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EXPLANATION: FOOD SERVICE MANAGEMENT

Editor's Comment: MSBA has added a statement from district policy JEFA about closed campuses and going home for lunch to this policy. This custom statement is shown in green highlight to differentiate it from MSBA's update changes.

MSBA has updated this policy to comply with U.S. Department of Agriculture (USDA) requirements. MSBA has worked with the Department of Elementary and Secondary Education's Food and Nutrition Service Department to create policy language and sample forms to assist districts with compliance. All districts in the state are routinely audited on program compliance and will one day be asked to produce the district's civil rights complaint procedure for nutrition programs and the specific USDA nondiscrimination statement. Please make sure that this information is shared with the appropriate district staff.

The USDA regulates federal nutrition programs, such as the National School Lunch Program, the Special Milk Program, the School Breakfast Program and the Summer Food Service Program. The USDA has created very specific reporting requirements for anyone who has concerns regarding illegal discrimination in relation to these federal nutrition programs.

Most notably, the USDA does not want districts to create any barriers to persons who wish to file a complaint with the USDA. The district must provide information to parents/guardians and students on how to file a complaint with the USDA in all communications, written or electronic, that go to parents/guardians and students regarding the district's nutrition program. Further, the district must ensure that its standard complaint procedures do not pose a barrier to parents/guardians and students who allege illegal discrimination in the nutrition program.

NOTE: The USDA requires districts to have a meal charge procedure and the nondiscrimination statement must be part of that procedure.

MSBA recommends that copies of this document be routed to the following areas because the content is of particular importance to them. The titles on this list may not match those used by the district. Please forward copies to the district equivalent of the title indicated.

	Board Secretary	X	Business Office		Coaches/Sponsors
	Facility Maintenance	X	Food Service		Gifted
	Human Resources	X	Principals		Library/Media Center
	Health Services		Counselor		Special Education
	Transportation	X	Public Info/Communications		Technology

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FOOD SERVICE MANAGEMENT

The food service program provided by the school district is designed to provide nutritious school meals, snacks and milk to district students in accordance with law. The food service program operates as an integral part of the total school program and contributes to the district's efforts to improve student achievement.

The superintendent, in cooperation with the food service director, is charged with implementing Board policy as it pertains to the school food service program and making recommendations to the Board about the program and food service personnel. Food service personnel in the schools will be directly responsible to the food service director.

The school food service program will comply with all applicable laws, ordinances, rules and procedures pertaining to health, sanitation, storage and the service of foods. The district will meet all state and federal requirements necessary for participation in school meal programs. **The superintendent or designee is authorized to work with the necessary parties to ensure district compliance and, when necessary, submit appeals on behalf of the district.**

The principal of each school shall administer the food service program in his or her school. Each building principal is responsible for ensuring a safe dining environment and coordinating the food service program with instructional activities and other school and district programs as appropriate.

The food service director is responsible for ensuring that all foods and beverages sold to students during the school day on any property under the jurisdiction of the district meet the nutrition standards established by the U.S. Department of Agriculture (USDA). The food service director will maintain records verifying that all foods meet required nutrition standards or will document any applicable exemption.

Meal Prices and Charges

Meal prices shall be established annually by the Board of Education in accordance with law.

Unless meals are provided at no charge, the district expects students and employees to pay for meals prior to or at the time of receipt. The ability to charge meals is a privilege, not a right, and is subject to the limitations established in administrative procedures.

Contracted Food Services

The district will contract with a third party to administer its meal services if the Board, after consultation with the superintendent, determines it is in the best interest of the district and its

students to do so. Contracted food services will be bid in accordance with state and federal law and Board policy.

Nondiscrimination Statement and Complaint Process

No person shall, on the basis of race, color, national origin, sex, or age or disability, be excluded from participation in, be denied benefits of or otherwise be subject to discrimination under a school nutrition program for which the district receives federal financial assistance from the U.S. Department of Agriculture (USDA) Food and Nutrition Services. 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 (including the district), are prohibited from discriminating based on race, color, national origin, sex, disability, age or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by the USDA. School nutrition These programs include the National School Lunch Program, the Special Milk Program, the School Breakfast Program and the Summer Food Service Program.

All information the district uses to inform parents/guardians, students and the public about the district's food service program will include a nondiscrimination statement and information on how a complaint may be filed with the USDA.

Any person or representative alleging discrimination based on a prohibited basis has the right to file a complaint within 180 days of the alleged discriminatory action with the USDA Office of the Assistant Secretary for Civil Rights or the district's compliance officer listed in policy AC. Only the U.S. Secretary of Agriculture may extend the time for filing a complaint. Any person who files a complaint will be advised of the application of confidentiality laws, such as the Privacy Act of 1974.

District staff who receive a complaint alleging illegal discrimination in the district's nutrition program will forward the complaint to the district's compliance officer immediately. The compliance officer will note whether the allegation was made verbally or in person and will transcribe the complaint if it is not provided in writing. As required by the USDA, the compliance officer will forward the complaint to the USDA Office of the Assistant Secretary for Civil Rights immediately and will not first attempt to resolve the complaint prior to contacting the USDA. However, once the complaint has been directed to the USDA, the district will take action to investigate the concern and make necessary corrections as required by this policy.

Community Use of Food Service Facilities

Outside organizations that use food service facilities may be charged a fee in accordance with Board policy. The food service director will ensure that supplies provided for the regular food service program, including USDA commodities, are not used by outside organizations.

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Closed Campus

To facilitate the preservation of order, promote safety and protect persons and property, the Board maintains a closed campus in all schools. Students living in close proximity may formally apply for an exception permitting them to walk home for lunch.

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Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.

Adopted: 01/28/2019

Revised:

Cross Refs: ADF, District Wellness Program
DLB, Salary Deductions
JHCF, Student Allergy Prevention and Response
KG, Community Use of District Facilities

Legal Refs: §§ 167.201, .211, RSMo.
Richard B. Russell National School Lunch Act, 42 U.S.C. §§ 1751 - 1760
Child Nutrition Act, 42 U.S.C. §§ 1777-1785

St. Joseph School District, St. Joseph, Missouri