

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, color, national origin, disability, age, or eligibility status for free and reduced price meals. School officials also are 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 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.
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 a minimum of one month's operating balance.
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 for the Child Nutrition Program 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. In the event that a student is unable to pay for a meal on a particular day, the student may charge a reimbursable meal as applicable and outlined below.

Students may never accumulate unpaid meal charges for a la carte items.

### **1. Elementary School Students**

Elementary school students will not be held personally responsible for their meal accounts; however, school cafeteria cashiers will inform a student when he or she needs additional funds for meals. In addition, the principal will receive a weekly list of students who owe \$6.00 or more in unpaid meal charges, and the principal

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or designee will send a letter to the students' parents or guardians reminding them that their students have accumulated \$6.00 or more in unpaid meal charges for which payment is due.

2. Middle School Students

School cafeteria cashiers will clearly communicate to middle school students the need for sufficient funds to pay for meals and will inform a student when he or she needs additional funds. School cafeteria cashiers will provide a student with written notice of a low or negative balance to take home to the student's parent or guardian when the student owes \$6.00 or more in unpaid meal charges. In addition, the principal or designee will contact the student's parent or guardian, as appropriate, to remind the student's parent or guardian about unpaid meal charges for which payment is due and to provide information about free and reduced price meals, if applicable.

3. High School Students and Adults

High school students and adults may not charge for meals, and students and adults should not go through the serving line without cash or sufficient funds in their meal accounts to pay for a meal. In addition, applications for free or reduced price meals will be readily available to students and parents or guardians at all times during the school year (see policy 6225, Free and Reduced Price Meal Services).

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.

The child nutrition manager and principal shall work jointly to prevent meal charges from accumulating and shall make every effort to collect all funds due to the child nutrition program on a regular basis and before the end of the school term. If a parent regularly fails to provide meal money and does not qualify for free meal benefits, the child nutrition manager shall inform the principal, who shall determine the next course of action, which may include notifying the department of social services of suspected child neglect and/or taking legal steps to recover the unpaid meal charges. Parents 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.

The CNP must be reimbursed for all unpaid and uncollected meal charges by the end of the school year. As necessary, the principal of each school is responsible for resolving and settling all unpaid and uncollected meal charges at the end of the school year using appropriate school or other funds; however, federal child nutrition funds may never be used to offset the cost of unpaid meals.

This policy and any applicable procedures regarding meal charges must be communicated to school administrators, school food service professional, parents, and students. Parents 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://childnutrition.ncpublicschools.gov/regulations-policies/usda-policy-memos>; 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; State Board of Education Policy NCAC-016

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

Adopted: March 14, 2016

Revised: June 6, 2016; January 12, 2017; May 24, 2017 (legal references only); January 9, 2018; June 11, 2018; December 13, 2018; June 15, 2020 (legal references only)