



POLICY 6.185

5-D I recommend that the Board approve development of the proposed revised Policy 6.185, entitled "School Food Service Management Policy"

[Contact: Mike Burke, PX 48584 and Allison Monbleau, PX 52021.]

Development

CONSENT ITEM

- The following proposed revised policy:
 - Authorizes the District to participate in the National School Lunch, School Breakfast, Summer Food Service, After-School Snack, and After-School Meals Programs, and to receive USDA commodities
 - Requires the food service program operate on a nonprofit basis
 - Requires universal free breakfast to be provided in schools where 80 percent or more of the students are eligible for free or reduced-price meals. Otherwise, free breakfast is provided at the discretion of the School Food Service Director
 - Authorizes the use of a prepay debit system for student and employee meals
 - Requires any change in the price of meals to be approved by the Board
 - Establishes guidelines to govern unpaid meals/overdrawn accounts for elementary, middle and high school students to include replacement meals
 - Delegates authority to superintendent/designee to establish guidelines for the collection of food service charges which may include the use of agreements or a collection agency
 - Addresses the sale of competitive foods and the Smart Snacks in School requirements as per the Healthy, Hunger-free Kids Act of 2010
 - Requires the food service program to be in compliance with applicable sanitation and health regulations

- Outlines the responsibilities for School Food Service central staff, the school principal, school staff and the School Food Service Managers
- Establishes the guidelines for the use of food service facilities and staff at times other than for the provision of student food services

POLICY 6.185

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2 **SCHOOL FOOD SERVICE MANAGEMENT POLICY**

3 1. **Purpose** ~~In General.~~

4 Pursuant to Fla. Stat. §570.981, the School Board (Board) is to adopt policies
5 providing for an appropriate food and nutrition program for District students that
6 remains consistent with federal and state laws and regulations and ensure District
7 students are provided with well-balanced, nourishing meals.

8 ~~The School Board recognizes that nutritious meals are essential to a child's growth
9 and development and influences academic achievement. To this end, the School
10 Board believes that every school age child should have adequate nutrition, and
11 therefore the school district is authorized to participate in the National School
12 Lunch, School Breakfast, Summer Food Service, and After School Snack
13 Programs; to provide supplemental foods; and, to receive commodities donated by
14 the United States Department of Agriculture (USDA).~~

15 The School Food Service Program (the "Program") shall be an integral part of the
16 District's educational program, offering nutritional and educational opportunities for
17 students. ~~The Program shall operate in accordance with the requirements set forth
18 in federal and state laws and regulations, and local laws and policies as adopted by
19 the School Board.~~

20 2. **Scope** ~~Meal Service.~~

21 This policy applies to the District's school food service operations.

22 ~~All schools shall participate in the National School Lunch and School Breakfast
23 Programs and shall serve student meals according to meal patterns as required by
24 the United States Department of Agriculture and State Board of Education. F~~

25 3. **Policy Statement** ~~Meal Prices.~~

26 The Board recognizes that nutritious meals are essential to a child's growth,
27 development, and educational performance. Thus, the District is hereby authorized
28 to participate in the National School Lunch Program, School Breakfast Program,
29 Summer Food Service Program, At-Risk Afterschool Meals Program, and
30 Afterschool Snack Program, and to receive commodities donated by the United
31 States Department of Agriculture (USDA).

32 It is the policy of the Board to provide free or reduced-priced meals to eligible
33 students as provided by federal and state laws.

- 34 A. All District schools shall participate in the National School Lunch and
35 School Breakfast Programs and shall serve student meals according to
36 meal patterns as required by the United States Department of Agriculture
37 (USDA) and Florida Department of Agriculture and Consumer Services
38 (FDACS).
- 39 B. Charter Schools who elect to utilize the District's School Food Service
40 (SFS) Department for meal service must sign a Charter Agreement with
41 the Board, participate in the National School Lunch and School Breakfast
42 programs and serve student meals according to meal patterns as required
43 by the USDA and FDACS.
- 44 C. Per § 570.981, Florida Statutes, breakfast meals shall be available to all
45 elementary school students. Per state regulations, all District schools, and
46 Charter schools who receive services from the District SFS department
47 shall provide breakfast meals at no cost to students attending schools
48 where the Free and Reduced percentage is 80% or greater. When funding
49 allows, as determined by the School Food Service Director, breakfast will
50 be provided at no cost to students at schools where Free and Reduced
51 percentage is less than 80%.
- 52 D. The School Food Service program shall operate on a nonprofit basis in
53 accordance with the Board's contractual agreement with FDACS and/or
54 Florida Department of Health and in compliance with applicable federal and
55 state laws and regulations.

56 ~~It is the policy of the School Board to provide free or reduced-price meals to eligible~~
57 ~~students as provided by federal and state laws. The Program shall be operated on~~
58 ~~a nonprofit basis and shall be primarily for the benefit of students. Meal prices shall~~
59 ~~be approved by the School Board as provided for in School Board Policy 6.03~~
60 ~~(Cost of Meals).~~

61 4. **School Food Service Guidelines** ~~Sale of Competitive Foods and~~
62 ~~Beverages.~~

63 *A. Meal Accounts*

- 64 i. The District offers Parents/Guardians the opportunity to
65 participate in a "prepay" debit system for their child's meals and
66 a la carte purchases at all District schools. This system offers
67 account history and the opportunity for Parents/Guardians to
68 make prepayments to the students account in any amount.
69 Prepayments may be made by cash, check or online using a
70 credit card.
- 71 ii. District employees also may participate in the "prepay" debit
72 system for their meals and a la carte purchases.

73 *B. Meal Prices*

74 i. The School Food Service Department will annually review the
75 paid lunch revenue to assure compliance with the USDA paid
76 lunch equity requirement in accordance with the Healthy, Hunger-
77 Free Kids Act of 2010. Any change in the price of meals shall be
78 approved by the Board upon recommendation of the
79 Superintendent. Prices of individually priced food and beverage
80 items shall be determined by the School Food Service Director.

81 *C. Unpaid Meals or Overdrawn Meal Accounts*

82 The District shall follow the guidelines below for unpaid meals for the designated
83 school/grade level group. For non-students, no purchases will be allowed without
84 the proper payment.

85 i. *Elementary Schools*

86 a. Anytime a student does not have sufficient funds
87 to purchase a meal, the student will receive a
88 reimbursable meal of his/her choice until such
89 time that the student attempts to make a
90 purchase that would result in an overdrawn
91 account balance that exceeds three paid lunch
92 meal equivalents. The Parent/Guardian will be
93 notified verbally or in writing of the negative
94 account balance.

95 b. For any meal purchase where the account would
96 result in an overdrawn account balance that
97 exceeds three paid lunch meal equivalents, the
98 student will receive a replacement meal (meal
99 selection determined by the School Food Service
100 Director or designee as defined in procedures).
101 An Overdrawn Account Letter will be sent home
102 with the student at such time.

103 c. No student will be allowed to purchase an a la
104 carte food item that would result in an account
105 balance that would exceed three paid lunch meal
106 equivalents.

107 ii. *Middle and High Schools*

108 a. Middle and High school students will receive a
109 reimbursable meal of his/her choice until such
110 time that the student attempts to make a

111 purchase that would result in an overdrawn
112 account balance that exceeds one paid lunch
113 meal equivalent. The parent/guardian will be
114 notified verbally or in writing of the negative
115 account balance.

116 b. For any meal purchases where the account would
117 result in an overdrawn account balance that
118 exceeds one paid lunch meal equivalent, the
119 student will receive a replacement meal.

120 c. No student will be allowed to purchase an a la
121 carte food items that would result in an account
122 balance that would exceed one paid lunch meal
123 equivalent.

124 iii. *Elementary, Middle, and High Schools*

125 a. In repeated instances of any student not having
126 funds to pay for his or her meals, the
127 Parent/Guardian shall be provided with information
128 on the application process for free or reduced-priced
129 meals.

130 b. The charge limits set forth in subsections i and ii
131 above may be extended at the discretion of the
132 School Food Service Director for a limited time
133 under documented special circumstances.

134 c. The replacement meal provided above will be
135 provided at no cost to the student.

136 iv. *Delegation of Authority Regarding Unpaid Balances.* The
137 Superintendent or designee shall establish guidelines for the
138 collection of all food service related charges due to the District,
139 including but not limited to, the establishment of a mutually
140 agreed upon payment plan until an account is paid in full, the
141 use of a collection agency or write-off of uncollectible debt. An
142 unpaid food service debt will follow a student from pre-K through
143 high school.

144 5. **Sale of Competitive Foods and Beverages** ~~Assurance of Non-~~
145 ~~Discrimination Practices.~~

146 Per "USDA Smart Snacks in School Standards", competitive food and beverages
147 shall mean any food or beverage item sold to students that competes with the

148 District's operation of the National School Lunch and School Breakfast Programs.
149 Items include those sold in vending machines or those sold by students, parents,
150 school administrative staff, or any other person, company, or organization during
151 the school day. The USDA defines the "school day" as "the period from midnight
152 before to 30 minutes after the end of the official school day".

153 A. The sale of foods and beverages on school ~~on school~~ grounds to
154 students shall be limited to those provided by the Department of School
155 Food Service, except as provided below.

156 ~~a. Competitive foods and beverages may be available, in middle and high~~
157 ~~schools of the School District, up to one hour before the beginning of~~
158 ~~breakfast and one hour after the last lunch period.~~

159 ~~b. Competitive foods and beverages shall not be sold during the school~~
160 ~~day at any elementary school in the School District. "Competitive foods~~
161 ~~and beverages" shall mean any food or beverage item sold to students~~
162 ~~than compete with the school district's operation of the National School~~
163 ~~Lunch and School Breakfast Programs. Items include those sold in~~
164 ~~vending machines or those sold by students, parents or school~~
165 ~~administrative staff, or any other person, company or organization.~~

166 i. *Elementary schools may sell food and beverages that meet the*
167 *USDA Smart Snacks in School Standards thirty minutes after the*
168 *last lunch period. Any food and beverages sold in vending*
169 *machines, or those that do not meet the nutrition standards, may be*
170 *sold beginning 30 minutes after the end of the official school day.*
171 *No food may be sold outside the parameters as listed above.*

172 ii. *Middle schools may sell food and beverages that meet the USDA*
173 *Smart Snacks in School Standards, including those sold in school*
174 *stores, vending machines and snack bars, thirty minutes after the*
175 *last lunch period. Food and beverages that do not meet the*
176 *nutrition standards may be sold beginning 30 minutes after the end*
177 *of the official school day. No food may be sold outside the*
178 *parameters as listed above.*

179 iii. *High schools may sell food and beverages that meet the USDA*
180 *Smart Snacks in School Standards in school stores, vending*
181 *machines and snack bars at any time during the school day except*
182 *when meals are being served. Any food and beverages that do not*
183 *meet the nutrition standards may be sold beginning 30 minutes*
184 *after the end of the official school day.*

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- iv. Food and beverages sold in vending machines must comply with the "USDA Smart Snacks in School Standards" at all times.
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- v. Per Department of Agriculture and Consumer Services Rule 5P-1.003, Florida Administrative Code, unless being sold by the District School Food Service Program, it is impermissible for any competitive food item sold to students during the school day to consist of ready-to-eat combination foods of meat or meat alternate as defined by 7 CFR 210.10, and grain product, as defined by 7 CFR 210.11.
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- vi. The Board may grant a special exception from The Standards of Competitive Foods for infrequent school-sponsored fundraisers, as set forth below. "School-Sponsored Fundraisers" is defined by Rule 5P-1.003(2)(c), Florida Administrative Code, as any event or activity occurring on the school campus during which currency, tokens, tickets, or the like are exchanged for the sale or purchase of items or services to benefit the school, a school organization or group, or a charitable organization, and which is authorized according to Board policy and has been approved by the School Principal or designee.
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- a. Per Rule 5P-1.003(2)(c), F.A.C., no food related school sponsored fundraiser shall be permitted to occur until thirty minutes after the conclusion of the last designated meal service period.
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- b. The Board grants the following number of special exemptions for school-sponsored fundraisers to allow the sale of items that do not meet the USDA Smart Snacks in School Standards as follows (timing of the sales must still comply with the regulations as listed above):
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1. Elementary schools allowed five (5) days per school year.
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2. Middle and combo schools allowed ten (10) days per school year.
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3. High schools allowed (15) days per school year.
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- c. The school must maintain dated documentation listing the food and beverages sold during each exempted fundraiser.
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- vii. Healthy School Team – Each school must establish a Healthy School Team. Each Healthy School Team should include, but not

222 be limited to, the following stakeholders: parents, students, school
223 food service program representatives, school administrators, school
224 health professionals, physical education teachers and the public,
225 Healthy School Team shall:

226 a. For monitoring compliance with Rule 5P-1.003(2)(c) and 7
227 CFR 210.11 competitive food and beverage items sold on a
228 school campus;

229 b. Maintain a school calendar identifying the dates when
230 exempted competitive food fundraisers will occur; and

231 c. Report its school's compliance with this rule to the
232 designated District official or school official responsible for
233 overall compliance with the District's Wellness Policy.

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235 6. **Assurance of Non-Discrimination Practices.** ~~Compliance with Sanitation~~
236 ~~and Health Regulations.~~

237 The names of students and their meal status shall not be published, posted, or
238 announced except as required by law. Thus, there shall be no overt identification
239 of any student by the use of special tokens, tickets, lists, **rosters**, or by any other
240 means. Further, ~~assurance is to be given that a student~~ eligible for free or reduced-
241 price meals shall not be required to:

242 A. Work for their meal;

243 B. Use a ~~separate~~ ~~separate~~ room, go through a ~~separate~~ ~~separate~~ line, or
244 enter ~~the cafeteria~~ through a ~~separate~~ ~~separate~~ entrance, eat at a different
245 time, or eat a different meal from the meal sold to other children as a
246 result of his or her status;

247 ~~C. Forego school breakfast or lunch as a disciplinary action; or~~

248 C. Pay the full price of such meal, if determined to be eligible for a free or
249 reduced-price meal;

250 D. ~~All students facing disciplinary action on campus, regardless of status,~~
251 ~~must be allowed~~ Students may not be disciplined by denying the right to
252 participate in the school breakfast and lunch program.

253 7. **Confidentiality/Disclosure** ~~USDA Donated Commodities.~~

254 Student lunch status may only be shared with individuals outside of those
255 responsible for the operation of the National School Lunch Program in limited
256 situations:
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- 258 A. Eligibility status may be provided to a staff member who is directly
259 responsible for the administration of specific student local education
260 programs once a Confidentiality Agreement has been signed and
261 submitted to the School Food Service Department. The eligibility status
262 may only be provided to the person signing the form and may not be
263 shared with third parties.
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- 265 B. Teachers, guidance counselors, principals, or administrators who do not
266 provide such assistance may not have access to information regarding a
267 student's school lunch status.
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- 269 C. The School Food Service Department may only share school lunch status
270 information with persons having a legitimate "need to know" and solely to
271 the extent necessary to provide a service or carry out an activity
272 educational in nature.
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274 8. **Compliance with Sanitation and Health Regulations.** ~~Responsibilities for~~
275 ~~School Food Services.~~

276 The ~~School Food Service program~~ Program shall meet the standards for food
277 service and sanitation and safety as required by the Florida ~~Board~~ Department
278 of Health and FDACS ~~Florida Department of Education.~~

280 9. **USDA Donated Commodities.** ~~Food Prepared Outside of the Program.~~

281 The USDA ~~U.S. Department of Agriculture~~ donated commodities shall be
282 received and used in accordance with current USDA and applicable FDACS
283 ~~State Board of Education~~ agreements or rules. Such commodities shall not be
284 sold, exchanged for any purpose, or used in any manner which violates
285 federal regulations.

286 10. **Responsibilities for School Food Service.** ~~School Food Services~~
287 ~~Purchases~~

288 A. ~~a. Responsibilities of School Food Service Director and Central~~
289 ~~Administrative Staff.~~ The ~~responsibilities~~ responsibilities of the
290 School Food Services Director and ~~Central Administrative Staff~~
291 shall include, but not be limited to, ~~the following:~~

- 292 i. ~~Ensuring~~ To ensure The Program is operated in accordance
293 with federal laws and regulations, rules of the ~~FDACS State~~
294 ~~Board of Education,~~ and School Board Policies;
- 295 ii. ~~Developing~~ To develop the food service annual ~~District~~ budget;
- 296 iii. ~~Developing and implementing~~ To develop and implement food
297 service procedures and an accountability system, including

- 298 developing and distributing all necessary forms needed for ~~the~~
299 ~~Program~~;
- 300 ~~iv. Implementing To implement~~ an ongoing system of in-service
301 training for all food service employees of ~~the school system~~;
- 302 ~~v. Administering To administer~~ the Manager Intern Training
303 Program to qualify candidates to be eligible for hire as School
304 Food Service Managers at individual schools;
- 305 ~~vi. Administering To administer~~ the USDA Free and Reduced-Price
306 Meal Program and ~~approving approve~~ those students who are
307 entitled to free or reduced-price meals;
- 308 ~~vii. Identifying To identify~~ food service equipment and facilities ~~in~~
309 ~~the school's Program~~ for maintenance, ~~and~~ repair, ~~and~~
310 ~~replacement~~; and ~~recommending such needs to the Chief~~
311 ~~Operating Officer and replacing to replace~~ equipment that has
312 reached the end of its productive use;
- 313 ~~viii. Periodically To periodically~~ inspecting all food preparation and
314 serving areas to ensure that all health and sanitation
315 standards are ~~being~~ met;
- 316 ~~ix. Partnering with assist~~ the principal of each school on the ~~upon~~
317 ~~request with~~ selection of food service personnel at individual
318 school sites and ~~To assist the principal upon request with~~
319 ~~selection of food service personnel at individual school sites for~~
320 ~~recommendation to the Superintendent for employment~~; and
- 321 ~~x. Administering To administer~~ the USDA Donated Commodity
322 Food Program, including acquisition, warehousing, ~~storage~~,
323 allocation, and distribution to schools.

324 *B. Responsibilities of School Principal and School Staff*

325 The responsibilities of the principal and local school staff shall include,
326 but not be limited ~~limited~~ to, ~~the following~~:

- 327 ~~i. Complying To ensure the Program in the school is operated in~~
328 ~~accordance~~ with all applicable federal and state laws, regulations
329 and School Board policies;
- 330 ~~ii. Scheduling To schedule~~ students to effect the greatest
331 participation in the school's Program;
- 332 ~~iii. Complying with To ensure that the exclusion of a meal shall not~~
333 ~~be used contrary to the non-discrimination provisions herein; and~~
- 334 ~~iv. Ensuring To ensure that~~ all students new to the district receive a
335 Free and Reduced-Price ~~Reduced-Price~~ Meal Application;
336 ~~information and the location of the online application~~;

- 337 v. Ensuring the Principal's Review of School Food Service
338 Manager is completed twice annually; and
- 339 vi. Ensuring that safety and sanitation practices are followed when
340 the kitchen is utilized for afterschool activities when cafeteria staff
341 members are not present to oversee the event.

342 C. ~~e~~ Responsibilities of School Food Service Manager

343 The food service manager located at each school shall work under the
344 administrative direction of the Director of School Food Service and the support
345 of the principal and shall be subject to technical supervision and oversight by
346 the School Food Service Director in accordance with School Board Policyies
347 and procedures, federal requirements, other applicable state laws. The food
348 service manager in each school shall be responsible for collecting and
349 accounting for all student and adult receipts, and shall maintain the required
350 cash control procedures.

351
352 11. Food Prepared Outside of the Program. ~~Food Service Procedures~~

353 If the school cafeterias will be used by parties other than the staff of the
354 Department of School food Service and involves the preparation of food, the
355 provisions of School Board Policy 6.27 (Food Prepared Outside the Regular
356 School Food Service Program) shall be applicable.

- 357 A. Foods purchased and prepared by School Food Service shall not leave the
358 premises of the school center at which they are prepared or served with the
359 exception of transporting to another site for an event for which the food was
360 prepared.
- 361 B. When School Food Service is utilized, both the food and labor costs for such
362 events must be fully reimbursed to the School Food Service Department by
363 the sponsoring group.
- 364 C. When food is prepared or served for a special event outside the requirements
365 noted in policy 7.18 Community Use of School Facilities, it is the principal's
366 discretion whether or not to utilize School Food Service staff in the kitchen.
- 367 D. The sponsoring group must be in compliance with the provisions of Policy 7.18
368 and its provisions applicable to preparing, selling, serving, or catering of
369 foods.
- 370 E. The sponsoring group must follow all safety and sanitation practices as set
371 forth by the Department of Health Florida Food Hygiene Rule 64E-11, Florida
372 Administrative Code.

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375 **12. School Food Services Purchases and Expenditures.**

376 A. School Food Service purchases and expenditures shall be made in
377 compliance with Rule 6A-1.012, F.A.C., and Board Policy 6.14, except
378 that food items not including milk may be excerpted from such provisions
379 where market fluctuations indicate that an exception is in the best
380 interest of the District.

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382 B. Milk may be except from the competitive solicitation process outlined in
383 Policy 6.14 under the following conditions:

- 384
385 i. The Director of School Food Services has made a finding that no
386 valid or acceptable firm bid has been received or;
387 ii. An emergency situation exists.

388
389 C. Foods purchased must conform to the Federal Food, Drug and Cosmetic
390 Act, The Federal Meat Inspection Act, and the Meat Inspection Law of
391 Florida, and other federal or state safeguards relating to the
392 wholesomeness of specific items being purchased.

393 D. ~~Purchases for the Program shall be governed by School Board Policy~~
394 ~~6.17 (Purchasing for School Food Service) and shall be made in~~
395 ~~conformance with any federal and/or state laws and regulations. School~~
396 ~~Food Service is exempt from the requisitioning process, encumbering,~~
397 ~~and the use of purchase orders for food and non-food items.~~

398 **13. Food Services Procedures**

399 The School Food Service Director or designees, shall develop School Food
400 Services ~~procedures manuals~~ containing administrative procedural guidance for
401 the operation of the Program, ~~including appeal procedures for the denial of any~~
402 ~~applications for free and reduced price meals.~~ School Food Service employees,
403 ~~principals, and any other staff members designated by the principal~~ shall be
404 expected to become familiar with and abide by all applicable provisions of the
405 ~~procedures manuals.~~

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408 STATUTORY AUTHORITY: Fla. Stat. §§ 1001.42; 1001.43 ~~1001.42(16)~~; Fla. Stat.
409 ~~Chap. 595~~

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411 LAWS IMPLEMENTED: ~~Fla. Stat. §§ 1001.42(14); 1001.43; 1006.06 FS; 7CFR~~
412 ~~Parts 210-250; SBER: 6A-7.040; 6A-7.041; 6A-7.0411; 6A-~~
413 ~~7.0421; 6A-7.045, F. A.C.~~

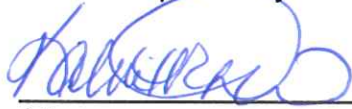
414 Fla. Stat. §§ 595; 42 USC Chapter 13 and 13A *et seq.*
415 (Richard B. Russell National School Lunch Act); (Child
416 Nutrition Act of 1966); Healthy, Hunger Free Kids Act of
417 2010 (Public Law 11-296); 7CFR Parts 210, 220, 225-227,
418 235, 240, 245, 247, 250 and 252
419

420 FL. DEPARTMENT OF AGRICULTURE
421 AND CONSUMER SERVICES RULES: 5P-1.001; 5P-1.002; 5P-1.003, F. A.C.
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423 HISTORY: 8/27/08; __/__/2015.
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Legal Signoff:

The Legal Department has reviewed proposed Policy 6.185 and finds it legally sufficient for development by the Board.



Attorney



Date