

SCHOOL MEALS AND SNACKS

Students need adequate, nourishing food in order to learn, grow, and maintain good health. To reinforce the school division’s nutrition education program, food sold to students during regular school hours (on school premises) meets, at a minimum, the requirements established by state and federal law and regulation, including the Healthy, Hunger-Free Kids Act of 2010.

Additionally, snacks and fundraisers during regular school hours and on school premises will follow the USDA’s Smart Snacks in School standards unless qualifying for a “competitive foods” exemption as discussed below.

Alexandria City Public Schools (ACPS) promotes high-quality school meals and snacks by:

- Involving students in the selection, tasting, and marketing of healthy foods and beverages that appeal to students;
- Providing a variety of food options, such as fruits, vegetables, whole grains, and dairy foods, which are low in fat and added sugars;
- Offering and promoting a variety of healthy choices that appeal to students that includes diverse options from different cultural cuisines;
- Restricting student access to unhealthy foods in vending machines, school stores, and other venues that compete with healthy school meals; and
- Ensuring that healthy snacks and foods are provided in vending machines, school stores, and other venues within the division’s control. The healthy options should cost the same or less than unhealthy alternatives.

ACPS strives to provide an environment conducive to good health by:

- Ensuring that access to free drinking water sources is provided throughout the school day;
- Offering extracurricular physical activity programs, such as physical activity clubs, intramural programs, or interscholastic athletics;
- Discouraging the promotion and advertising of unhealthy foods; and
- Using non-food items rather than food items such as candy, cakes, soda, and foods high in fat, as incentives and rewards for good behavior or academic performance.

ACPS supports nutrition education and physical education by:

- Ensuring that qualified nutrition education and physical education specialists focus on knowledge and skill development so students are able to learn and adopt healthy eating and physical activity behaviors;
- Offering nutrition education in the school dining area(s) and in the classroom, with coordination between food service staff and teachers; and
- Eliminating any stigma attached to, and preventing public identification of, students who are eligible for free and reduced-price meals.

47 **I. NUTRITIONAL GUIDELINES**
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49 Meals and snacks offered as part of the National School Lunch Program or the School
50 Breakfast Program meet, at a minimum, the requirements established by state and federal
51 law and regulation, including 8 VAC 20-740-10 through 8 VAC 20-740-40.
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53 Competitive foods, as defined in this regulation, comply with state and federal
54 requirements.
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56 Potable water is available and accessible without restriction to students at no charge
57 during school meal services.
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59 **A. Definitions**
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61 **“Competitive food”** means all food and beverages (other than meals reimbursed
62 under programs authorized by the National School Lunch Act and the Child
63 Nutrition Act of 1966) available for sale to students on the school campus during
64 the school day. Competitive food meets the nutrient guidelines established by the
65 Board of Education, including the guidelines for calories, fat, sugar and sodium. It
66 includes all foods available for sale to students:
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- 68 ● In school cafeterias as a la carte items;
- 69 ● In vending machines located on the school campus during the school
70 day;
- 71 ● As fundraisers held on the school campus during the school day;
- 72 ● In school snack bars on the school campus during the school day;
- 73 ● In school stores operated on the school campus during the school day
74 by the school, a student association, or other school-sponsored
75 organization;
- 76 ● At school activities such as special fundraisers, achievement rewards,
77 classroom parties, school celebrations, classroom snacks, or school
78 meetings held on the school campus during the school day; or
- 79 ● In culinary education programs where food prepared as part of the
80 educational curriculum is sold to students; however, this provision does
81 not apply if food is sold to adults only.
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83 This term does not apply to food a student brings from home for consumption at
84 school or items available for sale to adults only in areas not accessible to students
85 (e.g., teacher’s lounges).
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87 **"Excess food"** means any remaining unexpired, unopened, and unconsumed food
88 intended to be served as part of a reimbursable meal that was unable to be utilized
89 for a current or future meal provision after a school has served breakfast and lunch
90 to students during a school day.
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92 **"Fundraiser"** means a school-sponsored activity where food or nonfood items are
93 sold on the school campus during regular school hours by a school-sponsored
94 organization to raise money for a school-related program or activity. One
95 fundraiser is defined as one or more fundraising activities by one or more school-
96 sponsored organizations that last one school day. If multiple school-sponsored
97 organizations conduct fundraisers on the same day, the combined activities are
98 counted as one fundraiser. If a fundraising activity lasts more than one school day,
99 each subsequent day's activity is considered as one fundraiser and counts toward
100 the total number of permitted fundraisers.

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102 **"School campus"** means all areas of the property under the jurisdiction of the
103 school that are accessible to students during the school day.

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105 **"School day"** means the period from the midnight before to 30 minutes after the
106 end of the official school day.

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108 B. Excess Food

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110 The Office of School Nutrition Services establishes procedures by which excess
111 food may be distributed, saved for later consumption, or donated.

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113 C. Competitive Food

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115 ACPS does not limit the frequency of "competitive food" sales (fundraising food
116 sales) when they meet the nutrition standards specified by the Healthy, Hunger-
117 Free Kids Act of 2010 and the USDA's Smart Snacks in School standards.

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119 D. School Sponsored Fundraisers: During School

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121 In accordance with Policy JL, all fundraisers must be approved in advance by the
122 school principal. All competitive food sold to students on the school campus
123 during the school day must meet the nutrition standards specified by federal and
124 state law and regulation.

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126 **Exception:** In accordance with the Virginia Board of Education's (VBOE)
127 *Resolution to Establish and Define Exemptions for School-Sponsored*
128 *Fundraisers*, each school may conduct the following number of school-sponsored
129 fundraisers during the school day per school year, during which food that does not
130 meet the nutrition guidelines for competitive foods may be available for sale to
131 students.

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133 • **Elementary Schools: two (2) per school year**
134 • **Secondary Schools: one (1) per organization, not to exceed thirty (30)**
135 **total per school per school year**
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137 As outlined in VBOE regulations, such fundraisers may not be held during
138 breakfast or lunch periods.

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140 E. After-School Fundraisers

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142 After the school day, the School Board grants schools the authority to decide what
143 can be sold at these events when they are outside school hours, and permits
144 exceptions for fundraisers when foods are not intended for consumption on school
145 campus, as long as food safety handling and storage guidelines are followed.

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147 F. Advertising and Marketing

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149 ACPS permits the marketing and advertising of foods only when they meet the
150 nutrition guidelines for competitive foods, serve to promote student health, reduce
151 and prevent childhood obesity, and combat problems associated with poor
152 nutrition and physical inactivity.

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154 G. Recordkeeping

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156 ACPS is responsible for maintaining records that document compliance with this
157 policy. Those records include documentation used to assess the nutritional profile
158 of food items and determine whether a food item is an allowable competitive food,
159 such as recipes, nutrition labels and/or product specifications for the competitive
160 food available for sale to students.

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162 For food items sold during the school day that are not part of a fundraiser
163 exemption approved by the principal, ACPS is also responsible for:

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- 166 ● Maintaining records documenting compliance with the competitive food
167 nutrition standards (for food available for sale in areas that are outside of the
168 control of the school nutrition programs operations);
 - 169 ● Ensuring any organization or school activity designated as responsible for food
170 service at the various venues in the school, other than the school nutrition
171 programs, maintains records documenting compliance with the competitive
172 food nutrition standards;
 - 173 ● Maintaining records each school year documenting the number of exempt
174 fundraisers, if any, conducted at each school within the division; and
 - 175 ● Designating an individual at the division or school level to monitor and ensure
176 compliance with Section I. of this regulation in all areas that are outside the
177 control of the school nutrition programs operation. The designee may not be a
178 school nutrition staff member.

179 **II. UNPAID MEAL CHARGES**

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181 ACPS believes in treating all students with dignity in the serving line regarding meal
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- Students who do not have money on account or in hand to cover the cost of a meal at the time of service are permitted to charge a full meal. (Federal regulations, however, do not allow a la carte items to be charged.) Reasonable efforts are used to avoid calling attention to a student’s inability to pay.
- Students who cannot pay for a meal at school or who owe a school meal debt are not required or directed to throw away or discard a meal after it has been served to them. They are never required to do chores or other work to pay for such a meal or to settle any unpaid meal charges, and will not be publicly identified by wearing a wristband, hand stamp, sticker, or in any other way if they cannot pay for a meal or have an unpaid meal charge. Students who have money in hand to pay for a meal will be provided one even if they have a negative account balance. The money will not be applied toward reducing the balance.

A. Notification

Staff will not communicate directly to students regarding their school meal debt.

School Nutrition Services (SNS) will notify the principal weekly of any student with more than \$30 in unpaid meal charges. For students with a negative account balance of more than \$30, the principal’s designee will notify the parent/guardian weekly by US Mail in the parent’s/guardian’s preferred language. Written notifications will include the amount of unpaid meal charges and information on replenishing the student’s meal accounts, as well as contact information for assistance registering for free and reduced meal benefits. In addition, the principal will designate a member of the school support team to schedule a meeting with the parent/guardian to determine whether the student qualifies for free and reduced meal benefits. If outreach efforts are unsuccessful, further action may be taken to support the student receiving the appropriate services and ensure meal debts are paid.

ACPS’ goal is to ensure the safety of all students. Therefore, ACPS may notify the Department of Social Services of suspected cases of child neglect.

B. Delinquent Accounts

For accounting purposes, delinquent debt (a student meal account with a negative balance) is allowable in the school nutrition program and may be carried over while the student is enrolled in ACPS. However, bad debt, defined as delinquent debt that is deemed uncollectible after the student is no longer enrolled in ACPS, is unallowable in the school nutrition program and cannot be carried over to the next school year.

227 The Superintendent ensures that federal child nutrition funds are not used to offset
228 the cost of unpaid meals and that the child nutrition program is reimbursed for bad
229 debt. In order to accomplish this, the following procedures are followed:

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- 231 ● Parents/guardians are expected to pay all meal charges in full by the last day
232 of the school year.
- 233 ● If payment of the negative balance is not received by the end of the school
234 year, the debt may be turned over to the Superintendent or designee for
235 collection. If the debt is not paid by the time the student leaves ACPS, it is
236 considered bad debt for the purposes of federal law concerning unpaid meal
237 charges.
- 238 ● ACPS does not file lawsuits against a student or the student's
239 parent/guardian because the student cannot pay for a meal at school or owes
240 a school debt.

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242 ACPS may solicit and receive any donation or other funds for the purpose of
243 eliminating or offsetting any school meal debt at any time and will use any such
244 funds solely for such purpose.

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246 C. Account Balance Refunds

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248 Throughout the school year, parents/guardians may request the transfer or refund
249 of positive student meal account balances by contacting the Nutrition Services
250 school manager. On June 30th of each year, accounts for all graduating seniors, as
251 well as for students no longer enrolled in ACPS, will be deemed inactive.
252 Parents/guardians have up to one year (the following June 30th) to request a
253 transfer or refund of the balance by contacting School Nutrition Services. After
254 one year, the Department of Financial Services may treat remaining account
255 balances as a donation to the Nutrition Services General Fund.

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257 D. Policy Communication

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259 This meal charge policy is communicated to all students and parents/guardians by:

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- 261 ● Posting it on the ACPS website;
- 262 ● Including it in the student welcome packet at the beginning of each school year
263 and to all transfer students during the school year;
- 264 ● Attaching it to the Free and Reduced Meal Benefits Application; and
- 265 ● Including it with online payment system information materials.

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267 In addition, this policy will be communicated to all staff prior to the first day of
268 school. The Department of Nutrition Services documents its methods of
269 communicating the policy to households and its training of staff responsible for its
270 enforcement.

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272 Established: June 22, 2017

273 Revised: March 7, 2019
274 Revised: December 16, 2021
275 Amended: January 5, 2023
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277 Legal Refs: 42 U.S.C. §§ 1758, 1772, 1773.
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279 7 C.F.R. §§ 210.9, 210.11, 220.20, 245.5, 245.8.
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281 U.S. Department of Agriculture, SP 23-2017 *Unpaid Meal Charges: Guidance*
282 *and Q&A*, March 23, 2017.
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284 U.S. Department of Agriculture, SP 47-2016, *Unpaid Meal Charges:*
285 *Clarification on Collection of Delinquent Meal Payments*, July 8, 2016.
286
287 Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-79.7, § 22.1-207.2:1,
288 22.1-207.2:2, 22.1-207.3, 22.1-207.4, 22.1-207:4.1, 63.2-1509.
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290 8 VAC 20-740-10.
291 8 VAC 20-740-30.
292 8 VAC 20-740-35.
293 8 VAC 20-740-40.
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295 Cross Refs: EF Food Service Management
296 EFB/JHCH ACPS Food Services
297 EFE Food Service Records and Reports
298 GAE Child Abuse and Neglect Reporting
299 IGAE/IGAF Health Education/Physical Education
300 JHCF Student Wellness
301 JHCF-R Student Wellness Guidelines
302 JHCF-R2 Food Allergy Guidelines
303 JL Fundraising and Solicitation
304 KG Public Sales on School Property
305 KH Public Donations to the Schools
306 KH-R Regulations for Public Donations to the Schools
307 KJ Advertising in the Schools
308 KQ Commercial, Promotional, and Corporate Sponsorships and
309 Partnerships