

Policy Code: 6220 Operation of School Nutrition Services

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 which 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 program will meet safety and sanitation requirements established in local, state and federal rules and guidelines for school nutrition services programs.
3. The school 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 and policy 8325.
6. Commodity foods donated by the United States Department of Agriculture will be used and accounted for in accordance with federal regulations.
7. 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.
8. 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.
9. The price for meals will be determined in accordance with federal law.
10. Non-program foods will be priced to generate sufficient revenues to cover the cost of those items. A non-program 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 Child Nutrition Program funds shall adhere to the conflict of interest rules and standards for ethical conduct established by the Board in policies 6401/9100: Ethics and the Purchasing Function, and 8305: 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. The board therefore directs the superintendent to develop a procedure to manage situations in which students are unable to pay for a meal on a particular day. The principal shall not impose any administrative penalties on a student for unpaid meal charges. Administrative penalties include withholding a student's records, prohibiting a student from participating in graduation, and denying a student a diploma. 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 uncollected student meal charges prior to the end of the year. Bidding and purchasing requirements in [G.S. 115C-522\(a\)](#) and [G.S. 143-129](#) do not apply; however, the board encourages competitive selection processes whenever possible.

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](#); [16 N.C.A.C 6H .0104](#);

Cross References: Parental Involvement (policy 1310/4002), Goals of Child Nutrition Services (policy 6200), School Meal and Competitive Food Standards (policy 6230), Goals of the Purchasing Function (policy 6400), Ethics and the Purchasing Function (policy 6401/9100), Federal Grant Administration (policy 8305)

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