

**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 (SED) 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 designee will 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 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 District to all families.

School officials must also determine eligibility for free/ or 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 SED. 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. The District will notify parents or guardians of 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 District will be the same as those prescribed in current state and federal laws and regulations.

**Child Nutrition Program**

Since the District participates in the Child Nutrition Program, the Board approves the establishment of a system to allow a student 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;

(Continued)

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

- d) The system used for collection of repayments; and
- e) Ongoing communication of the policy to parents and students. The District's meal charge policies and procedures will be distributed to all households and applicable staff in writing at the start of each school year and to new households that transfer into the District during the school year. These policies and procedures may vary by grade.

Charging Meals

- a) Students may charge up to five dollars, and will not be permitted to exceed that limit until the outstanding charges are paid in full;
- b) The only item(s) permitted to be charged are a complete meal or milk. A la carte items such as snacks or ice cream may not be charged;
- c) The District's point of sale system will track all charges and payments;
- d) Once the charge limit has been reached, and if the student comes to school without a lunch, a sandwich, fruit and milk will be provided to the student so that he or she does not go hungry that day;
- e) If, after exceeding the allowable meal charge limit, a student continues to come to school without a meal, District administration may contact Social Services.

Unpaid meal charges will be addressed directly with the child's parent or guardian who is responsible for providing funds for meal purchases. District administration will further consider the benefits of attempted collections and the costs that would be expended in collection attempts.

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.

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

**\*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.

**Prohibition Against Adults Charging Meals**

Adults should pay for their meals at the time of service or set up pre-paid accounts.

**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:

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

- a) Critical control points and critical limits;
- b) Monitoring procedures;
- c) Corrective actions;
- d) Verification procedures;
- e) Recordkeeping requirements; and
- f) Periodic review and food safety program revision.

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

Child Nutrition Act 1966, 42 USC § 1771 et seq.

Richard B. Russell National School Lunch Act 1946, 42 USC § 1751 et seq.

§ 504 of the Rehabilitation Act of 1973, 29 USC § 794 et seq.

Individuals with Disabilities Education Act (IDEA), 20 USC §§ 1400-1485

7 CFR Parts 15B, 210 and 220

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

8 NYCRR §§ 200.2(b)(1) and 200.2(b)(2)

Social Services Law § 95

Adopted: 6/15/11

Revised & Adopted: 12/18/24