

**SUBJECT: SCHOOL FOOD SERVICE PROGRAM (LUNCH AND BREAKFAST)****School Food Service Program (Lunch and Breakfast)**

The Board has entered into an agreement with the New York State Education Department to participate in the National School Lunch Program, School Breakfast Program and/or Special Milk Program to receive commodities donated by the Department of Agriculture and to accept responsibility for providing free and reduced price meals to elementary and secondary students in the schools of the District.

The Superintendent or his/her designee shall have the responsibility to carry out the rules of the School Lunch and Breakfast Programs. The determination of which students are eligible is the responsibility of the Reviewing Official and Verification Official or of the Office of Temporary and Disability Assistance of the Department of Social Services. Appeals regarding eligibility should be submitted to the Hearing Official of the District.

Free or reduced price meals may be allowed for qualifying students attending District schools upon receipt of a written application from the student's parent or guardian or a "Direct Certification" letter from the New York State Office of Temporary and Disability Assistance (OTDA). Applications will be provided by the School District to all families.

School officials must also determine eligibility for free/reduced meals and milk by using the Direct Certification Matching Process, a dataset supplied by the Office of Temporary and Disability Assistance, and made available by the State Education Department. Any student receiving federal assistance through Supplemental Nutrition Assistance Program (SNAP) or Temporary Assistance to Needy Families (TANF) is automatically eligible for free meals and milk. There is no need for families to complete further applications. School Districts shall notify parents or guardians of such eligibility, giving them the opportunity to decline free meals and milk if they so choose.

Procedures for the administration of the free and reduced price meal program of this School District will be the same as those prescribed in current state and federal laws and regulations.

**Child Nutrition Program/Charging Meals**

Although not required by law, because of the District's participation in the Child Nutrition Program, the Board of Education approves the establishment of a system to allow certain students to charge a meal. The Board authorizes the Superintendent to develop rules which address:

- a) What can be charged;
- b) The limit on the number of charges per student;
- c) The system used for identifying and recording charged meals;
- d) The system used for collection of repayments; and
- e) Ongoing communication of the policy to parents and students.

**SUBJECT: SCHOOL FOOD SERVICE PROGRAM (LUNCH AND BREAKFAST) (Cont'd.)**

**It is solely the responsibility of the parent(s)/guardian(s) to provide their child with a meal or the means to purchase a meal.**

**Charging School Lunches**

It is the right of the District to receive compensation for food that is sold during the school year. This funding may come through the state as reimbursement, which is why families are encouraged to fill out a free and reduced lunch application to assess their child's eligibility for free meals. If students are not eligible for free meals, the payment for individual lunches must come from the parent/guardian. This Board Policy regarding school lunch charges is in accordance with New York State child nutrition guidelines and is consistent with other districts in the area.

**Protocols by Building/Grade Level**

If a participating student does not have the money to purchase lunch, the student may temporarily use the charge program (elementary school students only):

<b>Building/Grade Level</b>	<b>Charging Protocol</b>	<b>Allowance</b>
Adults	No charging of any type allowed	None
Secondary Students	No charging of any type allowed	None
Elementary School Students	Students are allowed to charge up to 3 reimbursable meals per school year, one per trimester	Once charges are exhausted, students are offered a peanut butter and jelly or a cheese sandwich, and 1% white milk, or an alternate if student has documented allergies.

**NOTE: NO SNACKS MAY BE CHARGED.** In addition, no snacks will be sold to a student who has a negative account balance. This policy applies to all paying students, whether they are paying full-price or reduced price.

Using Form 5660F, School Food Service Program (Lunch and Breakfast) Special Requests, parents may establish limitations to their child's purchasing/charging options (this form will be mailed as part of the lunch reimbursement request and is also available on the District's website, [www.lew-port.com](http://www.lew-port.com), District Services, Food Services tabs.

**SUBJECT: SCHOOL FOOD SERVICE PROGRAM (LUNCH AND BREAKFAST) (Cont'd.)****Lunch Account Parent/Guardian Notification**

The following protocols will be used to notify parents/guardians of accounts with low or negative balances:

<b>Prepaid Lunches</b>	<b>Secondary</b>	<b>Elementary</b>
2 remaining – cashier will remind the student	Verbal reminder.	Will be given a “Need Lunch Money” reminder coupon to place in their take home folder and a telephone call will be made by school administration.
1 remaining – cashier will remind the student	Verbal reminder/telephone call by school administration.	Will be given a “Need Lunch Money” reminder coupon to place in their take home folder and a telephone call will be made by school administration.
None remaining – first instance	Cashier will provide the student with a reminder coupon and a telephone call will be made by school administration.	Cashier will provide the student with a reminder coupon and a telephone call will be made by school administration.
Exhausted - Letter will be generated by the Food Service Company and sent home to parent/guardian.	A telephone call will be made by school administration.	A telephone call will be made by school administration.

**Delinquent Account Information**

In the event that pre-paid lunches have been exhausted, as indicated in the above chart:

1. A letter will be generated by the Food Service Company and sent to the household which will include the amount to be paid for a \$0 balance, including an application for free/reduced price lunch.
2. If full payment is not received within five (5) school days, the District Business Office will be notified of the problem.
3. An automated call will be placed to the child’s home by the Business Official, on Fridays, when a child owes charges that have exceeded the limits outlined above.
4. The Principal will be notified in an attempt to contact the parent to seek payment.
5. If repeated requests for payment are not answered and the student returns to school with no means to obtain a meal, the District may consider this a case of neglect. The matter will be turned over to the School Social Worker which may lead to a referral to the Niagara County Social Service Agency and/or the District may pursue payment in small claims court. Parents will be notified of such mandated action.

6.

**SUBJECT: SCHOOL FOOD SERVICE PROGRAM (LUNCH AND BREAKFAST) (Cont'd.)****Free/Reduced Lunch Applications:**

Parents are encouraged to complete an application for a free or reduced price lunch. This may be an option for parents that are unable to pay delinquent accounts or have difficulty keeping the prepaid account up to date. Food Service staff or the school social worker are available to assist parents/guardians with the application. Families can be assured that all information provided remains confidential. In addition, only one application is needed per family.

**Restriction of Sweetened Foods in School**

The sale of sweetened foods will be prohibited from the beginning of the school day until the end of the last scheduled meal period.

Sweetened foods consist of sweetened soda water, chewing gum, candy, including hard candy, jellies, gum, marshmallow candies, fondant, licorice, spun candy, candy coated popcorn, and water ices except those which contain fruit or fruit juices.

**Restrictions on Sale of Milk Prohibited**

Schools that participate in the National School Lunch Program may not directly or indirectly restrict the sale or marketing of fluid milk products at any time or in any place on school premises or at school-sponsored events.

**Food Substitutions for Children with Disabilities**

Federal regulations governing the operation of Child Nutrition Programs, Part B of the Individuals with Disabilities Education Act, and Section 504 of the Rehabilitation Act of 1973 require that children with disabilities be offered the opportunity to participate in all academic and nonacademic activities including the school nutrition programs. The District will make reasonable accommodations to those children with disabilities whose disabilities restrict their diets, such as providing substitutions and/or modifications in the regular meal patterns. Such meal substitutions for students with disabilities will be offered at no extra charge. A student with a disability must be provided substitutions in food when that need is supported by a statement signed by a physician attesting to the need for the substitutions and recommending alternate foods.

However, the school food service is not required to provide meal services (for example, School Breakfast Program) to students with disabilities when the meal service is not normally available to the general student body, unless a meal service is required under the student's individualized education program (IEP) or Section 504 Accommodation Plan as mandated by a physician's written instructions.

**SUBJECT: SCHOOL FOOD SERVICE PROGRAM (LUNCH AND BREAKFAST) (Cont'd.)**Food Substitutions for Nondisabled Children

Though not required, the District will also allow substitutions for non-disabled children who are unable to consume the regular meal because of medical or other special dietary needs if the request is supported by a statement signed by a recognized medical authority.

The District may also allow substitutions for fluid milk with a non-dairy beverage that is nutritionally equivalent (as established by the Secretary of Agriculture) to fluid milk and meets nutritional standards for students who are unable to consume fluid milk because of medical or other special dietary needs if the request is supported by a statement signed by a recognized medical authority or by the student's parent/legal guardian.

**HACCP-Based Food Safety Program**

Schools participating in the National School Lunch and/or School Breakfast programs are required to implement a food safety program based on Hazard Analysis and Critical Control Point (HACCP) principles. The District must develop a written food safety program for each of its food preparation and service facilities that is based on *either* traditional HACCP principles *or* the "Process Approach" to HACCP. (The "Process Approach" simplifies traditional HACCP by grouping foods according to preparation process and applying the same control measures to all menu items within the group, rather than developing an HACCP plan for each item). Regardless of the implementation option that is selected, the District's written food safety program must also include: critical control points and critical limits; monitoring procedures; corrective actions; verification procedures; recordkeeping requirements; and periodic review and food safety program revision.

Child Nutrition and WIC Reauthorization Act of 2004, PL 108-265

Child Nutrition Act 1966, 42 United States Code (USC) Section 1771 et seq.

Richard B. Russell National School Lunch Act 1946, 42

United States Code (USC) Section 1751 et seq.

Section 504 of the Rehabilitation Act of 1973, 29 United

States Code (USC) Section 794 et seq.

Individuals with Disabilities Education Act (IDEA), 20

United States Code (USC) Sections 1400-1485

7 Code of Federal Regulations (CFR) Parts 15B, 210 and 220

Education Law Sections 902(b), 915, 918, 1604(28), 1709(22), 1709(23) and 2503(9)(a)

8 New York Code of Rules and Regulations (NYCRR) Sections 200.2(b)(1) and 200.2(b)(2)

Social Services Law Section 95

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