

SECTION: OPERATIONS

TITLE: FOOD SERVICES

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July 18, 2016

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December 18, 2023

# EAST STROUDSBURG AREA SCHOOL DISTRICT

808. FOOD SERVICES	
<p>1. Purpose</p>	<p>The Board recognizes that students require adequate, nourishing food and beverages in order to grow, learn and maintain good health. The Board directs that students shall be provided with adequate space and time to eat meals during the school day.</p>
<p>2. Authority</p> <p>SC 504, 807.1, 1335, 1337 42 U.S.C. Sec. 1751 et seq, 1773 2 CFR Part 200 7 CFR Parts 210, 215, 220</p>	<p>The food service program shall be operated in compliance with all applicable state and federal laws and regulations, as well as federal guidelines established by the Child Nutrition Division of the United States Department of Agriculture (USDA).</p>
<p>FNS Instruction 113-1</p>	<p>The district shall ensure that, in the operation of the food service program, no student, staff member, or other individual shall be discriminated against on the basis of race, color, national origin, age, sex, or disability.</p> <p>The Board shall provide food service for breakfast and for lunch in all district schools that meets the standards required by state and federal school breakfast and lunch programs.</p>
<p>SC 504 42 U.S.C. Sec. 1760</p>	<p>Food sold by the school may be purchased by students and district employees but only for consumption on school premises. The price charged to students shall be established annually by the district in compliance with state and federal laws.</p>
<p>42 U.S.C. Sec. 1760</p>	<p>Non-program food shall be priced to generate sufficient revenues to cover the cost of such items. A nonprogram food shall be defined as a food or beverage, other than a reimbursable meal or snack, which is sold at the school and is purchased using funds from the child nutrition account. Non-program foods include but are not limited to adult meals and a-la-carte items. All revenue from the sale of non-program food shall accrue to the child nutrition program account.</p>

<p>3. Delegation of Responsibility</p> <p>SC 504</p> <p>SC 504, 1337</p> <p>SC 504, 1335, 1337 42 U.S.C. Sec. 1751 et seq, 1773 7 CFR Parts 210, 215, 220</p> <p>3 Pa. C.S.A. Sec. 5713 42 U.S.C. Sec. 1758(h) 7 CFR Sec. 210.13 210.30</p> <p>SC 504</p> <p>SC 504, 1337</p>	<p>Unless they have been excused by the principal, all students are expected to remain in school for lunch.</p> <p>Students on in-school suspension (ISS) or other form of disciplinary action may be limited in their opportunity in this regard. School food authorities are to make a reimbursable meal or milk available to any student attending school who, for disciplinary reasons, is not allowed to eat in the cafeteria. This does not necessarily mean that all choices must be made available.</p> <p>The operation and supervision of the food services program shall be the responsibility of the Director of Food Services.</p> <p>The individual responsible for the operation and supervision of the food service program shall present to the Board each month for its approval a statement of receipts and expenditures for cafeteria funds.</p> <p>Cafeterias shall be operated on a nonprofit basis. A periodic review of the cafeteria accounts shall be made by the auditor.</p> <p>The individual responsible for the operation and supervision of the food service program shall ensure that school meals meet the standards required by the School Breakfast Program, the National School Lunch Program and the Special Milk Program.</p> <p>The Superintendent or designee shall comply with state and federal requirements for conducting cafeteria health and safety inspections and ensuring employee participation in appropriate inspection services and training programs.</p> <p>The Superintendent or designee shall prepare guidelines for the implementation of a food service program including:</p> <ol style="list-style-type: none"> <li>1. The maintenance of facilities free from fire or health hazards.</li> <li>2. The purchase of perishable foodstuffs, seasonal commodities and other supplies.</li> <li>3. Accounting and depositing procedures for cafeteria funds.</li> </ol>
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<p>4. Definitions</p>	<p>4. Control, safekeeping and storage of food and food equipment.</p> <p>5. Compliance with all state and federal regulations regarding the National School Lunch Program and/or National School Breakfast Program and Special Program and Special Milk Program.</p> <p><b>Ticket</b>—The term ticket refers to any and all forms of exchange that pertain to paid, free, or reduced-price meals and are used in the food service collection program, including computer-based accounts.</p> <p><b>PIN Number</b>—A person identification number assigned by the school district that allows a student to purchase a meal through a computer-based account.</p> <p><b>Ticket Misuse</b>—The misuse of a ticket which includes, but is not limited to misrepresentation of identity, attempt to purchase more than one lunch or breakfast in a day through ticket use, stealing a PIN Number, and/or sharing a PIN Number with another student with the intent of making a meal purchase.</p> <p><b>Charge</b>—A record as a debt to be paid. All meal charges are expected to be paid within two (2) weeks of the charge. Any charge not paid within two (2) weeks shall be considered “Outstanding”.</p> <p>It is a violation of this policy to lend or steal a Personal Identification Number (PIN). Students caught doing so are subjected to disciplinary consequences consistent with Board Policy and the Code of Student Conduct.</p>
<p>5. Guidelines Pol. 246</p> <p>SC 504</p>	<p>To reinforce the district's commitment to nutrition and student wellness, foods served in school cafeterias shall:</p> <ol style="list-style-type: none"> <li>1. Be carefully selected to contribute to students' nutritional well-being and health.</li> <li>2. Meet the nutrition standards specified in law and regulations and approved by the Board.</li> <li>3. Be prepared by methods that will retain nutritive quality, appeal to students, and foster lifelong healthy eating habits.</li> <li>4. Be served in age-appropriate quantities, at reasonable prices.</li> <li>5. The district shall use USDA Foods for school menus available under the Child Nutrition USDA Food Programs.</li> </ol> <p>Surplus accounts shall be used only for the improvement and maintenance of the food service program.</p>

<p>SC 504</p> <p>Pol. 610, 626</p> <p>42 U.S.C. Sec. 1758 7 CFR Part 245</p> <p>7 CFR Sec. 15b.40 Pol. 103.1, 113, 209.1</p> <p>42 U.S.C. Sec. 1758(h) 7 CFR Sec. 210.13, 220.7</p> <p>42 U.S.C. Sec. 1758(h) 7 CFR Part 210, Part 220</p>	<p>All funds derived from the operation, maintenance or sponsorship of the food service program shall be deposited in a separate cafeteria fund, in the same manner as other district funds. Such funds shall be expended in the manner approved and directed by the Board, but no amount shall be transferred from the cafeteria fund to any other account or fund, except that district advances to the food service program may be returned to the district's general fund from any surplus resulting from its operation.</p> <p><b><u>Procurement</u></b></p> <p>Procurement of goods or services for the food service program shall meet the requirements of applicable law, regulations and Board policy and procedures.</p> <p><b><u>Free/Reduced-Price Meals And Free Milk</u></b></p> <p>The district shall provide free and reduced-price meals and/or free milk to students in accordance with the terms and conditions of the National School Lunch Program the School Breakfast Program, and the Special Milk Program. Applications for Free/Reduced Price School Meals are handled through the Office of Administrative Services.</p> <p>The district shall conduct direct certification a minimum of three (3) times per year using the Pennsylvania Student Eligibility System (PA-SES) to identify students who are eligible for free school meal benefits without the need for submission of a household application.</p> <p><b><u>Accommodating Students With Special Dietary Needs</u></b></p> <p>The district shall make appropriate food service and/or meal accommodations to students with special dietary needs in accordance with applicable law, regulations and Board policy.</p> <p><b><u>School Food Safety and Sanitation Inspections</u></b></p> <p>The district shall obtain two (2) safety and sanitation inspections (Retail Food Facility Inspection Report) per year in accordance with all local, state, and federal laws and regulations.</p> <p>The district shall post in the cafeteria the most recent inspection report and release a copy of the report to members of the public, upon request.</p> <p><b><u>School Food Safety Program</u></b></p> <p>The district shall comply with federal requirements in developing a food safety program that enables district schools to take systematic action to prevent or minimize the risk of foodborne illness among students.</p>
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<p>7 CFR Sec. 210.9, 210.13, 220.7</p> <p>42 U.S.C. Sec. 1751 et seq, 1773 7 CFR Sec. 210.30</p>	<p>The district shall maintain proper sanitation and health standards in food storage, preparation and service, in accordance with all applicable state and local laws and regulations and federal food safety requirements.</p> <p><b><u>Professional Standards For Food Service Personnel</u></b></p> <p>The district shall comply with the professional standards for school food service personnel who manage and operate the National School Lunch and School Breakfast Programs. For purposes of this policy, professional standards include hiring standards for new food service program directors and annual continuing education/training for all individuals involved in the operation and administration of school meal programs. Such professional standards shall apply to both district-operated food service programs and contracted food service programs.</p> <p><b><u>School Meal Service and Accounts</u></b></p> <p>To ensure the effective operation of the district's food service program and delivery of school food program meals to students, the district shall:</p> <ol style="list-style-type: none"> <li>1. Assign individual school meal accounts to each student for the purchase of meals served in school cafeterias, which ensure that the identity of each student is protected.</li> <li>2. Notify parents/guardians when the student's school meal account reaches a low balance.</li> <li>3. Notify parents/guardians when the student's school meal account reaches a negative balance. The notice shall include information on payment options and how to apply for Free/Reduced-Price School Meals.</li> <li>4. Provide a school food program meal to each student who does not have the money to pay for the school food program meal or who has a negative balance in his/her school meal account, unless the student's parent/guardian has specifically provided written notice to the district to withhold a school food program meal.</li> <li>5. Students with a negative balance in their school meal account will not be allowed to charge a la carte items.</li> </ol> <p>When a student owes money for five (5) or more school food program meals, the district shall make at least two (2) attempts to contact the student's parent/guardian and shall provide the application for free/reduced-price school meal benefits to the parent/guardian to apply for benefits under federal school meal programs. The district will offer assistance to parents/guardians with applying for free/reduced-price school meal benefits.</p>
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Communications regarding a low balance or money owed by a student for school meals shall be made to the student's parent/guardian, not the student, unless the student is an emancipated minor.

District schools shall be prohibited from:

1. Publicly identifying or stigmatizing a student who cannot pay for a school food program meal or who has a negative school meal account balance. It shall not constitute public identification or stigmatization of a student for a school to restrict privileges and activities of students who owe money for school meals if those same restrictions apply to students who owe money for other school-related purposes.
2. Requiring a student who cannot pay for a school food program meal to perform chores or other work to pay for the meal, unless chores or other work are required of all students regardless of their ability or inability to pay for a school food program meal.
3. Requiring a student to discard a school food program meal after it was served to the student due to the student's inability to pay for the meal or due to a negative school meal account balance.

This policy and any applicable procedures or administrative regulations regarding school meal charges and school meal accounts shall be communicated annually to school administrators, school food service personnel, other appropriate school staff, and contracted food service personnel.

The district shall provide parents/guardians with a written copy of this policy and any applicable procedures or administrative regulations at the start of each school year, when a student enrolls in school after the start of the school year, and when a parent/guardian is notified of a negative school meal account balance.

#### **Collection of Unpaid Meal Charges**

Reasonable efforts shall be made by the district to collect unpaid meal charges from parents/guardians. Efforts taken in the collection shall not have a negative impact on the student involved, but shall focus primarily on the parents/guardians responsible for providing funds for meal purchases.

#### **Donations**

The District will accept donations from individuals or organizations who wish to pay off negative balances in student meal accounts. Donations will be used in accordance with the expressed desire of the donor to pay off individual student

balances or student balances at a specific school(s). If there are insufficient funds provided to meet the expressed desire of donor, funds will be utilized in an equal manner until they are fully utilized. If funds donated without an expressed purpose, they will be allocated in an equal manner to all student meal accounts with negative balances.

**USDA Nondiscrimination Statement – Food and Nutrition Services**

In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity.

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotape, American Sign Language), should contact the responsible state or local agency that administers the program or USDA’s TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.

To file a program discrimination complaint, a Complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form which can be obtained online at: <https://www.usda.gov/sites/default/files/documents/ad-3027.pdf>, from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant’s name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to USDA by:

1. **mail:**  
U.S. Department of Agriculture  
Office of the Assistant Secretary for Civil Rights  
1400 Independence Avenue, SW  
Washington, D.C. 20250-9410; or
2. **fax:**  
(833) 256-1665 or (202) 690-7442; or
3. **email:**  
[Program.Intake@usda.gov](mailto:Program.Intake@usda.gov)

**References:**

School Code – 24 P.S. Sec. 504, 807.1, 1335, 1337

Food Protection – 3 Pa. C.S.A. Sec. 5713

National School Lunch Program – 42 U.S.C. Sec. 1751 et seq., 1758, 1758(h), 1760

School Breakfast Program – 42 U.S.C. Sec. 1773

Healthy, Hunger-Free Kids Act of 2010 – P.L. 111-296

Uniform Administrative Requirements for Federal Awards, Title 2, Code of Federal Regulations – 2 CFR Part 200

Nondiscrimination on the Basis of Handicap in Programs or Activities Receiving Federal Financial Assistance, Title 7, Code of Federal Regulations – 7 CFR Part 15

National Food Service Programs, Title 7, Code of Federal Regulations – 7 CFR 15b.40, 210.9, 210.13, 210.14, 210.15, 210.23, 210.30, 220.7  
7 CFR Part 15, Part 210, Part 215, Part 220, Part 245

U.S. Department of Agriculture Food and Nutrition Service (FNS) Instruction 113-1

Board Policy – 000, 103, 103.1, 113, 209.1, 246, 610, 626, 827

Summer Food Service – 42 U.S.C. Sec. 1751 et seq.