

**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 as incentives and rewards for good behavior or academic performance. Food items such as candy, cakes, soda, and foods high in fat should not be used as incentives and/or rewards.

**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.

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**I. NUTRITIONAL GUIDELINES**

Meals and snacks offered as part of the National School Lunch Program or the School Breakfast Program meet, at a minimum, the requirements established by state and federal law and regulation, including 8 VAC 20-740-10 through 8 VAC 20-740-40.

Competitive foods, as defined in this regulation, comply with state and federal requirements.

Potable water is available and accessible without restriction to students at no charge during school meal services.

**A. Definitions**

**“Competitive food”** means all food and beverages (other than meals reimbursed under programs authorized by the National School Lunch Act and the Child Nutrition Act of 1966) available for sale to students on the school campus during the school day. Competitive food meets the nutrient guidelines established by the Board of Education, including the guidelines for calories, fat, sugar and sodium. It includes all foods available for sale to students:

- In school cafeterias as a la carte items;
- In vending machines located on the school campus during the school day;
- As fundraisers held on the school campus during the school day;
- In school snack bars on the school campus during the school day;
- In school stores operated on the school campus during the school day by the school, a student association, or other school-sponsored organization;
- At school activities such as special fundraisers, achievement rewards, classroom parties, school celebrations, classroom snacks, or school meetings held on the school campus during the school day; or
- In culinary education programs where food prepared as part of the educational curriculum is sold to students; however, this provision does not apply if food is sold to adults only.

This term does not apply to food a student brings from home for consumption at school or items available for sale to adults only in areas not accessible to students (e.g., teacher’s lounges).

**"Excess food"** means any remaining unexpired, unopened, and unconsumed food intended to be served as part of a reimbursable meal that was unable to be utilized for a current or future meal provision after a school has served breakfast and lunch to students during a school day.

93 **"Fundraiser"** means a school-sponsored activity where food or nonfood items are  
94 sold on the school campus during regular school hours by a school-sponsored  
95 organization to raise money for a school-related program or activity. One  
96 fundraiser is defined as one or more fundraising activities by one or more school-  
97 sponsored organizations that last one school day. If multiple school-sponsored  
98 organizations conduct fundraisers on the same day, the combined activities are  
99 counted as one fundraiser. If a fundraising activity lasts more than one school day,  
100 each subsequent day's activity is considered as one fundraiser and counts toward  
101 the total number of permitted fundraisers.

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

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

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109 B. Excess Food

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

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114 C. Competitive Food

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

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120 D. School Sponsored Fundraisers: During School

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

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

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

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141 E. After-School Fundraisers

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143 After the school day (as defined in the Definitions section of this document), the  
144 School Board grants schools the authority to decide what can be sold at these events  
145 when they are outside school hours and permits exceptions for fundraisers when  
146 foods are not intended for consumption on school campus, as long as food safety  
147 handling and storage guidelines are followed.

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149 F. Advertising and Marketing

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

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156 G. Recordkeeping

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

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

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

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186 ACPS believes in treating all students with dignity in the serving line regarding meal  
187 accounts.

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- 189 ● Students who do not have money on account or in hand to cover the cost of a
- 190 meal at the time of service are permitted to charge a full meal. (Federal
- 191 regulations, however, do not allow a la carte items to be charged.) Reasonable
- 192 efforts are used to avoid calling attention to a student’s inability to pay.
- 193 ● Students who cannot pay for a meal at school or who owe a school meal debt
- 194 are not required or directed to throw away or discard a meal after it has been
- 195 served to them. They are never required to do chores or other work to pay for
- 196 such a meal or to settle any unpaid meal charges, and will not be publicly
- 197 identified by wearing a wristband, hand stamp, sticker, or in any other way if
- 198 they cannot pay for a meal or have an unpaid meal charge. Students who have
- 199 money in hand to pay for a meal will be provided one even if they have a
- 200 negative account balance. The money will not be applied toward reducing the
- 201 balance.
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203 A. Notification

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

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207 For students with a negative account balance of more than \$30, School Nutrition  
208 Services (SNS) will notify the parent/guardian weekly by US Mail in the  
209 parent’s/guardian’s preferred language. Written notifications will include the  
210 amount of unpaid meal charges and information on replenishing the student’s meal  
211 accounts, as well as contact information for assistance registering for free and  
212 reduced meal benefits.

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214 SNS will make school principals aware of students with more than \$30 in unpaid  
215 meal charges. The principal will designate a member of the school support team to  
216 schedule a meeting with the parent/guardian to determine whether the student  
217 qualifies for free and reduced meal benefits. If outreach efforts are unsuccessful,  
218 further action may be taken to support the student receiving the appropriate services  
219 and ensure meal debts are paid.

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

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224 B. Delinquent Accounts

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226 For accounting purposes, delinquent debt (a student meal account with a negative  
227 balance) is allowable in the school nutrition program and may be carried over while  
228 the student is enrolled in ACPS. However, bad debt, defined as delinquent debt  
229 that is deemed uncollectible after the student is no longer enrolled in ACPS, is

230 unallowable in the school nutrition program and cannot be carried over to the next  
231 school year.

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

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

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

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252 C. Account Balance Refunds

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

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263 D. Policy Communication

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

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

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273 In addition, this policy will be communicated to all staff prior to the first day of  
274 school. The Department of Nutrition Services documents its methods of

275 communicating the policy to households and its training of staff responsible for its  
 276 enforcement.  
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278 Established: June 22, 2017  
 279 Revised: March 7, 2019  
 280 Revised: December 16, 2021  
 281 Amended: January 5, 2023  
 282 Amended: November 2, 2023  
 283

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