

District Nutrition and Food Services

The district may enter into an agreement with the Oregon Department of Education (ODE) to operate the National School Lunch Program (NSLP) and the Commodity Food Distribution Program (CFDP) by signing a permanent Sponsor-ODE Agreement entitling the district to receive reimbursement for all meals that meet program requirements and to earn USDA Food entitlement based on the number of lunches served.

The permanent agreement shall be signed by the superintendent or other school official with authority to obligate the district to legally binding contracts, subject to annual ODE renewal and will include, at the district's option, an agreement to operate the School Breakfast Program (SBP), Summer Food Service Program (SFSP), the Child and Adult Care Food Program (CACFP) and the Special Milk Program (SMP). The district recognizes that meals and snacks served by the district will not be eligible for reimbursement until the annual program update is received and approved by ODE.

The permanent Sponsor-ODE Agreement shall include assurances by the district that it will follow all NSLP regulations regarding:

1. Free and reduced price process (updated annually);
2. Financial management of the nonprofit school food service;
3. Civil rights and confidentiality procedures;
4. Meal pattern and nutrition content of meals served;
5. Use and control of commodity foods;
6. Accuracy of reimbursement claims;
7. Food safety and sanitation inspections.

The superintendent will develop administrative regulations as necessary to implement this policy and meet the requirements of state and federal law. The regulation(s) will be reviewed and adopted by the Board as required by law.

END OF POLICY

Legal Reference(s):

[ORS 327.520 to -327.535](#)

[OAR 581-051-0305](#)

[OAR 581-051-0310](#)

[OAR 581-051-0100](#)

[OAR 581-051-0400](#)

Nondiscrimination on the Basis of Handicap in Programs or Activities Receiving Federal Financial Assistance, 7 C.F.R. Part 15b (2001).

U.S.D.A., ELIGIBILITY GUIDANCE FOR SCHOOL MEALS MANUAL.

U.S.D.A., FNS INSTRUCTION 765-7 REV. 2: HANDLING LOST, STOLEN AND MISUSED MEAL TICKETS.

Healthy, Hunger-Free Kids Act of 2010, 42 U.S.C. 1751 §§ 203, 205.

Oregon School Boards Association Selected Sample Policy

Code: EFAA
Adopted:

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Pendleton School District 16R

Code: EFAA
Adopted: 09/17/01
Readopted: 4/12/10
Orig. Code(s): EFAA

Child Nutrition Program

The district participates in the National School Lunch, School Breakfast, Special Milk and Commodity Food Distribution programs.

For senior high school students: Lunch shall be an offer versus serve program. Breakfast shall be an offer versus serve.

For students below senior high school level: Lunch shall be an offer versus serve program. Breakfast shall be an offer versus serve program.

Under offer versus serve meals will be counted for reimbursement only when:

1. Under food based menu planning, students take at least three of five food items offered for lunch and at least three of four food items offered for breakfast;
2. Under nutrient standard menu planning, students take at least an entree and one other menu item for lunch and at least two different menu items for breakfast.

In complying with state and federal laws and regulations, guidance and instruction relating to such services, the district shall:

1. Complete a permanent program agreement with the Oregon Department of Education (ODE). An update of program information will be submitted annually;
2. Designate an employee(s) of the district to determine eligibility for free and reduced price meals;
3. Use the current federal income guidelines to determine eligibility;
4. Distribute to each student's parents the sample program letters and confidential application forms as provided by the ODE or develop its own materials. If the district develops its own materials, the parent letter and confidential application form for free and reduced price meals and free milk will be submitted for ODE approval before printing and distribution. The letter and application shall be distributed no later than the first week of the school year;
5. When a significant number of the district population need information in a language other than English, the district will provide program materials in the appropriate language(s) as translation services are available from ODE;
6. Establish a fair hearing process under which a household can appeal an eligibility decision made by the district;

7. Display in a prominent place the nondiscrimination poster developed by the United States Department of Agriculture (USDA), Food and Nutrition Service. Additionally, the district will ensure that all forms of communication and printed program information that are disseminated, especially the free and reduced price notification letter, application forms and public releases, include the following:
 - a. A statement that program benefits and services are available to all students without regard to race, color, sex, disability, age or national origin; and
 - b. Notification that discrimination complaints are to be directed to a building administrator. All complaints will be documented and referred by the district to the ODE, Child Nutrition Programs.
8. Develop a collection procedure and accountability system that meets federal program requirements;
9. Comply with sanitation rules and guidelines for school food services as promulgated by state and local health divisions;
10. Offer meals to students that meet nutrition standards as specified in federal regulations, 7 CFR 210.10 and 220.8, and that meet recommendations of the most current Dietary Guidelines for Americans;
11. Select one of the USDA approved menu planning options to provide nutritious, well balanced meals to students as defined by 7 CFR 210.10 and 220.8;
12. Price all reimbursable meals as a unit;
13. Make substitutions in food items/menu items required for students who have disabilities, as defined by 7 CFR 15b and whose disability restricts their diet, when supported by a signed medical statement by a physician of the need for substitutions that includes recommended alternate foods. Substitutions may be made for other students with special dietary needs when supported by a signed statement by a recognized medical authority (i.e., physician, physician's assistant, nurse practitioner or registered dietitian);
14. Control the sale of foods in competition with breakfasts and lunches served under the programs. Foods of Minimal Nutritional Value, as described in 7 CFR 210 Appendix B, shall not be sold in the food service area(s) during the lunch or breakfast periods. The sale of other competitive foods may be sold during the lunch or breakfast periods only when all income from the sale of those foods accrues to the benefit of the nonprofit school food service program or to a school or student organization approved by the Board.

Any policy or procedural change made by the district will be submitted, prior to implementation, to the ODE, Child Nutrition Programs. All changes in eligibility criteria will be publicly announced in the same manner used at the beginning of the school year.

The district shall serve as the school food authority (SFA). The superintendent shall serve as the legal representative of the SFA.

END OF POLICY

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