

Descriptor Term:  
OPERATION OF CHILD NUTRITION SERVICES

Descriptor Code:  
6.2200

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.*, 7 C.F.R. pt. 210; G.S. 143-64; 115C-47(7), -47(22), -263, -264, -264.1, -426, -450, -522; 16 N.C.A.C. 6H .0104; Sate Board of Education Policy TCS-S-000

Cross References: 6.2000 Goals of Child Nutrition, 6.2300 Nutritional Standards for Food Selection, 6.2350 Beverage Vending Sales, 6.4000 Goals of the Purchasing Function

Schools may participate in the National School Lunch Program and School Breakfast Program and will receive commodities donated by the United States Department of Agriculture. All federal and state revenues will be accepted and applied so as to maximize the use of such funds for the purposes of providing nutritional meals to students at the lowest possible price.

The student food 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 which must be met include, but are not limited to the following:

- (1) No child will be discriminated against because of race, sex, color, national origin, age, religion or disability;
- (2) The child nutrition department will meet safety and sanitation standards established in local, state and federal rules and guidelines for child nutrition programs;
- (3) Menu preparation and purchasing will be consistent with established state and federal guidelines for programs which receive special revenue funds;
- (4) Banking, 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;
- (5) Commodity foods donated by the United States Department of Agriculture will be used and accounted for in accordance with federal regulations;
- (6) Preference will be given in purchasing contracts to high-calcium foods and beverages, as defined in G.S. 115C-264.1; and
- (7) Contracts involving the sale of juice or bottled water will be competitively bid separately from each other and from any other contract as required by G.S. 143-64.

#### A. CHILD NUTRITION PROGRAM

The board will ensure that all school food services are operated on a non-profit basis for the benefit of the child nutrition program. School food services are those that are operated from 12:01 a.m. until the end of the last established lunch period. The child nutrition program retains income from the sale of all foods and beverages sold to students during the school day until the last student is served lunch. This income must be deposited into the child nutrition account and may be used only for the purposes of the child nutrition program.

Pursuant to federal law and State Board of Education Policy, the child nutrition program may not sell foods of minimal nutritional value, and all profits from "competitive food sales" must be used

for the school's non-profit lunch and breakfast programs. See policy 6.2300, Nutritional Standards for Food Selection.

B. SUPPLEMENTAL FOOD SALES

All funds generated from supplemental food sales must either be deposited in the school account or be used for school food services. Supplemental food sales include the sale of competitive foods.

Bidding and purchasing requirements in G.S. 115C-522(a) and G.S. 143-129 do not apply; however, the board encourages competitive selection processes consistent with state and federal regulations, guidelines, and instruction.

The superintendent or designee shall establish procedures as appropriate to help ensure compliance with board policy and legal requirements.