

# FOOD AND NUTRITION PROCEDURES

Miami-Dade County Public Schools



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Subject: **PROGRAM AUTHORITY**

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The National School Lunch Act of 1946 authorized the establishment of school lunch programs to address several vital concerns relating to the health of the children of the United States.

## PURPOSE/OBJECTIVES

Title 7, CFR Part 210 – National School Lunch Program, states:

Section 2 of the National School Lunch Act, as amended, states: “It is declared to be the policy of Congress, as a measure of national security, to safeguard the health and well-being of the Nation's children and to encourage the domestic consumption of nutritious agricultural commodities and other food, by assisting the States, through grants-in-aid and other means, in providing an adequate supply of food and other facilities for the establishment, maintenance, operation, and expansion of nonprofit school lunch programs”. . . . In furtherance of Program objectives, participating schools shall serve lunches that are nutritionally adequate, as set forth in these regulations, and shall to the extent practicable, ensure that participating children gain a full understanding of the relationship between proper eating and good health.

## SPECIFIC PROCEDURES

The specific procedures to be followed are herein authorized and incorporated by reference in Board Policy. Guidelines for the administration of the food service program by the school principal and the food service manager as authorized by this rule are found in the document entitled *Department of Food and Nutrition Procedures Manual*.

The Department of Food and Nutrition shall adhere to Federal Rules and Regulations as set forth in Federal Register by the Department of Agriculture, Food and Nutrition Service, Title 7, CFR Parts 210, 220, 225, 226, 227, 245, and 250, Florida State Statutes, Florida State Board Rules, The Child Nutrition Programs Agreement and all other conditions set forth in contracts entered into by the Board to provide food service to other agencies.

## RESPONSIBILITY OF THE BOARD

Florida Statutes Title XXXV, Chapter 595.405 (1):

Each district school board shall consider the recommendations of the district school superintendent and adopt policies to provide for an appropriate food and nutrition program for students consistent with federal law and department rules.

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Florida Department of Agriculture and Consumer Services Rule 5P-2.002, Section 2 states:

Each School Nutrition Programs Sponsor shall have the following responsibilities:

- (a) To provide the necessary food service programs to meet nutritional needs of students during the school day. These food service programs shall be appropriately scheduled and shall include as a minimum a reimbursable lunch and if desired, a reimbursable breakfast, both at no charge. Supplemental foods which make a nutritional contribution to these meals may also be provided.
- (b) To adopt policies covering all phases of the School Nutrition Program.
- (c) To control the sale of food and beverage items in competition with the School Nutrition Program in accordance with 7 CFR 210.11, previously incorporated in paragraph (1)(a) of this rule. Competitive food and beverage items sold to students during the school day must meet the nutrition standards for competitive food as defined and required in 7 CFR 210.11. Unless being sold by the School Nutrition Program Sponsor, competitive food item sold to students during the school day shall not consist of ready-to-eat combination foods, as defined in 7 CFR 210.11., of meat or meat alternate, as defined in 7 CFR 210.10, incorporated in Rule 5P2.001, F.A.C., or grain products as defined in 7 CFR 210.11.
- (d) To maintain a Healthy School Team for all schools under its jurisdiction in accordance with 42 U.S.C. 1758b (10/1/10), which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-04501>. Any Healthy School Team should include, but not be limited to, the following stakeholders: parents, students, school food service program representatives, school administrators, school health professionals, physical education teachers and the public as provided in 42 U.S.C. 1758b(b)(3).
- (e) To provide an alternative food service program for students attending double session schools. The school board, after considering the nutritional needs of all the students attending the school, shall determine the alternative program needed.
- (f) To provide for the control, administration, supervision, and operation of all School Nutrition Programs...
- (h) To limit the amount of funds recovered annually for food service indirect costs to the restricted federal indirect cost rate approved annually by the Florida Department of Education, multiplied by the total Nonprofit School Food Service Account expenditures less expenditures for capital outlay, replacement of equipment, and USDA foods; and cash-in-lieu of donated foods.

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School Board Policy 8500 – Food Services states:

The Food and Nutrition service program shall strive to: (1) provide school food services consistent with the nutritional needs of students, and (2) provide school food services that contribute to the student's educational experiences and the development of desirable eating habits.

Expenditures from the Food and Nutrition Service Operating Fund shall comply with State Board of Education Rule: 6A-1.012, Purchasing Policies, and National School Lunch Act Regulations 7CFR 210 - 250.

Purchase of equipment for the Food and Nutrition Service program shall comply with State Board of Education Rules; F.A.C. 6A-2, Educational Facilities; 6A-7.040; 6A-7.042, and National School Lunch Act Regulations 7 C.F.R. Parts 210 - 250....

The Board shall approve any change in the price for students' meals sold into the schools, except in instances where the board has elected to participate in the USDA School Meal Community Eligibility Provision (CEP) under the National School Lunch Program enabling the district to serve all students breakfast and lunch at no charge.

## RESPONSIBILITY OF PRINCIPAL

The United States Department of Agriculture, Food and Nutrition Service, has issued FNS Instruction 791-1, Revision 1 in support of Sections 2 and 9 of the National School Lunch Act and Sections 2, 3, and 4 of the Child Nutrition Act of 1966 that states:

Disciplinary action which indirectly results in the loss of meals or milk is allowable (e.g., a student is suspended from school). However, when the withholding of meals or milk is the disciplinary action or if the disciplinary action directly results in the loss of meals or milk, it is inconsistent with the law and is not allowable (e.g., a student is suspended from school during the meal or milk period only).

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Florida Department of Agriculture and Consumer Services Rule 5P-2.002, Section 3 states:

(3) The school principal and local school staff shall schedule meal serving periods in such a manner as to permit and encourage maximum student participation in the School Nutrition Program.

School Board Policy 8500 – Food Services states:

The principal and local school staff are responsible for:

- A. complying with Federal and State laws, regulations, and the Board's policies;
- B. effecting ways to increase student knowledge of nutrition through classroom instruction and learning experiences outside the classroom; and
- C. scheduling students for the greatest participation in the school food service program.

## ADMINISTRATION AND SUPERVISION

School Board Policy 8500 – Food Services states:

### **Administrative Responsibility**

The director of food services is responsible for supervising and administering the food service program and shall provide system-wide coordination to achieve the most efficient and nutritional operation at the lowest possible cost to the student....

### **Cost of Meals**

The Food and Nutrition service program shall be operated on a non-profit basis according to the Board's contractual agreement with the Florida Department of Education and in compliance with Florida statutes, State Board of Education Rules, and the National Child Nutrition (P.L.89-642) and School Lunch (P.L.79-396) Acts. The price of meals shall be determined annually by the Board upon recommendations of the Superintendent. Cafeteria employees are given a lunch as part of their salary. Other adults shall pay the Board-adopted sale price.

Prices of individually priced food and beverage items and adult meals shall be determined by the Food Service Director.

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## EDUCATIONAL REQUIREMENTS

Per Title 7 CFR Part 210.30:

### Administrators and Supervisors

(a) *General.* School food authorities that operate the National School Lunch Program, or the School Breakfast Program (7 CFR Part 220), must establish and implement professional standards for school nutrition program directors, managers and staff as defined in §210.2.

(b) *Minimum Standards for all school nutrition program directors.* Each school food authority must ensure that all newly hired school nutrition program directors meet minimum hiring standards and ensure that all new and existing directors have completed the minimum annual training/education requirements for school nutrition program directors...

### (iii) School Nutrition Program Directors

(1) (iii) (D) School food authorities are strongly encouraged to seek out individuals who possess a master's degree or are willing to work toward a master's degree in the fields listed in this paragraph. At least one year of management experience, preferably in school nutrition, is strongly recommended. It is also strongly recommended that directors have at least three credit hours at the university level in food service management and at least three credit hours in nutritional sciences at the time of hire...

School Board Policy 1120 – Employment of Administrators states:

The Board shall approve the employment, determine the compensation, and establish the term of employment for each administrator employed by the Board. Approval shall be given only to those candidates for employment recommended by the Superintendent. Administrators shall recommend to the Superintendent the best qualified administrative applicant available.

### Food Service Managers

Refer to Department of Food and Nutrition Procedure [G1 Job Descriptions and Qualifications for Food Service Personnel](#) for minimum hiring standards.

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Continuing Education/Training Standards

Per Title 7 CFR Part 210.30:

Continuing education/training standards for all school nutrition program directors, managers and all staff responsible for school nutrition programs are required to be met annually and in their specific and applicable topics identified by Food and Nutrition Services as needed “to address program integrity or other critical issues.”

Refer to Department of Food and Nutrition Procedure [G16 Professional Standards – Continuing Education/Professional Standards](#).

USE OF FACILITIES

School Board Policy 7510 – Use of District Facilities; General Conduct Policies, D., requires:

Organizations using school facilities must comply with the following general conduct policies:

D. Steam tables and cafeteria kitchens are not to be used by non-school groups. If school-allied groups use these areas, a member of the school’s food service staff shall be present. The school-allied group will be billed and must remit payment to Facilities Operations, Maintenance – Finance Department for the food service personnel charge at the standard overtime rate.

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## CONTRACTED PROGRAMS

School Board Policy 8500 – Food Services states:

School-allied special programs are permitted to contract with Food and Nutrition Service for meals and supplemental nourishments upon approval by the Superintendent.

Meals for non-school-allied community groups may be provided if recommended by the Superintendent pursuant to a written contract approved by the Board. The Board shall be fully compensated for the full cost of services provided.

## MEAL/FOOD PRICES

School Board Policy 8500 – Food Services states:

The Board shall approve any change in the prices for student meals sold in the schools. Prices of individually priced food and beverage items and adult meals shall be determined by the food service director.

## SNACKS AND BEVERAGES

School Board Policy 8510 – Wellness Policy; Nutrition, B. states:

1. All food sold on campus beginning one (1) hour before the start of the school day and up until one (1) hour after dismissal of the final class of the day must meet the *Rule on Food and Beverages Sold on Campus and in Vending Machines District-Wide*. ([Appendix A](#))

School Board Policy 8540 – Vending Machines states:

Vending machines are allowed in District facilities on the following conditions:

- A. The District's share of the revenues is managed by the Fiscal Officer according to Board policies and administrative procedures.
- B. No products are vended which would conflict with or contradict information or procedures contained in the District's educational programs on health and nutrition.
- C. No food or beverages may be sold or distributed which will compete with the District's food-service program.