35.2 UPDATE - POLICIES - FOR BOARD CONSIDERATION/APPROVAL

po8500

Vol. 35, No. 2 - July 2026 Revised FOOD SERVICES

ADOPTED Feb 16, 2006 · REVISED Feb 16, 2026

8500 - **FOOD SERVICES**

The Board shall provide cafeteria facilities in all school buildings where space permits, and will provide food service for the purchase and consumption of lunch for all students.

The Board shall also provide a breakfast program in accordance with procedures established by the United States Department of Agriculture (USDA) School Breakfast Program.

The food-service program may participate in the Farm to School Program using locally grown food in school meals and snacks.

The food-service program shall comply with Federal and State regulations pertaining to the selection, preparation, delivery, consumption, and disposal of food and beverages, including but not limited to the current USDA school meal pattern requirements and the USDA's Smart Snacks in School nutrition standards, as well as to the fiscal management of the program. Further, the food-service program shall comply with Federal and State regulations pertaining to the fiscal management of the program as well as all the requirements pertaining to food service hiring and food service manager/operator licensure and certification. In addition, as required by law, a food safety program 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 staff and other authorized persons.

The District’s food service program shall serve only food items and beverages determined by the Food Service Department to be in compliance with the current USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition guidelines. Any competitive food items and beverages that are available for sale to students between midnight and thirty (30) minutes following the end of the school day shall also comply with the USDA Smart Snacks in School nutrition guidelines, and may only be sold in accordance with Board Policy 8510 - Wellness, and Board Policy 8550 - Competitive Food Sales. Foods and beverages not associated with the food-service program may be vended in accordance with the rules and regulations set forth in Board Policy 8540 - Vending Machines.

The District Administrator will require that the food service program serve foods in the schools of the District that are wholesome and nutritious and reinforce the concepts taught in the classroom.

No food or beverage may be sold on any school premises except in accordance with the standards approved by the Board.

In addition, as required by law, a food safety program 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 staff and other authorized persons.

Modifications Based on Compliant Medical Documentation

An adult student or student's parent requesting special dietary accommodations for a student with a disability that restricts the diet must provide the Medical Statement for Special Dietary Needs signed by a Registered Dietitian or State authorized medical authority, which is a medical professional authorized in the State of Wisconsin to write prescriptions. The request must contain the following information:

A. an explanation of how the student's physical or mental impairment restricts the diet;

B. the food(s)/type(s) of foods to be avoided;

C. the food(s)/type(s) of foods to be substituted;

D. additional pertinent information, if any, that will assist in accommodating the student's needs.

A student with a disability may have an IEP or 504 plan that requires specific instruction, services, or accommodation related to the student's nutritional needs. If a student's IEP or 504 plan contains the same information that is required on a Medical Statement for Special Dietary Needs, then it is not necessary to obtain and submit a separate Medical Statement for Special Dietary Needs. The School District shall provide the accommodation as required by law, seeking clarifying medical information, as necessary.

If a Medical Statement for Special Dietary Needs is not immediately available, incomplete, unclear, or lacks sufficient detail, the Special Dietary Accommodation Coordinator or Food Service Director shall ask the student or parent/guardian request that the medical authority supplement the response so that a safe meal can be provided. The meal modification will still be made if there is enough information to provide a safe meal.

A special dietary accommodation for a student who has a disability that restricts the student's diet must be supported by a Medical Statement for Special Dietary Needs, which should be submitted to the Food Service Director who shall serve as the Special Dietary Accommodation Coordinator. Director of Food Service, 901 Lincoln Ave. Tomah, WI. 608-374-7363, JesseBender@tomah.education. If the Special Dietary Accommodation Coordinator is unable to grant a requested accommodation following receipt of the medical authority's statement, the student or parent shall be provided with an explanation of the basis for the decision.

Disability Accommodation Grievance Procedure

The following procedure is intended to provide prompt and equitable resolution to any concern or disagreement regarding the food service program's administration of meal modifications made or requested on the basis of a student's disability. None of the procedures described in this policy section shall prevent a student or parent from pursuing a complaint with any State or Federal agency, including the USDA, using the procedures described at the end of this policy.

A. If an initial request for accommodation in the form of substituted meals is denied, the student or parent may request review of that decision by the Building Principal and shall provide any communications between the student or parent and food service officials concerning the accommodation request, any documentation provided by a medical authority, and any additional information the student or parent believes is pertinent to the decision. A review of the materials provided and of the initial decision shall be completed and a response provided to the student or parent as soon as practicable following receipt of the request for review. If the initial decision is reversed, including due to additional information provided on review, the dietary accommodations shall be implemented without delay. If the initial decision is affirmed the decision may appealed to the District Administrator whose decision is final.

B. Any other complaint or disagreement with the food service administration concerning implementation of special dietary accommodations based on a student's disability shall be presented to the Special Dietary Accommodation Coordinator. The student or parent shall specify the nature of the concern and any requested remedy in writing. The Coordinator shall promptly review the grievance and either contact the student or parent for any required clarification of the request or to seek to reach an agreement regarding how to best address the concern. If no agreement is reached, the Coordinator shall make a determination and notify the student or parent in writing as soon as practicable. If the grievance is affirmed in any respect, the Coordinator shall propose a plan for implementing appropriate remedial

measures. If the student or parent is dissatisfied with the Coordinator's determination, the student or parent may submit a written request to the Building Principal or District Administrator for review. The administrator's determination shall be final.

Modifications Based on Noncompliant Medical Requests

On a case-by-case basis, substitutions to the standard meal requirements may be made, at no additional charge, for students who provide a signed statement from a qualified medical authority that the student cannot consume certain food items due to medical or other special dietary needs, but which does not comply with the requirements above. 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.

IMPLEMENTATION AND DISCONTINUATION

Review

Upon receipt of a request for a special dietary accommodation, the Food Service Director or Special Dietary Accommodation Coordinator shall review the request to ensure it is supported as required by Federal law and District policy and if not, shall request additional or clarifying information from the student or parent making the request.

Implementation

When the need for a special dietary accommodation is supported by a Medical Statement for Special Dietary Needs signed by a State authorized medical authority, the District will offer a reasonable modification that effectively accommodates the student’s disability. Following USDA Child Nutrition Program regulations, the School District may consider factors such as cost and efficiency and is not required to prepare a specific meal, provide a specific brand of food, or provide a meal beyond the meals provided to other students.

Student Absence

If a student receiving a special dietary accommodation is absent or does not wish to participate in school lunch on a day an accommodation is planned, the student or parent shall contact the Special Dietary Accommodation Coordinator by 9:00 a.m. the same day.

Renewing A Special Dietary Request

An authorized Medical Statement does not need to be updated annually. However, the Special Dietary Accommodation Coordinator may annually seek clarification or updates on special dietary requests.

Discontinuation of a Special Dietary Request

A special dietary request or part of a request may be discontinued by a parent by submitting the request in writing to the Special Dietary Accommodation Coordinator or shall be discontinued consistent with the medical authority's recommendation provided with the Medical Statement for Special Dietary Needs.

Meal Charges

Lunches sold by the school may be purchased by students,staff members, and community residents in accordance with the rules of the District's school lunch program.

The operation and supervision of the food-service program shall be the responsibility of the Business Manager. Food services shall be operated on a self-supporting basis with revenue from students, staff, Federal reimbursement, and surplus food. The Board shall assist the program by furnishing available space, initial major equipment, and utensils. Maintenance and replacement of equipment is the responsibility of the program.

A periodic review of the food-service accounts shall be made by the Business Manager. Any surplus funds from the National School Lunch Program shall be used to support the operation and improvement of the school meal program(s) through allowable expenditures. Surplus funds from a-la-carte foods purchased using funds from the nonprofit food service account must accrue to the nonprofit food service account.

Unpaid Meal Charges

Unpaid meal charges incurred through the inability to collect meal payment from students is an unallowable cost to the nonprofit school food service account.

Delinquent debt is when payment for unpaid meal charges is overdue to the nonprofit school food service account. It is considered collectable while efforts are being made to collect it. The delinquent debt remains on the accounting documents until it is either collected or written off. Delinquent debt may be carried over year to year as long as the student is still enrolled at the school food authority (SFA).

Bad debt is when local officials have determined that further collection efforts of unpaid meal charges are uncollectable. When this happens, the delinquent debt must be re-classified as bad debt and written off as an operating loss. Since the nonprofit school food service account cannot be used to cover the bad debt, a transfer from the general fund,

state or local funds, school or community organizations such as the PTA or from donated funds must be made to cover the total amount of bad debt. When delinquent debt is converted to bad debt, records of this must be kept in accordance with the records retention requirement in 7 CFR 210.9(b) (17) and 7 CFR 210.15(b).

Negative Account Balances

Students will be permitted to purchase meals from the District's food service using either cash on hand or a food service account. A student may be allowed to incur a negative food service account balance subject to the following conditions.

Students may be permitted to accumulate negative food service account balance as determined by the District Administrator. A student will be allowed to reach the value of a paid high school meal times five. This is equal to one full week of school meals. The value of a paid high school meal will be reviewed annually. The District Administrator shall determine the manner of determining permissible account balances by grade level. A student shall not be permitted to purchase a la carte items without sufficient account balance. A la carte items are any items sold separately and not attached to a federally reimbursable meal. This includes but is not limited to milk break, extra milk, extra entrees, or other items not part of a complete meal. Likewise, any student that has a negative account balance may not purchase a la carte items or any other item sold individually not part of a federally reimbursable meal with cash unless the student is also able to bring his/her account current.

All households shall be notified about this policy and any implementing guidelines at the start of each school year and to households transferring to the school or School District during the school year, as well as informed about access to this policy and any implementing guidelines. All District staff with responsibility for enforcing the policies shall be notified about the provisions of this policy and any implementing guidelines, as well as provided access to this policy and any implementing guidelines. The policy and guidelines will be posted on the District website.

Refunding Excess Funds

Any remaining funds in a student’s meal account must be refunded to the household unless the funds can be transferred to a sibling or a paid household has chosen to donate those funds to the school food service account. When attempts to contact the household have been unsuccessful, funds must be reported to the Wisconsin Department of Revenue as unclaimed property. Account funds remaining for a student eligible for free or reduced-price meals cannot be donated and must be reported as unclaimed property.

Nondiscrimination Statement

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the

basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity.

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotape, American Sign Language), should contact the responsible state or local agency that administers the program or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.

To file a program discrimination complaint, a Complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form which can be obtained online at: https://www.usda.gov/sites/default/files/documents/ad-3027.pdf or https://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/sfa-civil-rights-complaints-procedure-template.pdf, from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to USDA by:

1. Mail:
   U.S. Department of Agriculture
   Office of the Assistant Secretary for Civil Rights
   1400 Independence Avenue, SW
   Washington, D.C. 20250-9410; or

2. Fax:
   (833) 256-1665 or (202) 690-7442; or

3. E-mail:
   program.intake@usda.gov.

This institution is an equal opportunity provider.

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Legal

SP 32-2015 Statements Supporting Accommodations for Children with Disabilities in the Child Nutrition Programs
SP 59-2016 Modifications to Accommodate Disabilities in the School Meal Program
OMB Circular No. A-87 USDA Smart Snacks in School Food Guidelines (effective July 1, 2014)
Child Nutrition Act of 1966, 42 U.S.C. 1771 et seq.
Healthy, Hunger-Free Kids Act of 2010 and Richard B. Russell National School Lunch Act, 42 U.S.C. 1751 et seq.
42 U.S.C. 1758
15.137, Wis. Stats.
93.49, Wis. Stats.
115.34 - 115.345, Wis. Stats.
120.10(16), Wis. Stats.
120.13(10), Wis. Stats.
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
42 U.S.C. Chapter 13