

**Reimbursable School Meals and Milk Programs**  
**(National School Lunch Program, School Breakfast Program, Special Milk Program)**

The district's food and nutrition services will be operated in accordance with the following requirements:

**Meal Pricing Procedures**

1. The district may operate the Special Milk Program (SMP) at schools where students do not have access to program meals. Under SMP, the district will choose one of the following options:
  - a. Nonpricing (serve SMP milk at no charge to all students);
  - b. Pricing programs without a free option (charge all students for SMP milk); or
  - c. Pricing programs with a free option (distribute confidential applications for free milk and charge only those students for SMP milk who do not qualify for free milk based on the household's application or direct certification from Supplemental Nutrition Assistance Program (SNAP)).
2. Reimbursable meals and snacks will be priced as a unit.
3. Reimbursable meals and snacks will be served free or at a reduced price to all children who are determined by the district to be eligible for free or reduced price meals.
4. Annually, the district will establish prices for reimbursable student meals and snacks. The price charged to students who do not qualify for free or reduced price meals will be established annually by the district in compliance with state and federal laws.<sup>1</sup>
5. The price charged to students who qualify for reduced price meals will be established annually by the district in compliance with state and federal laws.<sup>2</sup>

**Application Procedures**

1. Households receiving SNAP or Temporary Assistance to Needy Families benefits, as identified by Oregon Department of Education (ODE), will be automatically eligible for free meals and snacks for the students listed on the official document. Districts must access this document at least three times per year.

---

<sup>1</sup>The new requirement under Healthy, Hunger-Free Kids Act of 2010, 42 U.S.C. 1751 §§ 205 establishes new criteria for equity in school lunch pricing.

<sup>2</sup>According to Direct Certification and Certification of Homeless, Migrant and Runaway Children for Free School Meals, 7 C.F.R Part 245 (2011).

2. Households that submit a confidential application will be notified of their student's eligibility for free or reduced price meals. Households that are denied free or reduced price benefits will be notified in writing using the ODE template letter distributed to the district annually.
3. On a case-by-case basis, when a student is known to be eligible for free or reduced price meal benefits and the household fails to submit a confidential application, the superintendent or designee may complete an application for the student documenting how he/she knows the household income qualifies the student for free or reduced price meal benefits. Parents of a student approved for free or reduced price benefits, when application is made for the student by a school official, will be notified of the decision and given the opportunity to decline benefits.
4. Students who do not qualify for free or reduced price meals are eligible to participate in the National School Lunch Program (NSLP) and School Breakfast Program (SBP) and will be charged "paid" meal and snack prices set by the district. "Paid" category students will be treated equally to students receiving free or reduced price benefits in every aspect of the district's NSLP and SBP.
5. The district has established a fair hearing process under which a household can appeal a decision with respect to the household's application for benefits or any subsequent reduction or termination of benefits.
6. In the event of major employers contemplating large layoffs in the attendance area of the district, the district will provide confidential applications and eligibility criteria for free and reduced price meals to the employer for distribution to affected employees.

### **Financial Management of the Nonprofit School Food Service**

1. The district will maintain a nonprofit school food and nutrition service operation.
2. Revenues earned by the school food and nutrition services will be used only for the operation or improvement of NSLP and SBP.
3. Lunch and breakfast meals served to teachers, administrators, custodians, and other adults not directly involved with the operation of the district's food and nutrition services will be priced to cover all direct and indirect cost of preparing and serving the meals.<sup>3</sup>
4. District food and nutrition services revenues will not be used to purchase land or buildings.
5. The district will limit its food and nutrition services net cash resources to an amount that does not exceed three months average expenditures.
6. The district will maintain effective control and accountability for, and adequately safeguard, all food and nutrition services' cash, real and personal property, equipment and other assets, and ensure they are used solely for food and nutrition services purposes.
7. The district will meet the requirements for allowable NSLP and SBP costs as described in 2 C.F.R. 200.

---

<sup>3</sup>For meals with portion sizes equivalent to student meals, the adult meal price will be no less than the amount of reimbursement for a free-eligible meal, plus the value of commodity foods used in the meal preparation.

8. In purchasing food and nutrition services goods or services, the district will not accept proposals or bids from any party that has developed or drafted specifications, requirements, statements of work, invitations for bids, requests for proposals, contract terms and conditions, or other documents for proposals used to conduct the procurement.
9. All procurement transactions for food and nutrition services goods and services will be conducted according to state, federal, and district procurement standards using the applicable cost thresholds.
10. In the operation of its food and nutrition services program, the district will purchase food products that are produced in the United States, whenever possible.

### **Civil Rights and Confidentiality Procedures**

1. The district will not discriminate against any student because of his/her eligibility for free or reduced price meals.
2. The district will not discriminate against any student or any food and nutrition services employee because of race, color, national origin, sex, sexual orientation<sup>4</sup>, religion, age, or disability.
3. The district will assure that all students and food and nutrition services employees are not subject to different treatment, disparate impact or a hostile environment.
4. Established district procedures will be followed for receiving and processing civil rights complaints related to applications for NSLP and SBP benefits and services, and employment practices with regard to the operation of its NSLP and SBP. The district will forward any civil rights complaint regarding the district's food and nutrition services to ODE's civil rights coordinator within three days of receiving the complaint.
5. The district will make written or oral translations of all food and nutrition services materials available to all households who do not read or speak English.
6. The district will maintain strict confidentiality of all information on the confidential application for free and reduced price meals, including students' eligibility for free or reduced price meals and all household information. The district's NSLP and SBP operators are not required to release any information from a student's confidential application for free or reduced price meals. No information may be released from a student's confidential application for free or reduced price meals without first obtaining written permission from the student's parent or legal guardian/adult household member signing the application, except as follows:
  - a. An individual student's name and eligibility status may be released without written consent only to persons who operate or administer federal education programs; persons who operate or administer state education or state health programs at the state level; persons evaluating state, education assessment; or persons who operate or administer any other NSLP, SBP, SMP, Summer Food Service Program (SFSP), Child and Adult Care Food Program (CACFP) or the Food Stamp Program;

---

<sup>4</sup>“Sexual orientation” means an individual’s actual or perceived heterosexuality, homosexuality, bisexuality or gender identity, regardless of whether the individual’s gender identity, appearance, expression or behavior differs from that traditionally associated with the individual’s sex at birth.

- b. Any other confidential information contained in the confidential application for free and reduced price meals (e.g., family income, address) may be released without written consent only to persons who operate or administer NSLP, SBP, SMP, CACFP, SFSP and the Special Supplemental Nutrition Program for Women, Infants and Children; the Comptroller General of the United States for audit purposes; and federal, state or local law enforcement officials investigating alleged violation of any of the programs listed above.

### **Nutrition and Menu Planning**

1. Meals and snacks served for reimbursement will meet the recommendations of the most current *Dietary Guidelines for Americans*.
2. Meals and snacks served for reimbursement will meet at least the minimum NSLP and SBP requirements for food item and quantities.
3. Meals served for reimbursement will meet all USDA standards.
4. The district will use the offer versus serve option when serving NSLP lunches to all students. Students must take at least three of five different food items including one-half cup of fruit or vegetable offered in program lunches.
5. The district will use the offer versus serve option when serving program breakfasts to all students. Students must take at least three of four food items including one-half cup of fruit or vegetable offered in program breakfasts.
6. A copy of the Board minutes adopting the offer versus serve policy for students below high school grades for program lunches and/or for all students in the district for program breakfasts, as applicable, will be made available upon request.

### **Use and Control of Commodity Foods**

1. The district will accept and use commodity foods in as large a quantity as may be efficiently utilized in the reimbursable lunch and breakfast programs.
2. The district will maintain necessary safeguards to prevent theft or spoilage of commodity foods.
3. The value of commodity foods used for any food production other than NSLP, SBP, or snacks shall be replaced in the food service inventory.

### **Accuracy of Reimbursement Claims**

1. The district will claim reimbursement only for reimbursable meals and snacks served to eligible children.
2. All meals and snacks claimed for reimbursement will be counted at each dining site at a “point of service” where it can be accurately determined that the meal or snack meets NSLP and SBP requirements for reimbursement.

3. The person responsible for determining reimbursability of meals and snacks will be trained to recognize a reimbursable meal and snack under the menu planning approach used at the school.
4. The district official signing the claim for reimbursement will review and analyze monthly meal and snack counts to ensure accuracy of the claim, before submitting the claim to ODE.
5. Annually, by November 15, the district will verify a random sample of applications according to NSLP verification requirements. Instructions for completing the verification process will be sent by ODE to the district in October each year.

### **Food Safety and Sanitation Inspections**

1. The district will maintain necessary facilities for storing, preparing, and serving food and milk.
2. Semi-annually, the district will schedule food safety inspections with the county Environmental Health Department or Oregon Department of Human Resources for each school or dining site under its jurisdiction.
3. The district will maintain health standards in compliance with all applicable state food safety regulations at each school or dining site under its jurisdiction.

### **General USDA NSLP/SBP/SMP Requirements**

1. The district will ensure that no student is denied a meal as a disciplinary action.
2. Breakfast will be served in the morning hours, at or near the beginning of the student's school day.
3. Lunch will be served between the hours of 10 a.m. and 2 p.m.
4. The district will provide substitute foods for students who are determined by a licensed physician to be legally disabled and whose disability restricts their diet. Substitutions will be provided only when a medical statement from the licensed physician is on file at the school. The medical statement must state the nature of the child's disability and how the disability affects the child's nutrition needs, and it must provide a medical prescription for substitute foods or texture modification. The district will not charge more than the price of the school meal, as determined by the child's eligibility status, for substitute meals or foods.
5. The district will control the sale of competitive foods.
6. The district will ensure that potable (drinking) water will be available to students, free of charge, for consumption in the place where meals are served during meal service.<sup>5</sup>
7. The district will notify all households of its meal charge requirements early in the school year. The district's meal charging requirements are as follows:
  - a. A meal account for students paying full or reduced price for meals may be established with the district. It is the parent's and/or student's responsibility to monitor the account balance and

---

<sup>5</sup>New requirement under Healthy, Hunger-Free Kids Act of 2010, 42 U.S.C. 1751 §§ 203.

maintain sufficient funds for meals purchased. Students may charge not more than three meals at the elementary level or 1 meal at the middle school level. Students may not charge at the high school level.

- b. Any student failing to keep his/her account current as required by the district shall not be allowed to charge the price of further meals until the account has been paid in full, but will be allowed to purchase a meal if the student pays for the meal when it is received. At least one written warning shall be provided to a student and his/her parent for exceeding the district's charge limit prior to denying meals. Payment may be made at the school office or school kitchen.
  - c. Individual school administrators may modify allowable meal charges with Food Service administrator approval. However, student debt acquired by charging meals or ala carte is considered "bad debt" per 2 C.F.R. 200. Bad debt is an unallowable cost to the non-profit food service fund. Student debt must be paid for with funds other than food service funds and at the end of the school year will be charged back to the school facility's general fund account. A charge balance report can be provided to the school office daily.
8. The sale of foods in competition with the district's lunch (NSLP) or breakfast (SBP) programs will be allowed in dining sites during lunch and breakfast periods with Board approval only when all income from the food sales accrues to the benefit of the district's food and nutrition services or accrues to a school or student organization approved by the Board. A copy of the Board minutes approving and defining competitive food sales will be made available upon request.

### **Record Keeping**

The following documents will be maintained by the district for three years after the current school year or longer, in the event of an unresolved audit(s), until the audit has been completed:

1. All currently approved and denied confidential applications for free and reduced price meals, and all current direct certification documents;
2. Financial records that account for all revenues and expenditures of the district's nonprofit nutrition and food services programs;
3. Records (e.g., recipes, ingredient lists, and nutrition fact labels or product specifications) that document the compliance with nutrition standards for all competitive foods available for sale to students at a school campus;
4. Documents of participation (i.e., meal counts) from each school in the district to support claims for reimbursement;
5. Production and menu records;
6. Records to document compliance with Paid Lunch Equity; and
7. Records to document compliance with Revenue from Non-program Foods.