

All schools will participate in federal National Child Nutrition Programs and will receive commodities donated by the United States Department of Agriculture. All federal and state revenues will be accepted and applied to maximize the use of such funds for the purposes of providing nutritional meals to students at the lowest possible price. The superintendent or designee shall develop procedures as necessary to implement the operational standards established in this policy.

A. OPERATIONAL STANDARDS

The school nutrition services program will be operated in a manner consistent with board goals and board policy. The program also will be operated in compliance with all applicable state and federal law, including requirements of the National School Lunch Program and all federal guidelines established by the Child Nutrition Division of the United States Department of Agriculture. Specific legal requirements that must be met include, but are not limited to, the following.

1. School officials may not discriminate based on race, sex (including pregnancy, childbirth, sexual orientation, and gender identity), color, national origin, disability, age, or eligibility status for free and reduced price meals. School officials are also prohibited from retaliating against an individual for prior civil rights activity.
2. The school nutrition services program will meet safety and sanitation requirements established in local, state, and federal rules and guidelines for child nutrition services programs.
3. The child nutrition services program will have a written food safety program that includes a hazard analysis critical control point plan for each school.
4. Menu preparation, purchasing, and related record keeping will be consistent with applicable state and federal rules and guidelines.
5. Banking, financial record keeping, budgeting, and accounting will be conducted in accordance with generally accepted practices and procedures, as dictated by the School Budget and Fiscal Control Act and in accordance with state and federal guidelines.
6. Commodity foods donated by the United States Department of Agriculture will be used and accounted for in accordance with federal regulations.
7. Preference will be given in purchasing contracts to high-calcium foods and beverages, as defined in G.S. 115C-264.1 and to foods grown or raised within North Carolina

8. Child Nutrition Program (CNP) funds will be used only for the purposes authorized by law. Indirect costs, as defined by law, will not be assessed to the CNP unless the program has an operating balance of at least two months.
9. The price for meals will be determined in accordance with federal law.
10. Nonprogram foods will be priced to generate sufficient revenues to cover the cost of those items. A nonprogram food is defined as a food or beverage, other than a reimbursable meal or snack, that is sold at the school and is purchased using funds from the child nutrition account.
11. All school nutrition services will be operated on a non-profit basis for the benefit of the CNP. School nutrition services are those that are operated from 12:01 a.m. until the end of the last lunch period.
12. All income from the sale of food and beverages that is required by law or regulation to be retained by the CNP will be deposited to the CNP account and will be used only for the purposes of the school's non-profit lunch and breakfast programs. All funds from food and beverage sales not otherwise required by law to be deposited to the CNP account will be deposited into the proper school account in accordance with guidelines developed by the superintendent or designee.
13. All competitive foods sold on school campuses will meet federal and state standards for nutrient content.
14. All employees whose job duties include procurement activities involving CNP funds shall adhere to the conflict of interest rules and standards for ethical conduct established by the board in policies 8610, Ethics and the Purchasing Function, and 8685 Federal Grant Administration. Failure to comply with these requirements will result in disciplinary action.

B. MEAL CHARGES

Students who are required to pay for meals are expected to provide payment in a timely manner. The board recognizes, however, that students occasionally may forget or lose their meal money. In the event that any student enrolled in a non-CEP school is unable to pay for his or her meal on a particular day, the student may charge a reimbursable meal. ~~a middle or elementary school student is unable to pay for a meal on a particular day, the student may charge a reimbursable meal. A middle school student carrying a negative balance of the equivalent of two (2) paid lunches in a meal account will not be permitted to accrue additional charges until the negative balance drops below the equivalent of two (2) paid lunches. An elementary student carrying a negative balance of the equivalent of five (5) paid lunches in a meal account will not be permitted to accrue additional charges until the negative balance drops below the equivalent of five (5) paid lunches. There is no charging allowed in high school. Instead the student who has exceeded the respective grade level charge limits will be served a designated alternate meal provided at no cost to the~~

~~student. Appropriate modifications to the alternative meal will be made when required by the student's documented special dietary needs. To safeguard the dignity and confidentiality of students in the serving line, reasonable efforts must be used whenever possible to avoid calling attention to a student's inability to pay.~~

Regardless of a student's meal account balance or eligibility status, all students shall be offered the same reimbursable meal selections available through the School Nutrition program. No student shall be served an alternate meal or otherwise receive a different meal based on the student's ability to pay, meal account balance, or meal eligibility status.

The superintendent or designee shall establish administrative procedures for notifying parents or guardians when a student has accrued three (3) days of unpaid meal charges (breakfast and/or lunch) and for collecting unpaid meal charges in accordance with applicable federal and North Carolina law.

The ~~child~~ school nutrition director and principal shall work jointly to prevent meal charges from accumulating and shall make every effort to collect all funds due to the CNP child nutrition program on a regular basis and before the end of the school term. Notices of low or negative balances in a child's meal account will be sent to parents and guardians and the principal at regular intervals during the school year. If a parent or guardian regularly fails to provide meal money and does not qualify for free meal benefits, the child school nutrition director shall inform the principal, who shall determine the next course of action, which may include working with the parent or guardian to establish a long-term repayment plan ~~which may include notifying the department of social services of suspected child neglect and/or taking legal steps to recover the unpaid meal charges.~~ Efforts to recover unpaid meal charges should not have a negative impact on the students involved and instead should focus primarily on the adults in the household responsible for providing funds for meal purchases. The principal shall not take any punitive actions against ~~impose any administrative penalties on~~ a student for unpaid meal charges. Administrative penalties Prohibited punitive actions include requiring a student to work to pay off the debt, withholding a student's records, denying a student a diploma and prohibiting a student from participating in graduation, ~~and denying a student a diploma~~ class trips, or school-sponsored extracurricular activities or social events.

Parents and guardians are expected to pay all meal charges in full by the last day of each school year. Negative balances on student accounts will be carried forward to the following school year. However, the superintendent shall ensure that federal child nutrition funds are not used to offset the cost of unpaid meals and that the CNP is reimbursed for bad debt resulting from uncollected student meal charges prior to September 30 each year.

This policy and any applicable procedures regarding meal charges must be communicated to school administrators, school food service professional, parents and guardians, and students. Parents and guardians will receive a written copy of the meal charges policy and any applicable procedures at the start of each school year and at any time their child transfers into a new school during the school year.

Legal References: Child Nutrition Act of 1966, 42 U.S.C. 1771 *et seq.*; National School Lunch Act, 42 U.S.C. 1751 *et seq.*, 2 C.F.R. pt. 200; 7 C.F.R. pt. 210; 7 C.F.R. pt. 215; 7 C.F.R. pt. 220; United States Department of Agriculture Policy Memos SP 46-2016, 47-2016, and 23-2017, available at

https://www.fns.usda.gov/resources?f%5B0%5D=program%3A39&f%5B1%5D=resource_type%3A160&keywords=&page=1; G.S. 115C-47(7), -47(22), -263, -264, -264.1, -426, -450, -522; 147 art. 6E, art. 6G; 16 N.C.A.C. 6H .0104

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