

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 in the district's food service program.

Each school day, the district shall make available, free of charge, one nutritionally adequate breakfast and one nutritionally adequate lunch for any student who requests a meal. (Education Code 49501.5)

After a student has been provided a school meal at no cost, the district may sell the student the entrée from an additional nutritiously adequate meal that qualifies for federal reimbursement, from the same meal service. (Education Code 49431)

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 served under the school nutrition program meet applicable state and/or federal nutritional standards as specified in law and district adopted guidelines.

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

Confidentiality/Release of Records

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

The Board authorizes designated employees to use records pertaining to an individual student's eligibility for the free and reduced-price meal program for the following purposes: (Education Code 49558)

1. Disaggregation of academic achievement data
2. Identification of students eligible for services under the federal Elementary and Secondary Education Act pursuant to 20 USC 6301-6576
3. Facilitation of targeted educational services and supports to individual students based on the local control accountability plan

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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 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 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. The Superintendent or designee 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 49557.2, 49557.3, 49558)

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	Parent/Guardian notifications
49430-49434	Pupil Nutrition, Health, and Achievement Act of 2001
49490-49494	School breakfast and lunch programs
49500-49505	School meals

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49501.5-49506	California Universal Meals Program
49510-49520	Nutrition
49530-49536	Child Nutrition Act
49547-49548.3	Comprehensive nutrition services
49550.3-49562	Meals for needy students
49564.3	High-poverty schools; universal meal service

UNITED STATES CODE, TITLE 20:

1232g	Federal Educational Rights and Privacy Act (FERPA) of 1974
6301-6576	Title 1 Improving the Academic Achievement of the Disadvantaged

UNITED STATES CODE, TITLE 42:

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

CODE OF FEDERAL REGULATIONS, TITLE 7:

210.1-210.33	National School Lunch Program
220.10-220.21	National School Breakfast Program
245.1-245.13	Eligibility for free and reduced-price meals and free milk

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Clarification on the Sharing of Individual Student Eligibility Information for Local Control and Accountability Plan Purposes, Management Bulletin SNP-02-2018, May 2018
Updated Guidance on Sharing of School Meal Applications and the Passing of Assembly Bill 1599, Management Bulletin SNP-12-15, July 2015

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

U.S. DEPARTMENT OF AGRICULTURE PUBLICATIONS

Eligibility Manual for School Meals: Determining and Verifying Eligibility, July 2017
Provision 2 Guidance: National School Lunch and School Breakfast Programs, Summer 2002

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

CSBA:
<https://www.csba.org>