

**FOOD SERVICE OPERATIONS/CAFETERIA FUND**

The Governing Board intends that, ~~insofar as possible,~~ school food services shall be a self-supporting, nonprofit program. To ~~increase~~ **ensure program quality and** cost effectiveness, the Superintendent or designee shall centralize and direct the purchasing of food and supplies, the planning of menus, and the auditing of all food service accounts for the district.

**The Superintendent or designee shall ensure that food service director(s) possess the qualifications required by 7 CFR 210.30 and California Department of Education (CDE) standards.**

**At least once each year, food service administrators, other appropriate personnel who conduct or oversee administrative procedures, and other food service personnel shall receive training provided by CDE. (42 USC 1776)**

**Meal Sales**

**Any student who requests a meal shall be served a nutritionally adequate breakfast and lunch free of charge, each school day. (Education Code 49501.5)**

**As permitted by law, additional or second meals, adult meals, and other nonprogram foods, such as smart snack compliant food and beverages sold in vending machines, may be sold to students. (Education Code 38082, 49501.5)**

Meals may be sold to ~~students,~~ district employees, Board members, and employees. ~~or members of the fund or association maintaining the cafeteria.~~ (Education Code 38082)

~~In addition, meals may be sold to other individuals and organizations that are on campus during meal times for a legitimate purpose, such as classroom volunteers, parents/guardians, or student siblings.~~

~~The Superintendent or designee shall recommend meal prices for students and nonstudents for approval by the Board. Students who are enrolled in the free or reduced-price meal programs shall receive meals free of charge or at a reduced price in accordance with law, Board policy, and administrative regulation.~~

Any meals served to nonstudents shall not be subsidized by federal or state reimbursements, food service revenues, or U.S. Department of Agriculture (USDA) foods commodities.

**Meal prices, as recommended by the Superintendent or designee and approved by the Board, shall be based on the cost of providing food services and consistent with Education Code 38084 and 42 USC 1760.**

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The Superintendent or designee shall establish strategies and procedures for the collection of meal payments. Such procedures shall conform with 2 CFR 200.426 and any applicable CDE guidance. The Superintendent or designee shall clearly communicate these procedures to students and parents/guardians and shall make this policy and the accompanying administrative regulation available to the public pursuant to Education Code 49557.5.

~~Program financial reports shall be presented regularly to the Board.~~

### Cafeteria Fund and Account

The Superintendent or designee shall establish a cafeteria fund independent of the district's general fund.

The Superintendent or designee shall ensure that the state and federal funds provided through school meal programs are allocated only for purposes related to the operation or improvement of food services and for reasonable and necessary indirect program costs as allowed by law.

The wages, salaries, and benefits of food service employees shall be paid from the cafeteria fund. (Education Code 38103)

### Contracts with Outside Services/~~Providers~~

With Board approval, the district may enter into a contract for **food service consulting services or management services in one or more district schools.** ~~management consulting services related to food service.~~ (Education Code 45103.5; 42 USC 1758; 7 CFR 210.16)

### Procurement of Foods, Equipment and Supplies

To the maximum extent practicable, foods purchased for use in school meals by the district or by any entity purchasing on its behalf shall be domestic commodities or products. Domestic commodity or product means an agricultural commodity that is produced in the United States and a food product that is processed in the United States substantially using agricultural commodities that are produced in the United States. (42 USC 1760; 7 CFR 210.21)

When soliciting for bids and contracts for the purchase of an agricultural food product, the district shall specify in the solicitation that only the purchase of agricultural food products grown, packed, or processed domestically is authorized, unless a specific exception applies. A nondomestic food product may be purchased for use in the district's food service program only as a last resort when the product is not produced or manufactured in the United States in sufficient and reasonably

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available quantities of a satisfactory quality, the quality of the domestic product is inferior to the quality of the nondomestic product, or the bid price of the nondomestic product is more than 25 percent lower than the bid or price of the domestic product. In such cases, the Superintendent or designee shall retain documentation justifying the use of the exception for three years from the date of purchase. (Food and Agriculture Code 58596.3)

Furthermore, the district shall accept a bid or price for an agricultural food product grown in California before accepting a bid price for a domestic agricultural food product that is grown outside of the state, if the quality of the California-grown product is comparable and the bid or price does not exceed the lowest bid or price for domestic product produced outside the state. (Food and Agriculture Code 58595)

Bid solicitations and awards for purchases of equipment, materials, or supplies in support of the district's child nutrition program, or for contracts awarded pursuant to Public Contract Code 2000, shall be consistent with the federal procurement standards in 2 CFR 200.318-200.326. Awards shall be let to the most responsive and responsible party. Price shall be the primary consideration, but not the only determining factor, in making such an award. (Public Contract Code 20111)

**Program Monitoring and Evaluation**

The Superintendent or designee shall present to the Board, at least annually, financial reports regarding revenues and expenditures related to the food service program.

The Superintendent or designee shall provide all necessary documentation required for the Administrative Review conducted by CDE to ensure compliance of the district's food service program with federal requirements.

**Legal Reference:**

**CALIFORNIA CODE OF REGULATIONS, TITLE 5:**

15550 School Lunch and breakfast programs

**CALIFORNIA CODE OF REGULATIONS, TITLE 12:**

18928 Short-lived climate pollutants

**EDUCATION CODE:**

38080-38085 Cafeterias; establishment and use

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38090-38095	Cafeterias; funds and accounts
38100-38103	Cafeterias; allocation of charges
42646	Alternate payroll procedure
45103.5	Contracts for management consulting services; restrictions
49490-49493	School breakfast and lunch programs
49500-49505	School meals
<b>49550-49564.5</b>	<b>Meals for needy students</b>
<b>49554</b>	<b>Contract for Services</b>

**FOOD AND AGRICULTURE CODE:**

<b>58595</b>	<b>Preference for California-grown agricultural products</b>
<b>58596.1-58596.5</b>	<b>Buy American Food Act; purchase of nondomestic agricultural food products</b>

**HEALTH AND SAFETY CODE:**

113700-114437	California Retail Food Code; <b>sanitation and safety requirements</b>
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**PUBLIC CONTRACT CODE:**

<b>2000-2002</b>	<b>Responsive bidders</b>
<b>20111</b>	<b>Contracts over \$50,000; contracts for construction; award to lowest responsible bidder</b>
<b>3410</b>	<b>U.S. produce and processed foods</b>

**CODE OF FEDERAL REGULATIONS, TITLE 2:**

<b>200</b>	<b>Appendix VII Indirect cost proposals</b>
<b>200.318-200.326</b>	<b>Procurement standards</b>
<b>200.400-200.475</b>	<b>Cost Principles</b>

**UNITED STATES CODE, TITLE 42:**

1751-1769hj	School Lunch Program
1771-17943	Child Nutrition Act, including:
1773	School Breakfast Program

**CODE OF FEDERAL REGULATIONS, TITLE 7:**

210.1-210.343	National School Lunch Program
220.1-220.21	National School Breakfast Program

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245.8                      **Nondiscrimination practices for students eligible for  
free and reduced-price meal and free milk**  
250.1-250.70            **USDA foods**

**Management Resources:**

~~CALIFORNIA DEPARTMENT OF EDUCATION MANAGEMENT ADVISORIES~~

~~0701.00 Adult and Sibling Meals in the National School Lunch and School Breakfast  
Programs, No. 00-111~~

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California School Accounting Manual  
**Food Service Management Company Contract Preapproval**  
**Unpaid Meal Charges**  
**Excess Net Cash Resources**  
**Pricing of Adult Meals in the National School Breakfast and Lunch  
Programs**  
**Procuring and Monitoring of Food Service management Contracts**  
**Storage and Inventory Management of USDA Foods**  
**Cafeteria Funds-Allowable Uses**

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES PUBLICATION

**Food Distribution Program Administrative Manual**

UNITED STATES DEPARTMENT OF AGRICULTURE PUBLICATIONS

**Buy American and the Agricultural Improvement Act of 2018**  
**Procuring Local Foods for Child Nutrition Programs**  
**Unpaid Meal Charges: Local Meal Charge Policies**  
**Compliance and Enforcement of the Buy American Provision in the NSLP**  
**Discretionary Elimination of Reduced-Price Charges in School Meal  
Programs**  
**Indirect Costs: Guidance for State Agencies and School Food Authorities**  
**School Meals: FAQs**

WEB SITES

California Department of Education, Nutrition Services Division:  
<https://www.cde.ca.gov/ls/nu>

**California Department of Education, Accounting:**

TUSD Adopted: 06/96  
TUSD Revised: 03/01, 11/07, 11/18/08

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<https://www.cde.ca.gov/fg/ac>

**CSBA District and County Office of Education Legal Services:**

<https://legalservices.csba.org>

California School Nutrition Association:

<http://www.calsna.org>

**CalRecycle, Resources for Local Education Agencies:**

<https://calrecycle.ca.gov/organics/slep/schools>

U.S. Department of Agriculture, Food and Nutrition Service:

<http://www.fns.usda.gov/cnd>

(6/96 3/01) 11/07

Board Adopted: ~~11/18/2008~~

**FOOD SERVICE OPERATIONS/CAFETERIA FUND**A. Purpose and Scope

~~Meals shall be sold to students, district employees, Board members, and individuals and organizations that are on campus during meal times for a legitimate purpose, such as classroom volunteers, parents/guardians, or student siblings.~~

B. General

~~With the exception of students who are eligible to receive meals at no cost, students or their parents/guardians may pay on a per-meal basis or may submit payments in advance. The Superintendent or designee shall maintain an account indicating payments received from each student or his/her parents/guardians for the purchase of school meals, and the expenditures charged for food items purchased.~~

~~These account balances shall be made available online to students and parents/guardians, or account balances may be obtained by contacting the Food Services Department.~~

C. Forms Used and Additional References

N/A

D. Procedure

~~All money received should be entered into the accounting program and a change fund should be established. The daily receipts should be deposited intact. Each site is issued starting cash to establish the change fund. At the end of the year, the starting cash is returned to the Food Service Office for deposit. Change should never be made by withholding a portion of the previous day's cash receipts.~~

~~California sales tax is applicable to all cafeteria adult sales and sales to pupils that are identified as the "Snack Tax" effective July 1991. It is suggested that the gross daily sales, including sales tax collections, be credited to the appropriate income account in the Cash Receipts Journal. Sales tax will be identified as an accounts payable entry.~~

~~Claims for reimbursement are to be prepared from the daily records of meals served in accordance with instructions provided and within the required timelines.~~

Inventories

~~Separate inventories of cafeteria food and supplies are taken at the end of each month on inventory forms which provide information relating to description, quantity, cost per unit and total cost, date of inventory and signature of the person recording the inventory. Detailed inventory information is needed for financial accounting and for review by the Child Nutrition Division of the Department of Education.~~

~~Inventory control should assure that information is available to personnel responsible for purchasing. This is done so orders for replenishing the supply of required items are placed promptly.~~

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TUSD Revised:

**FOOD SERVICE OPERATIONS/CAFETERIA FUND**

~~The number of different items and quantities stored may be great enough to require a continuous record of the inventory of food supplies. This is accomplished through an inventory software program.~~

~~Adequate, secure storage facilities should be provided to permit advantageous purchase in quantity and to protect supplies against theft.~~

**Food Storage Provisions**

~~Storage of food and supplies shall be done so as to prevent waste, spoilage or pilferage. The issuance of food and supplies shall be restricted to purposes of the food services program and school organizations.~~

**Charge Policy**

~~For students in the Kindergarten through fifth grades, if the account balance is insufficient to cover the cost of a purchase, the student will be allowed to charge one lunch. After one charge the student will receive an alternate lunch, which consists of one twin-pack of crackers, one ounce of cheese, milk, and one piece of fruit or a vegetable choice. Breakfast cannot be charged and there is no alternate for breakfast.~~

~~Students in sixth grade through twelfth grades are not allowed to charge for food items. Students can "earn" a lunch by assisting in the meal service or cleanup. Students assisting will receive the same meal that is being served on that day. The meal will be entered as an earned meal and their account will not be debited.~~

~~Students qualified and approved for reduced meal benefits that exceed the credit will be provided a lunch, in accordance with CDE Bulletin #USDA-SNP-01-2008 and Education Code 49550.~~

**Payments for Meals**

**The Superintendent or designee shall maintain a system for accurately recording payments received and tracking meals provided to each student.**

**At the beginning of the school year, the Superintendent or designee shall communicate the district's meal payment policies through multiple methods, including, but not limited to:**

- 1. Explaining the meal charge policy within registration materials provided to parents/guardians at the start of the school year**
- 2. Including the policy in print versions of student handbooks, if provided to parents/guardians annually**
- 3. Providing the policy whenever parents/guardians are notified regarding the application process for free and reduced-price meals, such as in the distribution of eligibility forms at the start of the school year**
- 4. Posting the policy on the district's website**

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**Reimbursement Claims**

The Superintendent or designee shall maintain records of the number of meals served each day by school site and by category of free and reduced-price meals. The Superintendent or designee shall submit reimbursement claims for school meals to the California Department of Education (CDE) using the online Child Nutrition Information and Payment System.

**Donation of Leftover Food**

The District shall take steps to minimize food waste and reduce food insecurity in district schools. (Health and Safety Code 114079)

The Superintendent or designee shall arrange to recover the maximum amount of edible food that would otherwise be disposed for donation to a local food recovery organization. (14 CCR 18991.3)

Food that may be donated includes prepackaged, non-potentially hazardous food with the packaging still intact and in good condition, whole uncut produce that complies with Health and Safety Code 113992, unopened bags of sliced fruit, unopened containers of milk that are immediately stored in a cooling bin maintained at 41 degrees Fahrenheit or below, and perishable prepackaged food if it is placed in a proper temperature-controlled environment. The preparation, safety, and donation of food shall be consistent with Health and Safety Code 113980. (Health and Safety Code 114079)

**Cafeteria Fund and Account**

All proceeds from food sales and other services offered by the cafeteria shall be deposited in the cafeteria fund as provided by law. (Education Code 38090, 38093)

~~The income and expenditures of any cafeteria revolving account established by the Governing Board shall be recorded as income and expenditures of the cafeteria fund.~~

The cafeteria fund shall be used only for **those expenditures authorized by the governing Board as authorized expenditures** necessary for the operation of school cafeterias ~~as defined in accordance with Education Code 38100-38103, 2 CFR Part 200 Appendix VII and the California School Accounting Manual. or appropriately reported to the California Department of Education. (Education Code 38091, 38101)~~

**The district may use cafeteria funds to supplement the provision of a nutritionally adequate breakfast and/or lunch to district students when permitted by law.**

Any charges to, or transfers from, a food service program shall be dated and accompanied by a written explanation of ~~expenditure's~~ **the purpose of and basis for the expenditure.** (Education Code 38101)

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Indirect costs charged to the food service program shall be based on either the district's prior year indirect cost rate as approved by CDE or the statewide average approved indirect cost rate for the second prior fiscal year, whichever is less. (Education Code 38101)

Net cash resources in the nonprofit school food service shall not exceed six months' average expenditures. (7 CFR 210.14, 220.7)

**U.S. Department of Agriculture Foods**

The district shall provide facilities for the storage and control of foods received through the U.S. Department of Agriculture (USDA) that protect against theft, spoilage, damage, or other loss. Such storage facilities shall maintain donated foods in sanitary conditions, at the proper temperature and humidity, and with adequate air circulation. The district shall comply with all federal, state, or local requirements related to food safety and health and procedures for responding to a food recall, as applicable, and shall obtain all required health inspections. (7 CFR 250.14) The Superintendent or designee shall maintain inventories of USDA foods in accordance with 7 CFR 250.59 and CDE procedures and shall ensure that foods are used before their expiration dates. USDA donated foods shall be used in school lunches as far as practicable. USDA foods also may be used in other nonprofit food service activities, including, but not limited to, school breakfasts or other meals, a la carte foods sold to students, meals served to adults directly involved in the operation and administration of the food service and to other school staff.

**Contracts with Outside Services/Providers**

The term of any contract for ~~management consulting services related to food services~~ shall not exceed one year. Any renewal of the contract or further requests for proposals to provide such services shall be considered on a year-to-year basis. (Education Code 45103.5; **7 CFR210.16**)

~~A contract for food service management consulting services shall not result in the supervision of food service classified staff by the management consultant, nor shall it result in the elimination of any food service classified staff or position or have any adverse effect on the wages, benefits, or other terms and conditions of employment of classified food service staff or positions. (Education Code 45103.5)~~

~~Health criteria established by the district for classified staff shall be applicable to all persons providing food service management consulting services. (Education Code 45103.5)~~

All persons providing consulting services shall be subject to applicable employment conditions related to health and safety as listed in Education Code 45103.5. (Education Code 45103.5)

**Site Administrator: Responsibilities and Duties**

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The site administrators shall be responsible for the conduct of pupils in the lunchroom, scheduling meal services so that they are available at the most advantageous times and necessary custodial services in the kitchen, serving and eating areas.

~~Board Acknowledged: 11/18/2008~~

### FREE AND REDUCED-PRICE MEALS

The Governing Board recognizes that adequate nutrition is essential to the development, health **and well-being**, and learning of all students. The Superintendent or designee shall facilitate and encourage the participation of students ~~from low-income families~~ in the district's food service program

~~(cf. 3551—Food Service Operations/Cafeteria Fund)—~~

~~(cf. 3552—Summer Meal Program)~~

~~(cf. 5030—Student Wellness)~~

~~(cf. 5148—Child Care and Development)—~~

~~(cf. 5148.2—Before/After School Programs)~~

~~(cf. 6177—Summer Learning Programs)~~

**Each school day**, ~~the~~ district shall provide, **free of charge**, a ~~at least one~~ nutritionally adequate **breakfast and lunch for any student who requests a meal**. ~~meal each school day, free of charge or a reduced price, for students whose families meet federal eligibility criteria.~~ (Education Code 49550 01.5, 49552)

**To provide optimal nutrition and ensure that schools receive maximum federal meal reimbursement**, the Superintendent or designee shall assess the eligibility of district schools to operate a federal universal meal service provision, such as Provision 2 or the Community Eligibility Provision, pursuant to 42 USC 1759a. The Superintendent or designee shall submit an application to operate a federal universal meal provision to the California Department of Education (CDE) on behalf of any district school that meets the definition of a “high poverty school.” (Education Code 49564.3)

The Superintendent or designee shall ensure that meals ~~provided through the free and reduced-price meals program~~ **served under the school nutrition program** meet applicable state and/or federal nutritional standards in accordance with law, Board policy, and administrative regulation. (cf. 3550—Food Service/Child Nutrition Program)

~~Schools participating in the Special Milk Program pursuant to 42 USC 1772 shall provide milk at no charge to students who meet federal eligibility criteria for free or reduced-price meals.~~

The Board shall approve, and shall submit to the California Department of Education for approval, a plan that ensures that students eligible to receive free or reduced-price meals ~~and milk~~ are not treated differently from other students **and that meets other requirements specified in** (Education Code 49557.)

~~(cf. 0410—Nondiscrimination in District Programs and Activities)—~~

~~(cf. 3555—Nutrition Program Compliance)~~

~~(cf. 5145.3—Nondiscrimination/Harassment)~~

### Confidentiality/Release of Records

All applications and records related to eligibility for the free ~~or~~ **and** reduced-price meals program shall be confidential and may not be released **disclosed** except as provided by law and authorized by the Board or pursuant to a court order. (Education Code 49558)

**FREE AND REDUCED-PRICE MEALS**

(cf. 5125—Student Records)

The Board authorizes designated employees to use ~~individual~~ records pertaining to **an individual** student's eligibility for ~~any~~ **the** free and reduced-price meal program for the following purposes:

of

1. Disaggregation of academic achievement data  
(cf. 6161.51—State Academic Achievement Tests)
2. Identification of students eligible for alternative supports in any school identified as a Title I program improvement school **services under the federal Elementary and Secondary Education Act pursuant to 20 USC 6301-6576**  
(cf. 0520.2—Title I Program Improvement Schools)  
(cf. 6171—Title I Programs)
3. Facilitation of targeted educational services and supports to individual students based on the local control accountability plan

If a student transfers from the district to another district, charter school, county office of education program, or private school, the Superintendent or designee may share the student's meal eligibility information to the other educational agency to assist ~~in the continuation of the student's meal benefits~~ **that other educational agency in ensuring that the student continues to receive school meals.**

The Superintendent or designee may release the name and eligibility status of a student participating in the free or reduced-price meal program to another school district, charter school, or county office of education that is serving a student living in the same household for purposes related to program eligibility and data used in local control funding formula (**LCFF**) calculations. (Education Code 49558)

The Superintendent or designee may release the name and eligibility status of a student participating in the free or reduced-price meal program to the Superintendent of Public Instruction for purposes of determining allocations under the local control funding formula (**LCFF**) and for assessing accountability of that funding. (Education Code 49558)

The Superintendent or designee may release information on the school lunch program application to the local agency that determines eligibility for participation in the Medi-Cal program if the student has been approved for free meals or, if included in the agreement with the local agency, for reduced-price meals. He/she also may release information on the school lunch application to the local agency that determines eligibility for CalFresh or another nutrition assistance program authorized under 7 CFR 210.1 if the student has been approved for free or reduced-price meals. Information may be released for these purposes only if the student's parent/guardian consents to the sharing of information and the district has entered into a memorandum of understanding with the local agency which, at a minimum, includes the roles and responsibilities of the district and local agency and the process for sharing the information. After sharing information with the local agency for purposes of determining eligibility for that program, no further information shall be shared unless otherwise authorized by law. (Education Code

**FREE AND REDUCED-PRICE MEALS**

49557.2, 49557.3, 49558)  
(cf. 5141.6—School Health Services)

**Legal Reference:**

CALIFORNIA CODE OF REGULATIONS, TITLE 5:

15510	Mandatory meals for needy students
15530-15535	Nutrition education
15550-15565	School lunch and breakfast programs

EDUCATION CODE:

48980	<del>Notice at beginning of term</del> <b>Parent/Guardian notifications</b>
49430-49434	Pupil Nutrition, Health, and Achievement Act of 2001
49490-49493	School breakfast and lunch programs
49500-49505	School meals
49501.5	California Universal Meals Program
49510-49520	Nutrition
49530-49536	Child Nutrition Act of 1974
49547-49548.3	Comprehensive nutrition services
49550-49562	Meals for needy students
<b>49564.3</b>	<b>High-poverty schools; universal meal service</b>

UNITED STATES CODE, TITLE 20:

1232g	Federal Educational Rights and Privacy Act (FERPA) of 1974
6301-65476	Title 1 Programs <b>Improving the Academic Achievement of the Disadvantaged</b>

UNITED STATES CODE, TITLE 42:

1751-1769j	School Lunch Program
1771-1791	Child nutrition-especially:
1773	School Breakfast Program

CODE OF FEDERAL REGULATIONS, TITLE 7:

210.1-210.343	National School Lunch Program
220.10-220.21	National School Breakfast Program
245.1-245.13	<del>Determination of e</del> Eligibility for free and reduced-price meals and free milk

**Management Resources:**

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATION

TUSD Adopted: 03.14.06  
TUSD Revised: 06.27.17

**FREE AND REDUCED-PRICE MEALS**

Clarification on the Sharing of Individual Student Eligibility Information for Local Control and Accountability Plan Purposes, Management Bulletin SNP-02-2018, May 2018

CSBA PUBLICATIONS

Monitoring for Success: A Guide for Assessing and Strengthening Student Wellness Policies, 2012

Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, 2012

~~CALIFORNIA DEPARTMENT OF EDUCATION MANAGEMENT BULLETINS~~

~~NSD SNP-12-2015 Updated Guidance on Sharing of School Meal Applications and the Passing of Assembly Bill 1599, July 2015~~

~~USDA SNP-07-2010 Change in Free and Reduced-Price Meal Application Approval Process, September 2010~~

~~Feed More Kids, Improve Program Participation~~

~~Direct Certification Implementation Checklist, May 2008~~

U.S. DEPARTMENT OF AGRICULTURE PUBLICATIONS

Eligibility Manual for School Meals: Determining and Verifying Eligibility, July 2015<sup>7</sup>

Provision 2 Guidance: National School Lunch and School Breakfast Programs, Summer 2002

WEBSITES

CSBA District and County Office of Education Legal Services

<https://legalservices.csba.org>

U.S. Department of Agriculture, Food and Nutrition Service

<http://www.fns.usda.gov/cnd>

**Nourish California**

<https://nourishca.org>

California Project LEAN (Leaders Encouraging Activity and Nutrition):

<http://www.californiaprojectlean.org>

California Department of Education, Nutrition Services Division

<https://www.cde.ca.gov/ls/nu>

CSBA

<https://www.csba.org>

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**FREE AND REDUCED-PRICE MEALS**

California Healthy Kids Resource Center: <http://www.californiahealthykids.org>

Board Adopted: ~~3/14/06~~ 6/2



**FREE AND REDUCED PRICE MEALS**~~**Free and Reduced Priced Meals**~~**Applications**

The Superintendent or designee shall ensure that the district's application form for free and reduced-price meals and related materials include the statements specified in Education Code 49557 and 7 CFR 245.5. The district's application packet shall include the notifications and information listed in Education Code 49557.2.

~~(cf. 3550—Food Service/Child Nutrition Program)  
(cf. 3551—Food Service Operations/Cafeteria Fund)  
(cf. 3552—Summer Meal Program)~~

The application form and related information shall be distributed in paper form to all parents/guardians **with children attending a school operating a meal program that requires meal application collection** at the beginning of each school year and shall be available to students at all times during the school day. (Education Code 48980, 49520; 42 USC 1758; 7 CFR 245.5)

~~(cf. 5145.6—Parental Notifications)~~

~~In addition, the district application form for free and reduced price meals shall be available online. The online application form shall require completion of only those questions necessary for determining eligibility, contain clear instructions for families that are homeless or migrant, and comply with other requirements specified in Education Code 49557.~~

An application form and related information shall also be provided whenever a new student is enrolled **in a school operating a meal program that requires meal application collection**.

At the beginning of each school year, the Superintendent or designee shall send a public release, containing the same information supplied to parents/guardians and including eligibility criteria, to local media, the local unemployment office, and any major employers in the district attendance area contemplating large layoffs. Copies of the public release shall be made available upon request to any interested person. (7 CFR 245.5)

**Eligibility**

The Superintendent or designee shall determine students' eligibility for the free and reduced-price meals program based on the criteria specified in 42 USC 1758 and 1773 and 7 CFR 245.1-245.13 and made available by the California Department of Education.

~~When authorized by law, p~~**Participants in other federal or state programs the CalFresh, California Work Opportunity and Responsibility to Kids (CalWORKS), and Medi-Cal programs shall** may be directly certified, ~~without further application,~~ for enrollment in the free and reduced-price meals program **without further application. Participants in other state or federal programs**

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**FREE AND REDUCED PRICE MEALS**

may be directly certified when authorized by law. (Education Code 49561, **49562**; 42 USC 1758; 7 CFR 245.6)

~~(cf. 6173 – Education for Homeless Children)~~  
~~(cf. 6173.1 – Education for Foster Youth)~~  
~~(cf. 6175 – Migrant Education Program)~~

**Verification of Eligibility**

Not later than November 15 of each year, the Superintendent or designee shall verify the eligibility of a sample of household applications approved for the school year in accordance with the sample sizes and procedures specified in 42 USC 1758 and 7 CFR 245.6a. (42 USC 1758; 7 CFR 245.6a)

If the review indicates that the initial eligibility determination is correct, the Superintendent or designee shall verify the approved household application. If the review indicates that the initial eligibility determination is incorrect, the Superintendent or designee shall: (42 USC 1758; 7 CFR 245.6a)

1. If the eligibility status changes from reduced price to free, make the increased benefits immediately available and notify the household of the change in benefits
2. If the eligibility status changes from free to reduced price, first verify the application, then notify the household of the correct eligibility status, and, when required by law, send a notice of adverse action as described below
3. If the eligibility status changes from free or reduced price to paid, send the household a notice of adverse action as described below

**If as a result of verification activities, the eligibility of a household that is receiving free or reduced-price benefits cannot be confirmed, any household is to receive a reduction or termination of benefits as a result of verification activities, or if the household fails to cooperate with verification efforts, the Superintendent or designee shall reduce or terminate benefits, as applicable, and shall properly document and retain on file in the district the reasons for the household's ineligibility. At least 10 days prior to the actual reduction or termination, He/she also the Superintendent or designee shall send a notice of adverse action to any the household. that is to receive a reduction or termination of benefits. Such notice shall be provided 10 days prior to the actual reduction or termination of benefits. The notice shall advise the household of:** (7 CFR 245.6a)

1. The change and the reasons for the change
2. The right to appeal, when the appeal must be filed to ensure continued benefits while awaiting a hearing and decision, and instructions on how to appeal

### FREE AND REDUCED PRICE MEALS

3. The right to reapply at any time during the school year

#### Confidentiality/Release of Records

The Superintendent designates the following district employee(s) to ~~use~~ **disclose a student's name and eligibility status from** individual meal records ~~pertaining to student participation in the free and reduced-price meals program~~ **only** for the purpose of disaggregation of academic achievement data **and/or** for identification of students who are eligible for alternative supports in a Title I program improvement school; ~~Director of Curriculum, Accountability & Continuous Improvement.~~ **the provision of services under the federal Elementary and Secondary Education Act pursuant to 20 USC 6301-6576.**

#### Advance Placement/International Baccalaureate Testing Coordinator

In using permitting the disclosure of student ~~the~~ records for such purposes, the Superintendent or designee shall ensure that:

1. No individual indicators of participation in the free and reduced-price meals program are maintained in the permanent records of any student if not otherwise allowed by law. (~~ef. 5125—Student Records~~)
2. Information regarding individual student participation in the free and reduced-price meals program is not publicly released. (~~ef. 4119.23/4219.23/4319.23—Unauthorized Release of Confidential/Privileged Information~~)
3. All other confidentiality provisions required by law are met.
4. Information collected regarding individual students certified to participate in the free and reduced-price meals program is destroyed when no longer needed for its intended purpose. (~~Education Code 49558~~)

#### Nondiscrimination Plan

**In implementing ~~t~~the district's plan food service programs for students who are eligible to receive ~~receiving~~ free or reduced-price meals, the district shall ensure the following:** (Education Code 49557; 42 USC 1758)

1. The names of the students shall not be published, posted, or announced in any manner, or used for any purpose other than the National School Lunch and School Breakfast Programs, unless otherwise provided by law.
2. There shall be no overt identification of any of the students by the use of special tokens or tickets or by any other means.
3. The students shall not be required to work for their meals ~~or for milk~~.

**FREE AND REDUCED PRICE MEALS**

4. The students shall not be required to use a separate dining area, go through a separate serving line or entrance, or consume their meals ~~or milk~~ at a different time.

~~(cf. 0410—Nondiscrimination in District Programs and Activities)-  
(cf. 3555—Nutrition Program Compliance)~~

~~When more than one lunch, breakfast, or type of milk is offered, the students shall have the same choice of meals or milk as is available to those students who pay the full price.  
(Education Code 49557; 7 CFR 245.8)~~

**Prices**

~~The maximum price that shall be charged to eligible students for reduced-price meals shall be 40 cents for lunch and 30 cents for breakfast. (42 USC 1758, 1773)~~

Board Adopted: March 14, 2006 6/27/17