

Policy EF: FOOD SERVICE MANAGEMENT

Status: DRAFT

Original Adopted Date: 10/14/1993 | Last Revised Date: 08/29/2019

23C UPDATE EXPLANATION

MSBA has updated this policy to align the nondiscrimination statement with what is now required by the U.S. Department of Agriculture for participation in the federal free and reduced-price lunch program and other federal school nutrition programs. Please note that MSBA has worked with state compliance auditors on this language to ensure that your district will meet the expectations of those who oversee the program.

In addition to aligning its policies and procedures, the district is also required to include the full, approved nondiscrimination statement on all print and nonprint materials about the district's nutrition program including, but not limited to, print, audio, video, websites, brochures and newsletters. If the size of the material is too small to include the full statement, the material must, at a minimum, include: "This institution is an equal opportunity provider."

The district is required to update the federal "And Justice for All" poster and include this nondiscrimination language in other media the district distributes, including documents and the district's website. Sample notices in several languages and posters can be found at <https://www.usda.gov/oascr/and-justice-all>.

The food service program provided by the school district is designed to provide nutritious school meals, snacks and milk to district students in accordance with law. The food service program operates as an integral part of the total school program and contributes to the district's efforts to improve student achievement.

The superintendent or designee, in cooperation with the food service director, is charged with implementing board policy as it pertains to the school food service program and making recommendations to the board about the program and food service personnel. Food service personnel in the schools will be directly responsible to the food service director.

The school food service program will comply with all applicable laws, ordinances, rules and procedures pertaining to health, sanitation, storage and the service of foods. The district will meet all state and federal requirements necessary for participation in school meal programs. The superintendent or designee is authorized to work with the necessary parties to ensure district compliance and, when necessary, submit appeals on behalf of the district.

The Building principals of each school shall administer the food service program in his or her their respective schools.

The food service director is responsible for ensuring that all foods and beverages sold to students during the school day on any property under the jurisdiction of the district meet the nutrition standards established by the U.S. Department of Agriculture (USDA). The food service director will maintain records verifying that all foods meet required nutrition standards or will document any applicable exemption.

Meal Prices and Charges

Meal prices shall be established by the board of education in accordance with law.

Unless meals are provided at no charge, the district expects students and employees to pay for meals prior to or at the time of receipt. The ability to charge meals is a privilege, not a right, and is subject to the limitations established in administrative procedures.

Contracted Food Services

The district will contract with a third party to administer its meal services if the board, after consultation with the superintendent, determines it is in the best interest of the district and its students to do so. Contracted food services will be bid in accordance with state and federal law and board policy.

Nondiscrimination Statement and Complaint Process

In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its agencies, offices and employees, and institutions participating in or administering USDA programs (including the district), are the district is prohibited from discriminating based on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age or reprisal or retaliation for prior

civil rights activity in any program or activity conducted or funded by the USDA. These programs include the National School Lunch Program, the Special Milk Program, the School Breakfast Program and the Summer Food Service Program.

All information the district uses to inform parents/guardians, students and the public about the district's food service program will include a nondiscrimination statement and information on how a complaint may be filed with the USDA.

Any person or representative alleging discrimination based on a prohibited basis has the right to file a complaint within 180 days of the alleged discriminatory action with the USDA Office of the Assistant Secretary for Civil Rights or the district's compliance officer listed in policy AC. Only the U.S. Secretary of Agriculture may extend the time for filing a complaint. Any person who files a complaint will be advised of the application of confidentiality laws, such as the Privacy Act of 1974.

District staff who receive a complaint alleging illegal discrimination in the district's nutrition program will forward the complaint to the district's compliance officer immediately. The compliance officer will note whether the allegation was made verbally or in person and will transcribe the complaint if it is not provided in writing. As required by the USDA, the compliance officer will forward the complaint to the USDA Office of the Assistant Secretary for Civil Rights immediately and will not first attempt to resolve the complaint prior to contacting the USDA. However, once the complaint has been directed to the USDA, the district will take action to investigate the concern and make necessary corrections as required by this policy.

Community Use of Food Service Facilities

Outside organizations that use food service facilities may be charged a fee in accordance with board policy. The food service director will ensure that supplies provided for the regular food service program, including USDA commodities, are not used by outside organizations.

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Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

§167.201, RSMo

Description

State Statute -
<https://simbli.eboardsolutions.com/SU/slashVClyWU73Tdpv4JZYxrPDw==>

§167.211, RSMo

State Statute -
<https://simbli.eboardsolutions.com/SU/slashVClyWU73Tdpv4JZYxrPDw==>

Federal References

42 U.S.C. §§ 1751-1760

Description

Richard B. Russell National School Lunch Act -
<https://simbli.eboardsolutions.com/SU/plusSLEkiEKYG9tr1Va3O8c8g==>

42 U.S.C. §§ 1777-1785

Child Nutrition Act -
<https://simbli.eboardsolutions.com/SU/plusSLEkiEKYG9tr1Va3O8c8g==>

Cross References

ADF

Description

DISTRICT WELLNESS PROGRAM -
<https://simbli.eboardsolutions.com/SU/gltPoeXSSqgZ13fICHpluswMQ==>

ADF-AP(1)

DISTRICT WELLNESS PROGRAM - (K-12 Districts) -
<https://simbli.eboardsolutions.com/SU/QX8SDw2slshiGgwypcnijyANg==>

DLB

SALARY DEDUCTIONS -
<https://simbli.eboardsolutions.com/SU/aCm4MhzslshXoyw8V5tXGPxhQ==>

JHCF

STUDENT ALLERGY PREVENTION AND RESPONSE -
<https://simbli.eboardsolutions.com/SU/p83L7IUBEMoH3PrscluMlw==>

JHCF-AP(1)

STUDENT ALLERGY PREVENTION AND RESPONSE -
<https://simbli.eboardsolutions.com/SU/OU9q5I9ci4X4yFFGpAjXEw==>

KG

COMMUNITY USE OF DISTRICT FACILITIES -
<https://simbli.eboardsolutions.com/SU/kb7g16djlXQplusCbJkFy0CDw==>

KG-AP(1)

COMMUNITY USE OF DISTRICT FACILITIES -
<https://simbli.eboardsolutions.com/SU/UuMQlxSpKs1JgC5FWfBslshyg==>