



Book	Policy Manual
Section	READY for 11-14-23
Title	Copy of FOOD SERVICES
Code	po8500 -Ready for 11-14-2023 Revised
Status	
Adopted	December 8, 2015
Last Revised	November 14, 2023
Prior Revised Dates	11/8/2022

#### 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 Department of Public Instruction.

~~The Board does not discriminate on the race, color, national origin, age, sex (including gender status, change of sex, sexual orientation, or gender identity), pregnancy, creed or religion, genetic information, handicap or disability, marital status, citizenship status, veteran status, military service (as defined in 111.32, Wis. Stats.), ancestry, arrest record, conviction record, use or non-use of lawful products off the District's premises during non-working hours, declining to attend an employer sponsored meeting or to participate in any communication with the employer about religious matters or political matters, or any other legally protected category in its programs and activities, including employment opportunities in its educational programs or activities, including the Food Service program. Students and all other members of the District community and Third Parties are encouraged to promptly report incidents of unlawful discrimination and/or retaliation related to the Food Service program to a teacher, administrator, supervisor, or other official so that the Board may address the conduct. See Policy 2260— Nondiscrimination and Access to Equal Educational Opportunity.~~

The food service program shall comply with Federal and State regulations pertaining to the selection, preparation, delivery, consumption, and disposal of food and beverages, as well as to the fiscal management of the program, and as well as all Federal and State requirements of the United States Department of Agriculture (USDA) 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 Board shall approve and implement nutrition standards governing the types of food and beverages that may be sold on the premises of its schools and shall specify the time and place each type of food or beverage may be sold. In adopting such standards, the Board shall:

- A. consider the nutritional value of each food or beverage;
- B. consult and incorporate to the maximum extent possible the Dietary Guidelines for Americans jointly developed by the ~~United States Department of Agriculture~~ (USDA) and the United States Department of Health and Human Services; and

C. consult and incorporate the ~~USDA~~USDA's Smart Snacks in School nutrition guidelines.

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

## Dietary Modifications

### Modifications Based on Compliant Medical Documentation

Substitutions to the standard meal requirements shall be made, at no additional charge, for students who have received, from a health care provider with prescriptive authority in the State of Wisconsin, medical certification that the student's medical condition restricts their diet, are certified by a licensed physician to have a disability which restricts their diet, in accordance with the criteria set forth in 7 C.F.R. Part 15b.

~~A request for substitutions to the standard meal requirements shall be made at no additional charge for students for whom a health care provider with prescriptive authority in the State of Wisconsin has provided medical certification that the student's medical condition necessitates dietary restrictions for the student. The individual making such an initial request of for such substitutions must inform the Food Service Director shall be informed that medical certification that the or Special Dietary Accommodation Coordinator that the student has a restricted diet medical condition that restricts the student's diet, in accordance with the criteria set forth in 7 C.F.R. Part 15b., must be submitted within five (5) school days from a health care provider with prescriptive authority in the State of Wisconsin or the dietary modification may be discontinued until such statement is received. The School District will honor the request for \_\_\_ five \_\_\_ ( 5 ) school days. Within \_ five \_\_\_ ( 5 \_\_\_ ) school days after receiving the initial request, a health care provider with prescriptive authority in the State of Wisconsin must submit medical certification that the student's medical condition restricts their diet, in accordance with the criteria set forth in 7 C.F.R. Part 15b. The substitutions may be discontinued until such medical certification is received.~~

The medical certification must identify:

- A. the student's disability and the major life activity affected by the disability;
- B. an explanation of why the disability affects the student's diet; and
- C. the food(s) to be omitted from the student's diet, and the food or choice of foods that must be substituted (e.g., caloric modifications or use of liquid nutritive formula).

~~On a case by case basis, substitutions to the standard meal requirements may be made at no additional charge for students who are not "disabled persons" but have a signed statement from a qualified medical authority that the student cannot consume certain food items due to medical or other special dietary needs. 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.~~

~~For non disabled students who need a nutritional equivalent milk substitute, only a signed request by a parent is required.~~

## 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.

### 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.

For students who have an IEP or 504 plan that requires specific food related accommodations, the School District shall provide the accommodation as required by law, seeking clarifying medical information, as necessary.

A special dietary request will be approved and implemented upon submission of a completed authorized Medical Statement.

### **Notification**

Parents will be notified of clarifications needed or approval of a special dietary request.

### **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, contact the Food Service Director or Special Dietary Accommodation Coordinator by 9:00 a.m. **[or enter a time]** the same day.

### **Renewing A Special Dietary Request**

An authorized Medical Statement does not need to be updated annually. However, the Food Service Director or 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 Food Service Director or Special Dietary Accommodation Coordinator.

The District may provide a student with a substitute meal without any certification provided that the meal still meets the USDA meal pattern for reimbursement.

### **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 Food Service Director. 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.

Students will not be permitted to purchase a meal from the Food Service Department, but will instead be provided an alternative meal until the school collects delinquent lunch accounts.

A periodic review of the food service accounts shall be made by the District Bookkeeper. Any surplus funds from the National School Lunch Program ~~shall be used to reduce the cost of the service to students or to purchase cafeteria equipment~~ shall be used in a manner permitted by law as determined by the **(X )** Board . Surplus funds from a-la-carte foods purchased using funds from the nonprofit food service account must accrue to the nonprofit food service account.

### **Bad Debt**

Bad debt incurred through the inability to collect lunch payment from students is not an allowable cost chargeable to any Federal program. Any related collection cost, including legal cost, arising from such bad debt after they have been determined to be uncollectable are also unallowable. District efforts to collect bad debt shall be in accordance with Policy 6152 - Student Fees, Fines, and Charges.

Bad debt is uncollectable/delinquent debt that has been determined to be uncollectable no sooner than the end of the school year in which the debt was incurred and after the District Administrator determines that sufficient reasonable effort and approaches to collecting the debt have been made. If the uncollectable/delinquent debt cannot be recovered by the School Meals Program in the year when the debt was incurred, then this is classified as bad debt. Once classified as bad debt, non-Federal funding sources must reimburse the NSFSA for the total amount of the bad debt. The funds may come from the District general fund, State or local funding, school or community organizations such as the PTA, or any other non-Federal source. Once the uncollectable/delinquent debt charges are converted to bad debt, records relating to those charges must be maintained in accordance with the record retention requirements in 7 C.F.R. 210.9(b) (17) and 7 C.F.R. 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 a negative food service account balance ~~as determined by the District Administrator not to exceed \$30.00. 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 a sufficient account balance or cash on hand. **(X)** Likewise, any student who has a negative account balance may not purchase a la carte items with cash unless the student is also able to bring their account current.

A student who has exceeded the permissible negative balance amount in their account and does not have cash on hand sufficient to purchase a meal will be treated respectfully. The District will provide meals to students with unpaid meal balances without stigmatizing them, will provide parents of students who charge meals with notification when a student charges a meal, and will make efforts to collect the charges incurred by the students so that the unpaid charges are not classified as "bad debt" at the end of the school year.

**If a student has reached the permissible level of negative lunch account balance, they shall be provided a regular reimbursable meal that follows the USDA meal pattern, the cost of which shall continue to accrue to a negative lunch account balance.**

This policy and any implementing guidelines shall be provided in writing to all households at the start of each school year and to households transferring to the school or School District during the school year. The policy and implementing guidelines will also be provided to all District staff with responsibility for enforcing the policies. **(X)** The policy and guidelines will be posted on the District website.

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

No foods or beverages, other than those associated with the District's food service program, are to be sold during food service hours.

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 Nutrition Standards for the National School Lunch and School Breakfast Programs. Any competitive food items and beverages that are available for sale to students a la carte in the dining area between midnight and thirty (30) minutes following the end of the last lunch period shall also comply with the current USDA Nutrition Standards for the National School Lunch and School Breakfast Programs and the USDA Smart Snacks in School nutrition guidelines.

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.

The District Administrator is responsible for implementing the food service program in accordance with the adopted nutrition standards and shall provide a report regarding the District's compliance with the standards at one of its regular meetings annually.

### **Nondiscrimination Statement**

~~The following statement applies to all programs administered by the District that are funded in whole or in part by the U.S. Department of Agriculture (USDA):~~

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs, are prohibited from discriminating based on race, color, national origin, sex, (including gender status, change of sex, sexual orientation, or gender identity) disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotope, American Sign Language, etc.) should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing, or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

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. The District's nondiscrimination statement below is complementary to the District's nondiscrimination policies, including Policy 2260 - Nondiscrimination and Access to Equal Opportunity and Policy 1422/Policy 3122/Policy 4122 - Nondiscrimination and Equal Employment Opportunity.

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, audiotope, 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 complaint of discrimination, complete the USDA Program Discrimination Complaint Form (AD-3027) found online at: [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

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/USDA-OASCR%20P-Complaint-Form-0508-0002-508-11-28-17Fax2Mail.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](mailto:program.intake@usda.gov).

This institution is an equal opportunity provider.

All verbal or written civil rights complaints regarding the school nutrition programs that are filed with the District must be forwarded to the Civil Rights Division of USDA Food and Nutrition Service within three (3) days.

Revised 1/8/19  
Revised 1/18/19  
T.C. 2/23/21  
Revised 4/12/22  
T.C. 11/8/22

© Neola 2022-2023

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

**Last Modified by Coleen Frisch on November 7, 2023**