

E-7 (EF) Food Services

The district will operate a school lunch program in its schools which shall be under the overall supervision of the Chief Financial Officer. The district may contract through a food services management company to operate a school food service program.

The district employed or contracted supervisor of food services shall cooperate with each school principal in matters essential to the proper functioning of the food service program. The responsibility for control of students using the school cafeteria shall rest with the building principal.

Food services shall include hot lunches and breakfasts, through participation in the National School Lunch Program and in the School Breakfast Program where applicable.

The Board shall approve the prices set for meals and the price of beverages.

LEGAL REFS.: 42 U.S.C. 1751 et seq. (National School Lunch Act)
7 C.F.R. Part 210 (National School Lunch Act regulations)
7 C.F.R. Part 220 (School Breakfast Program regulations)
C.R.S. [22-32-120](#) (food services)
C.R.S. [22-32-134.5](#) (healthy beverage requirement)
C.R.S. [22-32-136.3](#) (trans fat ban)
C.R.S. [22-82.7-101](#) et seq. (Start Smart Nutrition Program provides funding to eliminate amount students who qualify for reduced priced meals pay in school breakfast program)
C.R.S. [22-82.9-101](#) et seq. (Child Nutrition School Lunch Protection Program provides funding to eliminate amount students in preschool through fifth grade pay for school lunch program, if they qualify for reduced price meals)
1 CCR [301-3](#) (State Board of Education - competitive food services rules)
1 CCR [301-79](#) (State Board of Education - healthy beverages rules)
CROSS REF.: [EFC](#), Free and Reduced-Price Food Services
ADF, School Wellness

NOTE 1: State law prohibits schools from "making available" to students any food or beverage that contains any amount of industrially produced trans fat. C.R.S. [22-32-136.3](#) (2). The trans fat ban applies to all food and beverages made available to students on school grounds during the school day and extended school day and includes items sold through the school cafeteria, school store or vending machines located on school grounds. C.R.S. [22-32-136.3](#) (3). However, if the food or beverage sold through the cafeteria, store or vending machine is part of school fundraising efforts conducted by one or more students, teachers or parents, the trans fat ban does not apply. C.R.S. [22-32-136.3](#) (4). The law also exempts items donated to the school that are given to students for consumption off school grounds and not during the school day. Id.

NOTE 2: The USDA's regulations outlines the nutrition standards for all foods sold in schools that participate in federal school meal programs under the National School Lunch Act and/or School Breakfast Act, including standards concerning saturated and trans fats, sugar, sodium and calories. 7 C.F.R. Parts 210 and 220. These "Smart Snacks in School" nutrition standards do not apply to: (1) items sold during non-school hours, weekends or off-campus fundraising events; (2) foods brought from home for personal consumption; and/or (3) fundraiser foods not intended for consumption during the school day. A special exemption from this rule is permitted for "infrequent, school-sponsored

fundraisers," as determined by each state. The Colorado Department of Education (CDE) set this number at three exemptions per school per school year. For more information on the "Smart Snacks in School" nutrition standards, visit CDE's Office of School Nutrition webpage or the USDA's Food and Nutrition Services webpage.

NOTE 3: Schools that participate in the National School Lunch Program and have seventy percent or more students eligible for free or reduced-cost lunch must offer a free breakfast to each student. C.R.S. [22-82.8-103](#) (3)(b). The breakfast may be served at a time determined by the school, as long as it occurs after the first bell. C.R.S. [22-82.8-103](#) (3)(c). Small rural districts with a student population of less than 1,000 students are exempt from this requirement and there is also flexibility for other specific situations (e.g. funding decrease, before-school care programs).

Revised: ~~December 9, 2015~~, June 21, 2017

E-7 (EF) School Meal Payments EXHIBIT 1

The district is committed to ensuring that all students receive the nutrition they need to engage in active learning during the school day. In accordance with applicable federal guidance from the United States Department of Agriculture (USDA), this policy is intended to serve the purposes of meeting student needs, minimizing the identification of students with insufficient funds to pay for school meals and maintaining the fiscal integrity of the district's school food service account.

Student meal accounts and meal charges

Student meal accounts shall be established by the district.

Parents will be encouraged to pre-pay for students paying full or reduced price for meals. The district shall ensure that parents have access to at least one no-cost method of paying for meal services, such as the ability to pay in person.

Students will be permitted to pay for meals and/or add funds to student accounts on the day of service.

If a student has money to purchase a full or reduced price meal at the time of the meal service, the student must be provided a meal. The student's money may not be used to repay previously unpaid charges if the student intended to use the money to purchase that day's meal.

A meal account balance remains with the student until the student is no longer enrolled in the district. Students with unused credit in their accounts at the point of disenrollment or graduation will receive a refund in the amount of the credit.

Students paying full or reduced price for meals and who do not have money in their account or in hand to cover the cost of a meal at the time of service will be permitted to charge a meal.

Students may charge up to \$50 per school year.

Notification of low or negative balances

Notification of a low balance on a student account will be provided, via email, when an account balances reaches \$5.

When notified of a low balance on a student account, parents will be reminded of this policy and the process for submitting applications for free or reduced price meal benefits. Parents will also be notified that any school meal debt accrued prior to the district's determination that the student is eligible for free or reduced lunch remains the parent's responsibility.

Notification of a negative balance on a student account will be provided via a phone call from school administration weekly and letters from the Food Services Department monthly.

Collection of meal charge debt

In collecting debt, the district shall ensure that collection efforts do not have a negative impact on the students involved and instead focus on the adult(s) in the household responsible for providing funds for student meal purchases. The district will work with parents to establish repayment plans with payment levels and due dates appropriate to the household's particular circumstances.

For students with delinquent meal charges, the following process will be used to collect debt. Email notifications will continue to occur as noted above. After notifications made by phone from administrators have gone unanswered for two weeks, the Director of Finance will send the first notice of the intention to turn over the debt to a collection agency along with a payment request. If the letter is unanswered, the Director of Finance will send a final notice with a request for payment within one week. If no payment is received, the debt will be turned over to the collection agency.

Collection efforts from one school year may continue into the following school year, including when students transfer to a school outside of the district.

Annual notice

The district shall notify students and their parents about this policy at the beginning of each school year. Notification shall also be provided to those students who transfer into the district during the school year. Information about this policy may also be included in student handbooks, student enrollment or registration packets and/or back-to-school packets and posted on district and school websites.

This policy will also be communicated to school and district-level staff responsible for this policy's enforcement, such as school food service staff responsible for collecting payment for meals at the point of service, staff involved in notifying families of low or negative balances, and staff involved in enforcing any other aspects of this policy.

LEGAL REF.: USDA Guidance SP 46-2016 (requires written policy regarding unpaid meal charges)

Adopted: June 21, 2017

Revised:

E-7 (EF) Civil Rights Complaint Procedure for School Nutrition Program EXHIBIT 2

In accordance with the United States Department of Agriculture (USDA) civil rights regulations and policies, the district is prohibited from discriminating on the basis of race, color, national origin, sex, age or disability in any school nutrition program.

A participant in the district's school nutrition program who alleges discrimination on the basis of any of the above-listed federally-protected classes has the right to file a complaint within 180 days of the alleged discrimination, in accordance with this procedure.

Filing a complaint

If an individual has an unlawful discrimination complaint concerning his or her participation in a school nutrition program, the complaint may be directed to Lisa Clark, Director of Finance, at 303-536-2003, lisaclark@re3j.com, P.O. Box 269, Keenesburg, CO 80643.

Complaints may be made verbally (in person or over the phone) or may be submitted in writing to the district contact listed above. Complaints may be filed anonymously.

When filing a complaint, the following information will be requested:

1. complainant's name, address and telephone number (unless the complainant wishes to remain anonymous);
2. the nature of the incident or action that led the complainant to feel discrimination was a factor;
3. the basis on which the complainant believes discrimination exists;
4. the names, telephone numbers, titles and business or personal addresses of persons who may have knowledge of the alleged discriminatory action; and
5. the date(s) during which the alleged discriminatory action(s) occurred.

Forwarding a complaint

Within 90 days of the district's receipt of the complaint, the district shall forward the complaint to the following:

CDE Office of School Nutrition 1580 Logan Street Suite 760 Denver, CO 80205	USDA Office of Civil Rights 1400 Independence Ave., SW, Rm 1095-S, Stop 0206 Washington, DC 20250 (or emailed to program.intake@usda.gov)
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LEGAL REF.: USDA Food and Nutrition Service (FNS) Instruction 113-1 (civil rights compliance and enforcement - nutrition programs and activities)

NOTE: The USDA has a program complaint form available on its website or at any USDA office. To request a copy of the complaint form, call 866-632-9992.

Adopted: June 21, 2017
Revised: