

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

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8 **A. OPERATIONAL STANDARDS**
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10 The school nutrition services program will be operated in a manner consistent with the
11 goals of the Transylvania County Board of Education (the “board”) and board policy.
12 The program also will be operated in compliance with all applicable state and federal
13 law, including requirements of the National School Lunch Program and all federal
14 guidelines established by the Child Nutrition Division of the United States Department of
15 Agriculture. Specific legal requirements that must be met include, but are not limited to,
16 the following.

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

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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 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.

78 **B. MEAL CHARGES**

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80 All families are encouraged to apply for free or reduced-price meals, send a lunch from
81 home, or provide money for student meals. Students intending to purchase meals from
82 school should understand that it is important to have money each day or prepay money to
83 their cafeteria account. The board recognizes, however, that students occasionally may
84 forget or lose their meal money. In the event that a student is unable to pay for a meal on
85 a particular day, the student may charge a reimbursable meal. Students may only charge
86 up to five (5) total meals and no other *a la carte* items. To safeguard the dignity and
87 confidentiality of students in the serving line, reasonable efforts must be used whenever
88 possible to avoid calling attention to a student's inability to pay. All teachers, adults, and

89 staff are required to provide payment at the time of meal purchase and are not permitted
90 to charge meals or *a la carte* items to their cafeteria accounts.

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92 The child nutrition director and principal shall work jointly to prevent meal charges from
93 accumulating and shall make every effort to collect all funds due to the child nutrition
94 program on a regular basis and before the end of the school term. Notices of low or
95 negative balances in a child's meal account will be sent to parents and the principal at
96 regular intervals during the school year. If a parent regularly fails to provide meal money
97 and does not qualify for free meal benefits, the child nutrition director shall inform the
98 principal, who shall determine the next course of action, which may include notifying the
99 department of social services of suspected child neglect and/or taking legal steps to
100 recover the unpaid meal charges. **The principal shall not impose any administrative**
101 **penalties on a student for unpaid meal charges. Administrative penalties include**
102 **withholding a student's records, prohibiting a student from participating in graduation,**
103 **and denying a student a diploma.**

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105 Parents are expected to pay all meal charges in full by the last day of each school year.
106 Negative balances on student accounts will be carried forward to the following school
107 year. However, the superintendent shall ensure that federal child nutrition funds are not
108 used to offset the cost of unpaid meals and that the CNP is reimbursed for bad debt
109 resulting from uncollected student meal charges prior to September 30 each year. Unpaid
110 meal charges that remain unpaid will be classified as bad debt, and the school system will
111 continue to hold a student and/or the student's parent or guardian liable for such debt,
112 including through legal action, as appropriate.

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114 This policy and any applicable procedures regarding meal charges must be
115 communicated to school administrators, school food service professional, parents, and
116 students. Parents will be provided with a written copy of the meal charges policy and any
117 applicable procedures in the Student Handbook at the start of each school year and at any
118 time their child transfers into a new school during the school year.

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120 Legal References: Child Nutrition Act of 1966, 42 U.S.C. 1771 *et seq.*; National School Lunch
121 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;
122 United States Department of Agriculture Policy Memos SP 46-2016, 47-2016, and 23-2017,
123 available at https://childnutrition.nepublicschools.gov/regulations_policies/usda-policy-memos
124 [https://www.fns.usda.gov/resources?f%5B0%5D=program%3A39&f%5B1%5D=resource_type](https://www.fns.usda.gov/resources?f%5B0%5D=program%3A39&f%5B1%5D=resource_type%3A160&keywords=&page=1)
125 [%3A160&keywords=&page=1](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;
126 147 art. 6E, art. 6G; 16 N.C.A.C. 6H .0104

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

133 Adopted: October 17, 2016

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135 Revised: February 19, 2018 (legal references only); July 16, 2018; December 17, 2018;

136 December 16, 2019; August 2, 2021; July 18, 2022; April 3, 2023; [DATE]

REVISED