

**CLASSIFICATION: Business and Noninstructional
Operations**

**ADOPTED: 3/21/16
REVISED:
REVIEWED: 2/16/16**

SUBJECT: Nutrition Program Compliance

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Food service programs operated by the County Superintendent of Schools shall meet all state and federal requirements of the child nutrition programs in which the San Diego County Office of Education participates.

The County Superintendent of Schools acknowledges his/her responsibility for ensuring compliance with state and federal nondiscrimination laws as they apply to child nutrition programs. No individual shall be denied the benefits or service of any child nutrition program or be discriminated against on any basis specified in the applicable law or regulation.

The County Superintendent of Schools assigns the compliance officer specified in Administrative Regulation 1312.3, Uniform Complaint Procedures, or his/her designee(s), responsibility for efforts to comply with state and federal laws governing child nutrition programs and the requirements of this administrative regulation.

Training on the laws, regulations, procedures, and directives related to nutrition programs shall be provided to employees involved in administering them.

Procedures and systems for implementing child nutrition programs shall not restrict students' participation based on their race, ethnicity, or disability. Systems shall include a method for collecting racial and ethnic data of participants to determine whether programs are effectively reaching eligible students.

When a significant number of participants or potential participants are non-English speakers, an appropriate translation of nutrition program information shall be made available.

Child nutrition programs shall accommodate the special dietary needs of any student with a disability who has on file a medical statement that restricts the student's diet because of the his/her disability.

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Complaints

Complaints alleging failure to comply with applicable state or federal laws and regulations in child nutrition programs shall be filed with the compliance officer, who shall be responsible for investigating and resolving the complaint using the Uniform Complaint Procedures presented in Administrative Regulation 1312.3. Complaints may also be with the California Department of Education or the U.S. Department of Agriculture.

Notifications

All informational releases, publications, and posters concerning nutrition programs and/or activities shall include, in a prominent location, the most current version of the federal nondiscrimination statement available from the U.S. Department of Agriculture's civil rights web page. If the material is too small (half of a page or less) to permit the full statement to be included, the material shall, at a minimum, include the following statement in print no smaller than the text: "This institution is an equal opportunity provider and employer."

In addition, the U.S. Department of Agriculture's "And Justice for All" or other approved nutrition programs civil rights posters shall be displayed in areas visible to students participating in child nutrition programs, such as in food service areas and school offices.

Appropriate translations shall be made available as necessary to ensure access to nondiscrimination information for students and parents/guardians with limited English proficiency.

Notification of complaint procedures shall be provided to students, parents/guardians, and employees in the annual notification of Uniform Complaint Procedures distributed pursuant to Administrative Regulation 1312.3.

SAN DIEGO COUNTY OFFICE OF EDUCATION

**ADMINISTRATIVE
REGULATION NO. 3572**

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**Board Policy: 1312, 3570, 5140
Administrative Regulation: 1312.3, 5140**

**Legal Reference: Education Code
49490 – 49590
California Code of Regulations, Title 5
15500 – 15578**

**Management Resources: Nutrition Services Division, California Department of Education:
www.cde.ca.gov/ls/nu
USDA Civil Rights, California Department of Education:
www.cde.ca.gov/ls/nu/cr/
Food and Nutrition Services, U.S. Department of Agriculture:
www.fns.usda.gov
Food and Nutrition Services Nondiscrimination Statement, U.S.
Department of Agriculture: www.fns.usda.gov/fns-nondiscrimination-statement
Office for Civil Rights, U.S. Department of Agriculture:
www.ascr.usda.gov
Office for Civil Rights, U.S. Department of Education: www2ed.gov/ocr**