

# CLARK COUNTY SCHOOL DISTRICT REGULATION

R-3520

## FOOD SERVICE PROGRAMS

### I. FOOD SERVICE PROGRAMS

The Board of School Trustees authorizes the establishment of food service programs for the provision of breakfast, lunch, and other federally funded programs according to students' dietary requirements. The programs will operate within Clark County School District budget resources, utilizing maximum state and federal funding, and in compliance with federal guidelines and Nevada statutes.

#### A. Eating Areas, Times, and Discipline

To ensure compliance with compulsory health standards, and in accordance with federal and Nevada requirements, a primary eating area will be established in each Clark County School District school by the site-based principal. (Outside eating areas are authorized when the weather is suitable.)

1. Food preparation and service facilities will be separate from eating areas. Supervision and cleaning of eating areas are assigned to school-based personnel under direction of the school principal.
2. Daily time schedules for schools include established meal periods. It is the responsibility of the school principal to provide appropriate supervision for students within the eating area. In addition, principals will ensure that students eat in the designated area whether they provide their own meals or participate in the District's food service program. Exceptions will be approved by the principal. Length of meal periods will conform with Section 9 of Nevada's School Wellness Policy.
3. Students may not be denied meal periods or participation in the food service program for disciplinary purposes.

#### B. Authority

The District's food service programs in participating schools are implemented under federal requirements for school meal programs and are operated under an agreement with the Nevada Department of Agriculture and the United States Department of Agriculture (USDA).

Schools with federal child nutrition programs must comply with regulations and guidelines of the USDA.

1. Programs for free or reduced-price meals to eligible students shall be operated in accordance with appropriate federal guidelines.
2. All food service programs and facilities must comply with Southern Nevada Health District rules and regulations.
3. The Operational Services Unit, in conjunction with the Food Service Department, is responsible for developing regulations and procedures to implement federal child nutrition programs.

## II. ENTERPRISE FUND

The Board of School Trustees authorizes the operation of a school food service program in accordance with appropriate federal and state laws and guidelines and District regulations.

- A. The food service program shall be managed and operated as an Enterprise Fund of the District. Money received from the operation of the Board-authorized school food service program, including gifts, donations, and receipts from sale of food, shall be deposited in accordance with District regulations in a financial institution as specified in the Nevada Revised Statutes and District regulations, and transactions shall be reflected in an account in the District's Enterprise Fund.
- B. Disbursements from the account shall be restricted to payments for purchase of food, services, supplies, equipment, and facilities for the operation of the food service program. The program shall be operated on a not-for-profit basis, and surplus funds may be used only to reduce the cost of the service to students; purchase equipment for the program or modify existing facilities.
- C. An annual review of the food service account in the Enterprise Fund shall be made by the independent financial auditor designated by the Board of School Trustees.

## III. COMPETITIVE FOOD SALES

In accordance with federal guidelines (7CFR Part 210 Appendix B), schools that participate in the Federal Child Nutrition Programs must not permit the sale of competitive foods of minimal nutritional value in the food service areas during meal periods. Administrative regulations and procedures shall be developed to ensure that the Clark County School District food service programs are not adversely affected by sales of competitive foods, and that such sales are in accordance with federal and state guidelines.

A. The policy shall not prohibit:

1. Sales of competitive foods by the Food Service Department in conjunction with reimbursable meals.
2. Sale of food by student body or parent organizations after school hours at extracurricular activities.

IV. STUDENT WELLNESS

District Regulation 5157 contains specific information about nutrition, beverages, and portion standards, among other items.

V. FREE AND REDUCED-PRICE MEALS FOR ELIGIBLE STUDENTS

The Superintendent of Schools recognizes that the nutrition of students is an important factor in their educational progress. The Clark County School District, as a participant in the Federal Child Nutrition Programs, shall provide free or reduced-price meals to eligible students in participating schools.

A. Nondiscrimination Assurance

1. 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, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.
2. 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.
3. To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form. (AD-3027) found online at: How to File a Complaint, and at any USDA office, or write a letter addressed to USDA and provide in the letter all of 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:

- a. mail: U.S. Department of Agriculture  
Office of the Assistant Secretary for Civil Rights  
1400 Independence Avenue, SW  
Washington, D.C. 20250-9410
- b. fax: (202) 690-7442; or
- c. e-mail: [program.intake@usda.gov](mailto:program.intake@usda.gov)

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## B. Confidentiality and Disclosure

1. Section 9(b)(6) of the NSLA, 42 U.S.C. 1758(b)(6) and regulations found at 7 CFR Part 245.6 explain the restrictions on the disclosure and use of information obtained from an application for free and reduced price meals, as well as the criminal penalties for improper release of information.
2. The Clark County School District will develop and implement procedures to ensure confidentiality for all students determined eligible to receive free and reduced-priced meals.
3. The names of eligible students will not be published, posted, or announced in any manner.
4. There will be no overt identification of eligible students by use of special tokens, tickets, or any other means.
5. Eligible students will not be required to:
  - a. Work to obtain or retain eligibility.
  - b. Use a separate eating area.
  - c. Go through a separate serving line.
  - d. Enter the dining area through a separate entrance.
  - e. Eat at different times than students who pay full price.
  - f. Receive different meals from those sold to students who pay full price.

### C. Meal Credit Procedures

To ensure anonymity of students eligible to participate in the Clark County School District's food service programs for eligible students, guidelines for collection procedures will be established as follows:

1. All meals (full-price, reduced-price, and free) are served in the same manner.
2. Only meal credits or cash will be accepted for payment. Charging will be in accordance with Food Service Department procedures.
3. Prepaying for meals is encouraged.
4. All meal credits (full-price, reduced-price, and free) are dispensed by school-assigned food service workers.
5. Meal credits are dispensed in the schools' administration-designated food service program areas only, and only at designated times.
6. Computers with point-of-sale programs or student audit lists are used to maintain accurate accounting records of meals (full-price, reduced-price, and free) served to students participating in the District's Federal Child Nutrition Programs.

### D. Student Eligibility

Eligible students are those who meet the USDA Income Eligibility Guidelines for free or reduced-price meals. Applications for such eligibility are available to all Clark County School District students who attend schools participating in Federal Child Nutrition Programs as allowed. Eligibility is based on the following Federal Child Nutrition Programs criteria:

1. Determining eligibility for free and reduced-priced meals and free milk in schools will be in accordance with 7 CFR Part 245.
2. Retention

All applications, together with documentation of the determined eligibility, will be retained for three years following the end of the school year for which they were submitted.

### E. Parent/Public Notice

1. As required at 7 CFR 245.5(a), near the beginning of each school year the public must be notified that free and reduced-priced meals and free milk are available.
2. Copies of the notice to parents or guardians are retained by the Food Service Department and will be made available upon request.

F. Appeal/Hearing Procedure

Appeals will be heard in accordance with 7 CFR 245.7.

VI. USE OF KITCHENS

Use of kitchens is regulated by Section V of District Regulation 3613.

VII. SUPERVISION OF FOOD SERVICE EMPLOYEES

The technical, evaluative, and disciplinary supervision of food service employees will be the responsibility of the Food Service Department. The building administrator or principal will be responsible for on-site operational administrative supervision and contributory evaluative recommendations.

Food service personnel are responsible to both the site administrator and the Food Service Department as outlined below:

A. The Food Service Department will:

1. Determine and provide staffing, training, technical supervision, and supplies and materials to be used for food services at all buildings.
2. Select and assign food service personnel in a manner consistent with existing Human Resources Division procedures.
3. Maintain payroll and other personnel actions for all Food Service personnel assigned.
4. Approve and maintain all leave requests (CCF-101) to include compensatory time and overtime in consonance with established Human Resources procedures. Approval of vacations for site-based Food Service personnel will be coordinated with the building administrator or principal.

B. The site administrator:

1. Will supervise the conduct of food service personnel as it relates to students, to other personnel, and to parents.

2. May provide input into the evaluation of the site food service manager before the evaluation is completed and discussed with the employee.
3. Will provide a suitable meal area for all students who eat at school and ensure that students eat their meals in the meal area.
4. Will provide appropriate supervision for all students within the designated meal area(s).

#### C. Other Supervision

1. The food service manager of a food service facility will be responsible for the immediate supervision of food service employees assigned to the work site and will provide input on the performance evaluations of food service personnel assigned to his/her respective work site.
2. Food service supervisors in the Food Service Department will supervise and provide technical assistance and training to building site food service managers.
3. Food service administrators will review and sign all employee performance evaluations for food service employees in a manner consistent with District regulations.

### VIII. ADMINISTRATION OF FEDERAL, STATE, LOCAL, AND PRIVATE FUNDS

Administration of supplemental funding to the Food Service Department is detailed in District Regulation 3221.

### IX. DISTRICT FUNDS AND FUND CONTROL

The procedures used by the Food Service Department are detailed in District Regulation 3210.

Legal Reference:	NRS Chapter 387 Financial Support of School System
Review Responsibility:	Operational Services Unit
Adopted:	[2212.2/3546.1/3546.4:7/12/63]
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