

# Policy

**BOARD OF EDUCATION  
HORTONVILLE AREA SCHOOL DISTRICT**

**OPERATIONS  
8500 / Page 1 of 7**

## FOOD SERVICES

The Board shall provide cafeteria facilities in all school buildings where space permit and will provide food service for the purchase and consumption of lunch for all students.

The Board shall also provide a breakfast program in accordance with procedures established by the United States Department of /Agriculture (USDA) School Breakfast Program.

The food-service program shall comply with Federal and State regulations pertaining to the selection, preparation, delivery, consumption, and disposal of food and beverages, including but not limited to the current school meal pattern requirements of the USDA and the USDA's Smart Snacks in School nutrition standards, as well as to the fiscal management of the program. Further, the food-service program shall comply with Federal and State regulations pertaining to the fiscal management of the program as well as all the requirements pertaining to food service hiring and food service manager/operator licensure and certification. In addition, as required by law, a food safety program based on the principles of the Hazard Analysis and Critical control Point (HACCP) system shall be implemented with the intent of preventing food-borne illnesses. For added safety and security, access to the facility and the food stored and prepared therein shall be limited to food service staff and other authorized persons.

The Board shall approve and implement nutrition standards governing the types of food and beverages that may be sold on the premises of its schools and shall specify the time and place each type of food or beverage may be sold. In adopting such standards, the Board shall:

- A. Consider the nutritional value of each food or beverage;
- B. Consult and incorporate to the maximum extent possible the Dietary Guidelines for Americans jointly developed by the United States Department of Health and Human Services; and
- C. Consult and incorporate the USDA Smart Snacks in School nutrition guidelines.

The District's food service program shall serve only food items and beverages determined by the Food Service Department to be in compliance with the current USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition guidelines. Any competitive food items and beverages that are available for sale to students a la carte in the dining area between midnight and thirty (30) minutes following the end of the school day shall also comply with the current USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition guidelines and may only be sold in accordance with Board Policy 8550 – Competitive Food Sales. Foods and beverages not associated with the food-service program may be vended in accordance with the rules and regulations set forth in Board Policy 8540 – Vending Machines.

No food or beverages may be sold on any school premises except in accordance with the standards approved by the Board.

# Policy

## BOARD OF EDUCATION HORTONVILLE AREA SCHOOL DISTRICT

OPERATIONS  
8500 / Page 2 of 7

In addition, as required by law, a food safety program based on the principles of the Hazard Analysis and Critical Control Point (HACCP) system shall be implemented with the intent of preventing food-borne illnesses. For added safety and security access to the facility and the food stored and prepared therein shall be limited to food service staff and other authorized persons.

### **Modifications Based on Compliant Medical Documentation**

Substitutions to the standard meal requirements shall be made, at no additional charge, for students with disability that restricts the diet must, provide the Medical Statement for Special Dietary Needs signed by a State authorized medical authority, which is a medical professional authorized in the State of Wisconsin to write prescriptions. The request must contain the following information and must be submitted on DPI Form PI-6313, Medical Statement for Special Dietary Needs.

To qualify for such substitutions the medical certification must identify:

- A. The student's disability and the major life activity affected by the disability;
- B. An explanation of why the disability affects the student's diet; ~~and~~
- C. The food(s) to be omitted from the student's diet, and the food or choice of foods that must be substituted (e.g., caloric modifications or use of liquid nutritive formula)
- D. Additional pertinent information, if any, that will assist in accommodating the student's needs.

### **Disability Accommodation Grievance Procedure**

The following procedure is intended to provide prompt and equitable resolution to any concern or disagreement regarding the food service program's administration of meal modifications made or requested on the basis of a student's disability. None of the procedures described in this policy section shall prevent a student or parent from pursuing a complaint with any State or Federal agency, including the USDA, using the procedures described at the end of this policy.

- A. If an initial request for accommodation in the form of substituted meals is denied, the student or parent may request review of that decision by the Director of Business Services and shall provide any communications between the student or parent and food service officials concerning the accommodation request, any documentation provided by a medical authority, and any additional information the student or parent believes is pertinent to the decision. A review of the materials provided and of the initial decision shall be completed and a response provided to the student or parent as soon as practicable following the receipt of the request for review. In the initial decision is reversed, including due to additional information provided on review, the dietary accommodations shall be implemented without delay. If the initial decision is affirmed the decision may be appealed to the District Administrator whose decision is final.
- B. Any other complaint or disagreement with the food service administration concerning implementation of special dietary accommodations based on a student's disability shall be presented to the Special Dietary Accommodation Coordinator. The student or parent shall specify the nature of the concern and any requested remedy in writing. The Coordinator shall

# Policy

**BOARD OF EDUCATION  
HORTONVILLE AREA SCHOOL DISTRICT**

**OPERATIONS  
8500 / Page 3 of 7**

promptly review the grievance and either contact the student or parent for any required clarification of the request or to seek to reach an agreement regarding how to best address the concern. If no agreement is reached, the Coordinator shall make a determination and notify the student or parent in writing as soon as practicable. If the grievance is affirmed in any respect, the Coordinator shall propose a plan for implementing appropriate remedial measures. If the student or parent is dissatisfied with the Coordinator's determination, the student or parent may submit a written request to the Building Principal or District Administrator for review. The administrator's determination shall be final.

## **IMPLEMENTATION AND DISCONTINUATION**

### **Review**

Upon receipt of a request for a special dietary accommodation, the Food Service Director or Special Dietary Accommodation Coordinator shall review the request to ensure it is supported as required by Federal law and District policy, and if not, shall request additional or clarifying information from the student or parent making the request.

### **Implementation**

When the need for a special dietary accommodation is supported by a Medical Statement for Special Dietary Needs signed by a State authorized medical authority, the District will offer a reasonable modification that effectively accommodates the student's disability. Following USDA Child Nutrition Program regulations, the School District may consider factors such as cost and efficiency and is not required to prepare a specific meal, provide a specific brand of food, or provide a meal beyond the meals provided to other students.

For students who have an IEP or 504 plan that requires specific food related accommodations, the School District shall provide the accommodation as required by law, seeking clarifying medical information, as necessary.

A special dietary request will be approved and implemented upon submission of a completed authorized Medical Statement.

### **Notification**

Parents will be notified of clarifications needed or approval of a special dietary request.

### **Student Absence**

If a student receiving a special dietary accommodation is absent or does not wish to participate in the school lunch on a day an accommodation is planned, contact the Kitchen Manager or Administrative Assistant in Food Services by 9:00 a.m. the same day.

# Policy

**BOARD OF EDUCATION  
HORTONVILLE AREA SCHOOL DISTRICT**

**OPERATIONS  
8500 / Page 4 of 7**

## **Renewing A Special Dietary Request**

An authorized Medical Statement does not need to be updated annually. However, the Food Service Director or Special Dietary Accommodation Coordinator may annually seek clarification or updates on special dietary requests.

## **Discontinuation of a Special Dietary Request**

A special dietary request or part of a request may be discontinued by a parent by submitting the request in writing to the Food Service Director or Special Dietary Accommodation Coordinator.

## **Meal Charges**

Lunches sold by the school may be purchased by students and staff members and community residents in accordance with the rules of the District's school lunch program.

Students will not be permitted to purchase a meal from the Food Service Department but will instead be provided an alternative meal until the school collects delinquent lunch accounts.

The operation and supervision of the food-service program shall be the responsibility of the Director of Food Services and the Director of Business Services. Food services shall be used to reduce the cost of the service to students or to purchase cafeteria equipment. Surplus funds from a-la-carte foods purchased using funds from the nonprofit food service account must accrue to the nonprofit food service account. A periodic review of the food-service accounts shall be made by the Director of Business Services.

Bad debt incurred through the inability to collect lunch payment from students is not an allowable cost chargeable to any Federal program. Any related collection cost, including legal cost, arising from such bad debt after they have been determined to be uncollectable are also unallowable. District efforts to collect bad debt shall be in accordance with Policy #6152 – Student Fees, Fines, and Charges.

Bad debt is uncollectable/delinquent debt that has been determined to be uncollectable no sooner than the end of the school year in which the debt was incurred and after the District Administrator determines that sufficient reasonable effort and approaches to collecting the debt have been made. If the uncollectable/delinquent debt cannot be recovered by the School Meals Program in the year when the debt was incurred, then this is classified as bad debt. Once classified as bad debt, non-Federal funding sources must reimburse the NSFS for the total amount of the bad debt. The funds may come from the District general fund, State or local funding, school or community organizations such as the PTA, or any other non-federal source. Once the uncollectable/delinquent debt charges are converted to bad debt, records relating to those charges must be maintained in accordance with the record retention requirements in 7 CFR 201.9(b) (17) and 7 CFR 210.15(b).

# Policy

**BOARD OF EDUCATION  
HORTONVILLE AREA SCHOOL DISTRICT**

**OPERATIONS  
8500 / Page 5 of 7**

## **Negative Account Balances**

Students will be permitted to purchase meals from the District's food service using either cash on hand or a food service account. A student may be allowed to incur a negative food service account balance subject to the following conditions.

Students may be permitted to accumulate negative food account balance as determined by the District Administrator. The District Administrator shall determine the manner of determining permissible account balances by grade level. A student shall not be permitted to purchase a-la-carte items without sufficient account balance or cash on hand.

A student who has exceeded the permissible negative balance amount in their account and does not have cash on hand sufficient to purchase a meal, will be treated respectfully. The District will provide meals to students with unpaid meal balances without stigmatizing them, will provide parents of students who charge meals with notification when a student charges a meal, and will make efforts to collect the charges incurred by the students so that the unpaid charges are not classified as bad debt at the end of the school year.

Automated phone calls/text message or emails will be sent out daily, when your account reaches \$10.00 or below. The District recommendation is to keep a sufficient balance in the account to avoid any lunch interruption issues. When a message is received, it means that the account is at or below \$10.00 and funds should be deposited immediately. Accounts that have been overdrawn will also receive messages daily until that account is brought above \$10.00. If an account becomes insufficient, the student will receive their regular lunch that will be considered their "emergency meal". High school level does not receive the emergency meal. To purchase a meal, you must make a deposit into your family account so that funds will be available. Please note, if a student does not turn in money and has received an emergency meal the day prior they will not be able to purchase a lunch until there is money in the account. As a courtesy, elementary and middle school offices will check with students prior to lunch time to see if they have a deposit or a cold lunch. At all schools if the student does not have a deposit or cold lunch, the cafeteria will provide the student with a free sandwich, vegetable, and milk (maximum of three days).

This policy and any implementing guidelines shall be provided to all households at the start of each school year and to households transferring to the school or School District during the school year. This policy and implementing guidelines will also be provided to all District staff with responsibility for enforcing the policies. This policy will be posted on the District website.

The food-service program may participate in the "Farm to School Program" using locally grown food in school meals and snacks.

# Policy

## BOARD OF EDUCATION HORTONVILLE AREA SCHOOL DISTRICT

OPERATIONS  
8500 / Page 6 of 7

Food service prices shall be established by the Board annually. In accordance with Federal guidelines, the District shall offer free and reduced-price food services to students who qualify.

The District Administrator will require that the food service program serve foods in the schools of the District that are wholesome and nutritious and reinforce the concepts taught in the classroom.

### Nondiscrimination Statement

The following statement applies to all programs administered by the District that are funded in whole or in part by the U.S. Department of Agriculture (USDA):

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, (including gender status, change of sex, sexual orientation, or gender identity), disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form found online at [http://www.ascrusda.gov/complain\\_filing\\_cus.html](http://www.ascrusda.gov/complain_filing_cus.html), <https://www.usda.gov/sites/default/files/documents/ad-3027.pdf> or <https://dpi.wi.gov/sites/default/files/imce/school-nutrition/pdf/sfa-vicil-rights-complaints-procedure-template.pdf> and at any USDA office, or write a letter addressed to the USDA and provide in the letter all the information requested in the form. To request a copy of the complaint form, call (866) 632-9992.

Submit your completed form or letter to USDA by:

1. Mail: U.S. Department of Agriculture  
Office of the Assistant Secretary for Civil Rights  
1400 Independence Avenue, SW  
Washington, D.C. 20250-9410
2. Fax: (202) 690-7442; or
3. E-mail: [program.intake@usda.gov](mailto:program.intake@usda.gov)

The District is an equal opportunity provider.

# Policy

## **BOARD OF EDUCATION HORTONVILLE AREA SCHOOL DISTRICT**

OPERATIONS  
8500 / Page 7 of 7

All verbal or written civil rights complaints regarding the school nutrition programs that are filed with the District must be forwarded to the Civil Rights Division of USDA Food and Nutrition Services within three (3) days.

### **NEOLA 2024**

#### Legal References:

SP 32-2015 Statements Supporting Accommodations for Children with Disabilities in the Child Nutrition Programs

SP 59-2016 Modifications to Accommodate Disabilities in the School Meal Program

OMB Circular No. A-87 USDA Smart Snacks in School Food Guidelines (effective July 1, 2014)

Child Nutrition Act of 1966, 42 U.S.C. 1771 Et Seq.

Healthy, Hunger-Free Kids Act of 2010 and Richard B. Russell National School Lunch Act, 42 U.S.C. 1751 Et seq.

42 U.S.C. 1758

15.137, 93.49, 115.34-115.345, 120.10(16), 120.13(10), Wis. Stats.

7 C.F.R. Part 15b, 210, 215, 220, 225, 226, 227, 235, 240, 245

42 U.S.C. Chapter 13