

Policy Code: 6220 Operation of School Nutrition Services

All schools will participate in federal National Child Nutrition Programs and will receive commodities donated by the United States Department of Agriculture. All federal and state revenues will be accepted and applied to maximize the use of such funds for the purposes of providing nutritional meals to students at the lowest possible price. The superintendent or designee shall develop procedures as necessary to implement the operational standards established in this policy.

A. Operational Standards

The school nutrition services program will be operated in a manner consistent with board goals and board policy. The program also will be operated in compliance with all applicable state and federal law, including requirements of the National School Lunch Program and all federal guidelines established by the Child Nutrition Division of the United States Department of Agriculture. Specific legal requirements that must be met include, but are not limited to, the following.

1. School officials may not discriminate based on race, ~~biological~~ sex (including pregnancy, childbirth, ~~and parenting status~~), color, national origin, disability, age, or eligibility status for free and reduced price meals. School officials are also prohibited from retaliating against an individual for prior civil rights activity.
2. The school nutrition services program will meet safety and sanitation requirements established in local, state, and federal rules and guidelines for school nutrition services programs.
3. The school nutrition services program will have a written food safety program that includes a hazard analysis critical control point plan for each school.
4. Menu preparation, purchasing, and related record keeping will be consistent with applicable state and federal rules and guidelines.
5. Banking, financial record keeping, budgeting, and accounting will be conducted in accordance with generally accepted practices and procedures, as dictated by the School Budget and Fiscal Control Act and in accordance with state and federal guidelines. The director of child nutrition shall provide the board with semi-annual informational statements showing the financial condition of the school nutrition services program. Other financial reports may be developed as needed by the board or administration.
6. Commodity foods donated by the United States Department of Agriculture will be used and accounted for in accordance with federal regulations.

Deleted: sexual orientation, and gender identity

7. Preference will be given in purchasing contracts to high-calcium foods and beverages, as defined in [G.S. 115C-264.1](#) and to foods grown or raised within North Carolina.

8. Child Nutrition Program (CNP) funds will be used only for the purposes authorized by law. Indirect costs, as defined by law, will not be assessed to the CNP unless the program has an operating balance of at least two months.

9. The price for meals will be determined in accordance with federal law.

10. Nonprogram foods will be priced to generate sufficient revenues to cover the cost of those items. A nonprogram food is defined as a food or beverage, other than a reimbursable meal or snack, that is sold at the school and is purchased using funds from the child nutrition account.

11. All school nutrition services will be operated on a non-profit basis for the benefit of the CNP. School nutrition services are those that are operated from 12:01 a.m. until the end of the last lunch period.

12. All income from the sale of food and beverages that is required by law or regulation to be retained by the CNP will be deposited to the CNP account and will be used only for the purposes of the school's non-profit lunch and breakfast programs. All funds from food and beverage sales not otherwise required by law to be deposited to the CNP account will be deposited into the proper school account in accordance with guidelines developed by the superintendent or designee.

13. All competitive foods, as defined in policy [6230](#), School Meal and Competitive Foods Standards, sold on school campuses will meet federal and state standards for nutrient content.

14. All employees whose job duties include procurement activities involving Child Nutrition Program funds shall adhere to the conflict of interest rules and standards for ethical conduct established by the board in policies [6401/9100](#), Ethics and the Purchasing Function, and [8305](#), Federal Grant Administration. Failure to comply with these requirements will result in disciplinary action.

B. Meal Charges

Students who are required to pay for meals are expected to provide payment in a timely manner. Use of the prepaid meal plan is encouraged. Efforts should be made by the school system and the individual schools to encourage students and parents to participate in the prepaid meal plan as an alternative to purchasing meals on a daily basis in order to reduce the incidences of students forgetting or losing their meal money. A student's meal plan account history will be available to parents or guardians upon request. Students may

purchase a la carte items, at individual prices, only if they do not have an outstanding charge balance on their account.

The board recognizes that students occasionally may forget or lose their meal money. In the event that a student is unable to pay for a meal on a particular day, the student may charge a reimbursable meal. To safeguard the dignity and confidentiality of students in the serving line, reasonable efforts must be used whenever possible to avoid calling attention to a student's inability to pay.

The director of child nutrition and principal shall work jointly to prevent meal charges from accumulating. If a student is without meal money on a consistent basis, the principal, social worker, and/or data manager shall assist the director of child nutrition or designee in investigating the situation more closely, including contacting the parent or guardian and/or encouraging the parent or guardian to seek additional assistance (i.e., free and reduced lunch application). Notices of low or negative balances in a student's meal account will be sent to parents and the principal at regular intervals during the school year. The principal shall not impose any administrative penalties on a student for unpaid meal charges. Administrative penalties include withholding a student's records, prohibiting a student from participating in graduation and/or other school activities, and denying a student a diploma.

The accounts for students who charge a meal should be paid in full within 30 days. All charges will be monitored and turned over to a collection agency at the point the account is deemed uncollectable. The collection agency, selected and approved by the superintendent or designee, will work with the student's family to collect the amount owed to the school system. The superintendent shall ensure that federal child nutrition funds are not used to offset the cost of unpaid meals and that the CNP is reimbursed for bad debt resulting from uncollected student meal charges prior to September 30 each year.

This policy and any applicable procedures regarding meal charges must be communicated to school administrators, school food service professional, parents, and students. Parents will receive a written copy of the meal charges policy and any applicable procedures at the start of each school year and at any time their child transfers into a new school during the school year.

Legal References: Child Nutrition Act of 1966, [42 U.S.C. 1771](#) *et seq.*; National School Lunch Act, [42 U.S.C. 1751](#) *et seq.*, [2 C.F.R. pt. 200](#); [7 C.F.R. pt. 210](#); [7 C.F.R. pt. 215](#); [7 C.F.R. pt. 220](#); United States Department of Agriculture Policy Memos SP 46-2016, 47-2016, and 23-2017, available at <https://www.fns.usda.gov/resources?f%5B0%5D=program%3A39&f%5B1%5D=resourc>

[e_type%3A160&keywords=&page=1; G.S. 115C-47\(7\), -47\(22\), -263, -264, -264.1, -426, -450, -522; 147 art. 6E, art. 6G; 16 N.C.A.C. 6H.0104](#)

Cross References: Parental Involvement (policy [1310/4002](#)), Goals of School Nutrition Services (policy [6200](#)), School Meal and Competitive Foods Standards (policy [6230](#)), Goals of the Purchasing Function (policy [6400](#)), Ethics and the Purchasing Function (policy [6401/9100](#)), Federal Grant Administration (policy [8305](#))

Adopted: September 7, 2021

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