law enforcement officials investigating alleged violation of any of the programs listed above.

Nutrition and Menu Planning

1. Meals and afterschool snacks served for reimbursement will meet the nutrition standards established by the U.S. Department of Agriculture (USDA) and Oregon Smart Snacks Standards~~recommendations of the most current Dietary Guidelines for Americans~~.

2. Meals and afterschool snacks served for reimbursement will meet at least the minimum NSLP, ~~and~~ SBP and SFSP requirements for food items and quantities.

3. Meals served for reimbursement will:

   a. Meet all calorie range requirements by grade level;
   b. Meet the maximum standards set for saturated fat;
   c. Meet the maximum standards set for sodium by grade level; and
   d. Meet the requirement for zero grams of trans fats.

4. The district will use the offer versus serve option when serving NSLP lunches to senior high school students. High school students must take at least three of five different food items including one-half cup of fruit or vegetable offered in program lunches.

5. The district will use the offer versus serve option when serving program breakfasts to senior high school students. High school students must take at least three of four food items, including one-half cup of fruit or vegetable offered in program breakfasts.

6. The district will use the offer versus serve option when serving program lunches to students below senior high school grades. Students below high school grades will be required to take three of the five food items, including one-half cup of fruit or vegetable offered in program lunches.

7. The district will use the offer versus serve option when serving program breakfasts to students below senior high school grades. Students below high school grades will be required to take three of the four food items, including one-half cup of fruit offered in program breakfasts.

8. A copy of the Board minutes adopting the offer versus serve policy for students below high school grades for program lunches and/or for all students in the district for program breakfasts, as applicable, will be made available upon request.

Use and Control of Commodity Foods

1. The district will accept and use commodity foods in as large a quantity as may be efficiently utilized in the NSLP, ~~and~~ SBP and SFSP.

2. The district will maintain necessary safeguards to prevent theft or spoilage of commodity foods.

3. The value of commodity foods used for any food production other than NSLP, SBP, SFSP or afterschool snacks shall be replaced in the food service inventory.

Accuracy of Reimbursement Claims

1. The district will claim reimbursement only for reimbursable meals and afterschool snacks served to eligible children.

2. All meals and afterschool snacks claimed for reimbursement will be counted at each dining site at a "point of service" where it can be accurately determined that the meal and afterschool snack meets NSLP, SBP and SFSP requirements for reimbursement.

3. The person responsible for determining if the~~reimbursability of~~ meals and afterschool snacks are reimbursable will be trained to recognize a reimbursable meal.

4. The district official signing the claim for reimbursement will review and analyze monthly meal and afterschool snack counts to ensure accuracy of the claim, before submitting the claim to ODE.

5. Annually, by November 15, the district will verify a random sample of applications according to NSLP verification requirements. Instructions for completing the verification process will be sent by ODE to the district in October each year.

Food Safety and Sanitation Inspections

1. The district will maintain necessary facilities for storing, preparing and serving food and milk.

2. Semiannually, the district will schedule food safety inspections with the county Environmental Health Department for each school or dining site under its jurisdiction.

3. The district will maintain health standards in compliance with all applicable state food safety regulations at each school or dining site under its jurisdiction.

General USDA NSLP/SBP/SMP Requirements

1. The district will ensure that no student is denied a meal as a disciplinary action.

2. Breakfast will be served in the morning hours, at or near the beginning of the student's school day.

3. Lunch will be served between the hours of 10 a.m. and 2 p.m.

4. The district will provide substitute foods for students with a disability[2] that restricts their diet when supported by a written statement from a state-licensed health care professional, who is authorized to write medical prescriptions. Substitutions will be provided only when a medical statement from the licensed health care professional is on file at the school. The medical statement must state the nature of the child's impairment so its effect on the student's diet is understood, and what must be done to accommodate the impairment. The district will not charge more than the price of the school meal, as determined by the child's eligibility status, for meals with the accommodation.

5. The district will control the sale of competitive foods.

6. The district will ensure that potable drinking water will be available to students, free of charge for consumption in the place where meals are served during meal service.

~~7.~~ The district will notify all households and appropriate staff of its meal charge requirements[3] at ~~early in~~ the beginning of each school year, upon enrollment of a student or the transfer of a student.~~.~~ The ~~district's~~ meal charging requirements will ~~are as follows:~~

~~A charge account for students paying full price for meals may~~ be posted on~~established with~~ the district website, published in the student/parent handbook and made available in ~~. Students may charge no more than five meals. Any student failing to keep his/her account current as required by the district shall not be allowed to charge the price of further meals until~~ the information on free and reduced-priced meals.~~account has been paid in full but will be allowed to purchase a meal if the student pays for the meal when it is received. At least one written warning shall be provided to a student and his/her parent prior to denying meals for exceeding the district's charge limit. Students or parents of students may prepay meal costs.~~

[4]Regardless of the ability to pay, a student shall be provided a reimbursable meal upon request. Parents or guardians may provide written permission to the district to withhold a meal from a student. After five meal charges the district will attempt to certify the student for free or reduced-price meals. At least two attempts to contact the student's parent or guardian for completing a meal application will be made by the district, including offering assistance filling out the application, if appropriate. Communications regarding student charges will be directed to parents or guardians, only. The district may refer delinquent meal charges to third parties for collection. Collection fees will not be charged to the parent or guardian.

~~8.~~7. The sale of foods in competition with the district's lunch (NSLP) or breakfast (SBP) programs will be allowed in dining sites during lunch and breakfast periods with Board approval only when all income from the food sales accrues to the benefit of the district's nutrition and food services or accrues to a school or student organization approved by the Board. A copy of the Board minutes approving and defining competitive food sales will be made available upon request.

~~9.~~8. Students will be charged for second servings of meals or portions of meals served.

Record Keeping

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[2] To comply with Section 504 as it relates to a student's~~student's~~ severe food allergy, such as milk, gluten, nut or soy, and including but not limited to diabetes, colitis, etc.

[3] Federal law requires the district to publish meal charging requirements. The district's charging requirements must identify how and when the information about account balances is communicated to staff, students and parents, and what collection methods will be used on delinquent balances.

The following documents~~document~~ will be maintained by the district for three years after the current school year or longer, in the event of an unresolved audit(s), until the audit(s) has~~audits have~~ been completed:

1. All currently approved and denied confidential applications for free and reduced -price meals, all current direct certification documents, eligibility verification documents and school membership or enrollment lists;

2. Financial records that account for all revenues and expenditures of the district's nonprofit nutrition and food services programs, including procurement documents;

3. Records (i.e., recipes, ingredient lists and nutrition fact labels or product specifications) that document the compliance with nutrition standards for all program and competitive foods available for sale to students at a school campus;

4. Documents of participation data (i.e. meal counts) from each school in the district to support claims for reimbursement;

5. Production and menu records;

6. Records to document compliance with Paid Lunch Equity;

7. Records to document compliance with Revenue from Nonprogram Foods; and

8. Internal program monitoring documents for NSLP, ~~and~~ after school snacks and SFSP.