

Food Services

The district will operate a school lunch program in its schools which shall be under the overall supervision of the supervisor of food services. The 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.

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

As required for participation in the National School Lunch Program, the Board agrees to the following regulations:

1. That the food service programs be operated on a nonprofit basis.
2. That an approved lunch be made available for students to meet at least one-third of their daily food requirements.
3. That free and reduced-price lunches be provided to students who cannot afford to pay the price of the approved lunch.

Students shall be permitted to bring their lunches from home and, provided precautions are taken, to go home for lunch.

The school district shall purchase only fresh or frozen meats and dairy products which are grown/provided and processed in the United States for sale in Colorado. Preference shall be given to provisions produced, manufactured or grown in Colorado if such preference is not for provisions of inferior quality to those available from out of state.

Adopted May 19, 1999

Revised to conform with practice: date of manual adoption

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. 22-32-136.3 (*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 second grade pay for school lunch program, if they qualify for reduced price meals)

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)

CROSS REF.: EFC, Free and Reduced-Price Food Services

NOTE 1: Refer to the "Food Services Handbook" for detailed information and district regulations pertaining to the food services program.

NOTE 2: USDA guidelines require schools participating in the National School Lunch Program to eliminate trans fats from lunches and from breakfasts. 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 3: The USDA's interim final rule, "Smart Snacks in School" became effective July 1, 2014. This rule 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. The "Smart Snacks in School" 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** for the 2014-15 school year. For more information on the "Smart Snacks in School" interim final rule, visit CDE's Office of School Nutrition webpage or the USDA's Food and Nutrition Services webpage.

NOTE 4: Beginning in the 2014-15 school year, schools that participate in the National School Lunch Program and have eighty percent or more students eligible for free or reduced-cost lunch must offer a free breakfast to each student. C.R.S. 22-82.8-101 et seq. In the 2015-16 school year, schools with 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).

[Legal Revised November 2014]