Other Operational Issues

Section 19 Update Guide

October 10, 2017  Updated Section 19, Other Operational Issues to incorporate the following United States Department of Agriculture (USDA) guidance and Texas law:
- Senate Bill 725, 85th Texas Legislature, on the donation and distribution of donated food at public schools (June 19, 2017)
- Child & Adult Care Food Program, At-Risk Afterschool Meals Guide (USDA, May 26, 2017)
- USDA Memo, SP 24-2017, Local School Wellness Policy: Guidance and Q&As (April 7, 2017)
- USDA Memo CACFP 05-2017, Offer Versus Serve and Family Style meals in the Child and Adult Care Food Program (December 5, 2016)
- USDA Memo SP 55-2016, Meal Service during Unanticipated School and Day care Closures (September 9, 2016)

Clarified information on the following topics:
- Complaint procedures
- Donating leftovers
- Family style
- Local wellness policy
- Meal service during a disaster
- Offer versus serve
- Offsite classes
- Pre-Kindergarten (pre-K) family style meal service
- Segregation or separation by protected class

Moved the following topics to Administrator’s Reference Manual (ARM), Section 18, Food Safety section:
- Sulfiting agents
- Standards for meal and poultry

August 28, 2017  Updated Section 19, Other Operational issues to clarify acceptable methods for acquiring an …And Justice for All poster. Removed guidance on standards for meal and poultry production and sulfiting agents in food and moved to Administrator’s Reference Manual (ARM), Section 18, Food Safety

December 9, 2016  Updated Section 19, Other Operational Issues to incorporate the following United States Department of Agriculture (USDA) guidance:
- USDA Memo SP 57-2016, Unpaid Meal Charges: Guidance and Q&A (September 16, 2016)

Clarified information on the following topics:
- Afterschool meal service times
- Alternate meals
- Alternative School or In School Suspension (ISS)
- Local wellness policy
- Meal service access and unpaid meal charges
- Offsite facility meal service
- Standards for meat and poultry products (moved from Section 8, Breakfast and Section 9, Lunch)
- Record retention
- Training

April 26, 2016  Updated Section 19, Other Operational Issues to incorporate the following United States Department of Agriculture (USDA) guidance:

- USDA Memo SP 07-2016, Local Foods and Related Activities in Summer Meal Programs, with Questions and Answers (November 12, 2015)

Clarified information on the following topics:
- Adults eating from student trays
- Farm to school

December 16, 2015  Updated Section 19, Other Operational Issues to incorporate the following United States Department of Agriculture (USDA) guidance:

- USDA’s Procuring Local Foods for Child Nutrition Programs (September 8, 2015)
- USDA Memo SP 42-2015, Service of Traditional Foods in Public Facilities, (July 31, 2015)
- USDA Memo SP 46-2014, Disaster Response (May 19, 2014)
- USDA Memo SP 41-2014, Clarification of the Policy on Food Consumption Outside of Foodservice Area, and the Whole Grain-Rich requirement (April 23, 2013)
- USDA Memo SP 11-2012, Guidance on the Food Donation Program in child Nutrition Programs (February 3, 2012)
- USDA, FNS Instruction, 113-1, Civil Rights Compliance and Enforcement—Nutrition Programs and Activities (November 8, 2005)
- USDA FNS Memo 2002-SP-14, Granting Exemptions to the Lunch Period (April 17, 2002)

Clarified information on the following topics:
- Civil rights training
- Compliance
- Consumption of Reimbursable meals outside of designated meal period
- Equal access
- Alternative school or in school suspension (ISS)
- Home canned products
- Leftover food
- Local Wellness Policy
- Locally grown products
- Meal service issues and options
- Non-traditional meal service times
- Nutrition Services Incentive Program (NSIP)
- Participant racial and ethnic data
- Records retention
- Right to not participate
- Proprietary rights
- Student/parent involvement
- Sulfitting agents
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Contact Information for the
Texas Department of Agriculture (TDA), Food and Nutrition

When contacting TDA by phone, Contracting Entities (CEs) need to have their CE Identification Number (CE ID) (and site ID, if applicable). CEs should include their name and CE ID (and site name and ID if applicable) in all communication or documentation.

<table>
<thead>
<tr>
<th>General Contact Information</th>
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<tbody>
<tr>
<td><strong>Physical Address:</strong> 1700 N. Congress, 11th Floor, Austin, TX 78701</td>
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<tr>
<td><strong>Mailing Address:</strong> PO Box 12847, Austin, TX 78711-2847</td>
</tr>
<tr>
<td><strong>Phone:</strong> 877-TEXMEAL, (877) 839-6985</td>
</tr>
<tr>
<td><strong>Fax:</strong> (888) 203-6593</td>
</tr>
<tr>
<td><strong>Email Contact:</strong> <a href="mailto:squaremeals@TexasAgriculture.gov">squaremeals@TexasAgriculture.gov</a></td>
</tr>
<tr>
<td><strong>Website:</strong> <a href="http://www.squaremeals.org">www.squaremeals.org</a></td>
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<tr>
<th>Email Contact for Issues Related to Applications</th>
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<tbody>
<tr>
<td>Child &amp; Adult Care Food Program: <a href="mailto:CACFP.BOps@TexasAgriculture.gov">CACFP.BOps@TexasAgriculture.gov</a></td>
</tr>
<tr>
<td>Fresh Fruit &amp; Vegetable Program: <a href="mailto:FFVP.Bops@TexasAgriculture.gov">FFVP.Bops@TexasAgriculture.gov</a></td>
</tr>
<tr>
<td>National School Lunch Program, School Breakfast, Program, &amp; Special Milk Program: <a href="mailto:NSLP-SBP.BOps@TexasAgriculture.gov">NSLP-SBP.BOps@TexasAgriculture.gov</a></td>
</tr>
<tr>
<td>Seamless Summer Option: <a href="mailto:SSO.BOps@TexasAgriculture.gov">SSO.BOps@TexasAgriculture.gov</a></td>
</tr>
<tr>
<td>Summer Food Service Program: <a href="mailto:SFSP.BOps@TexasAgriculture.gov">SFSP.BOps@TexasAgriculture.gov</a></td>
</tr>
</tbody>
</table>

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<tr>
<th>Email Contact for Issues Related to Program Operation:</th>
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<tbody>
<tr>
<td>Commodity Operations: <a href="mailto:CommodityOperations@TexasAgriculture.gov">CommodityOperations@TexasAgriculture.gov</a></td>
</tr>
<tr>
<td>Community Operations (Child &amp; Adult Care Food Program &amp; Summer Food Service Program): <a href="mailto:Community.Ops@TexasAgriculture.gov">Community.Ops@TexasAgriculture.gov</a></td>
</tr>
<tr>
<td>Local Products: <a href="mailto:LocalProducts.SquareMeals@TexasAgriculture.gov">LocalProducts.SquareMeals@TexasAgriculture.gov</a></td>
</tr>
<tr>
<td>Procurement, Including Sole Source: <a href="mailto:CE.ProcurementReviews.BOps@TexasAgriculture.gov">CE.ProcurementReviews.BOps@TexasAgriculture.gov</a></td>
</tr>
<tr>
<td>TX-LINPS Direct Certification Direct Verification System: <a href="mailto:DirectCertification@TexasAgriculture.gov">DirectCertification@TexasAgriculture.gov</a></td>
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<tr>
<th>Email Contact for CE Flexibility Options</th>
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<tbody>
<tr>
<td>Breakfast Waiver: <a href="mailto:SNPWaivers@TexasAgriculture.gov">SNPWaivers@TexasAgriculture.gov</a></td>
</tr>
<tr>
<td>Grains Exemption: <a href="mailto:Nutrition@TexasAgriculture.gov">Nutrition@TexasAgriculture.gov</a></td>
</tr>
<tr>
<td>Milk Exemption: <a href="mailto:Nutrition@TexasAgriculture.gov">Nutrition@TexasAgriculture.gov</a></td>
</tr>
<tr>
<td>Milk Substitute Notification: <a href="mailto:Nutrition@TexasAgriculture.gov">Nutrition@TexasAgriculture.gov</a></td>
</tr>
<tr>
<td>Paid Lunch Equity (PLE) Exemption: <a href="mailto:SNPWaivers@TexasAgriculture.gov">SNPWaivers@TexasAgriculture.gov</a></td>
</tr>
<tr>
<td>RCCI Age/Grade Group Meal Pattern Flexibility: <a href="mailto:School.Operations@TexasAgriculture.gov">School.Operations@TexasAgriculture.gov</a></td>
</tr>
<tr>
<td>Seamless Summer Operation (SSO) Age/Grade: Flexibility: <a href="mailto:SNPWaivers@TexasAgriculture.gov">SNPWaivers@TexasAgriculture.gov</a></td>
</tr>
<tr>
<td>Summer Mandate: <a href="mailto:SNPWaivers@TexasAgriculture.gov">SNPWaivers@TexasAgriculture.gov</a></td>
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Other Operational Issues

The guidance in this section addresses operational issues that are shared across programs including information related to civil rights, complaints, food additives, local wellness policy, locally grown products, meal service, records retention, student/parent involvement, and use of facilities.

Guidance in this section applies to the following programs:

- National School Lunch Program (NSLP)
  - Afterschool Care Program (ASCP)
  - Seamless Summer Operation (SSO)
  - Fresh Fruit and Vegetable Program (FFVP)
- School Breakfast Program (SBP)
- Special Milk Program (SMP)

Civil Rights

Under USDA regulations, contracting entities (CEs) must assure that school nutrition program (SNP) benefits are made available and provided to all eligible individuals without discrimination on the basis of

1. Age
2. Color
3. Disability
4. National origin
5. Race
6. Sex (gender)

Therefore, CEs must not separate or segregate students or provide different meal services based on age, color, disability, national origin, race, and gender.

Communication about Program Availability

The CE must ensure that participants are provided information about school meal program benefits and services, nondiscrimination policy, and all significant changes in existing requirements that pertain to program eligibility and benefits. This may be done through a news or media release and letters to parents. CEs must also send a household meal application to the parents or guardians of each
student enrolled who is not predetermined to be eligible. CE’s may also involve local minority and grassroots organizations in sharing this information.

Right to Not Participate
Just as the civil rights requirements protect all students participating in SNPs from discrimination, it also protects the rights of any student who chooses not to participate. Students cannot be required to participate in the SNP. Households cannot be required to complete a household meal application.

Nondiscrimination Statement
CEs must include the nondiscrimination statement on all forms of communication and printed program information that are sent to or shared with students and student households. This includes, but is not limited to, menus, notifications, letters, and household meal applications. The nondiscrimination statement is issued by the United States Department of Agriculture (USDA), and CEs must include the statement in its entirety. USDA provides this statement in English and Spanish.

_English:_
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. 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_, (AD-3027) found online at: [http://www.asco.usda.gov/complaint_filing_cust.html](http://www.asco.usda.gov/complaint_filing_cust.html), 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: (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) email: program.intake@usda.gov.

This institution is an equal opportunity provider.

_Spanish:_
For all other FNS nutrition assistance programs, State or local agencies, and their subrecipients, must post the following Nondiscrimination Statement:

Los demás programas de asistencia nutricional del FNS, las agencias estatales y locales, y sus beneficiarios secundarios, deben publicar el siguiente Aviso de No Discriminación:

De conformidad con la Ley Federal de Derechos Civiles y los reglamentos y políticas de derechos civiles del Departamento de Agricultura de los EE. UU. (USDA, por sus siglas en inglés), se prohíbe que el USDA,
sus agencias, oficinas, empleados e instituciones que participan o administran programas del USDA
discriminen sobre la base de raza, color, nacionalidad, sexo, discapacidad, edad, o en represalia o venganza
por actividades previas de derechos civiles en algún programa o actividad realizados o financiados por el
USDA.

Las personas con discapacidades que necesiten medios alternativos para la comunicación de la información
del programa (por ejemplo, sistema Braille, letras grandes, cintas de audio, lenguaje de señas americano,
etc.), deben ponerse en contacto con la agencia (estatal o local) en la que solicitaron los beneficios. Las
personas sordas, con dificultades de audición o discapacidades del habla pueden comunicarse con el USDA
por medio del Federal Relay Service [Servicio Federal de Retransmisión] al (800) 877-8339. Además, la
información del programa se puede proporcionar en otros idiomas.

Para presentar una denuncia de discriminación, complete el Formulario de Denuncia de Discriminación del
Programa del USDA, (AD-3027) que está disponible en línea en:
http://www.ascr.usda.gov/complaint_filing_cust.html y en cualquier oficina del USDA, o bien escriba una
carta dirigida al USDA e incluya en la carta toda la información solicitada en el formulario. Para solicitar
una copia del formulario de denuncia, llame al (866) 632-9992. Haga llegar su formulario lleno o carta al
USDA por:

(1) correo: 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; o

(3) correo electrónico: program.intake@usda.gov.

Esta institución es un proveedor que ofrece igualdad de oportunidades.

In limited circumstances, CEs may use the abbreviated nondiscrimination statement on
documents (print or electronic) that have limited space such as brochures or menus. This does
not include letters. Before using the abbreviated statement, CEs must ensure that the document
cannot be formatted or laid out to include the full nondiscrimination statement.

| Abbreviated Nondiscrimination Statement: | This institution is an equal opportunity provider. |
Nondiscrimination Poster
CEs must display the USDA nondiscrimination …And Justice for All poster prominently at each feeding location. Posters are not required in the office of personnel who distribute and/or process applications.

USDA-approved posters are available from the CE’s regional education service center (ESC).

Program Participant Racial and Ethnic Data
CEs must complete the School Nutrition Programs Questionnaire: Compliance with Civil Rights Act of 1964 worksheet with their initial SNP application and agreement and must maintain racial and ethnic data each year after. There are two methods for maintaining this data:

For CEs Submitting Data to the Public Education Information Management System (PEIMS)
In Texas, public and charter schools are required to maintain this data through the state’s Public Education Information Management System (PEIMS) which is administered by the Texas Education Agency (TEA). CEs that use the PEIMS system are not required to retain racial and ethnic data in another format after the first year of participation in the SNP.

For CEs Not Submitting Data to the Public Education Information Management System (PEIMS)
Any CE that does not report PEIMS data to TEA must collect racial and ethnic data on potentially eligible participants, applicants, and participants each year. CEs may use the School Nutrition Programs Questionnaire, Compliance with Civil Rights Act of 1964 form to retain racial and ethnic data or a form created by the CE as long as the form provides the same information. CEs are not required to submit this information to TDA annually after the initial application. Instead, the documentation must be retained onsite.
CE’s Complaint Procedure

CE’s must have a written complaint procedure (1) that ensures that parents or guardians of students, potential participants, and the public are informed on how to submit a complaint and (2) that ensures that staff know how to process a complaint when one is received. Information about complaint procedures should be provided in English or the appropriate language to those who have Limited English Proficiency (LEP). This may be done through news releases, letters to parents, and household meal application forms.

CEs must have a written process or procedure for how staff will handle

All SNP complaints alleging discrimination based on race, color, national origin, sex, age, or disability, verbal, written, or in person must be accepted by SNP personnel and must be forwarded to TDA.

- Communications about the complaint form and process for submitting a complaint must include the following information:
  - Statement about where complaints may be filed, including an explanation that the person may file complaints directly to TDA or USDA with information about how to file directly to TDA or USDA.
  - Identity of any agency to which complaints are forwarded or shared (i.e., TDA, USDA, or another governing agency).
- Procedures for handling complaints must include the following:
  - Method to indicate how the complaint was made: verbally, in writing, or in person.
  - Method to indicate the name of the person receiving the complaint and if the person receiving the complaint transcribed the complaint.
  - Adequate documentation to demonstrate that the CE did not attempt to resolve the complaint without forwarding the complaint to TDA. The CE may initiate resolution of the complaint while waiting for a response from TDA, but must maintain documentation of what was done to resolve the complaint.

A sample complaint form that CE can use to assist them in developing a local form is provided at www.squaremeals.org. TDA also provides a complaint form on the SquareMeals website that anyone may use to submit a complaint directly to TDA.

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1 Designation for those who have a limited ability to speak, read, write, or understand in English, including low literacy and those whose native language is not English.
2 See the Contact Information for the Texas Department of Agriculture (TDA) Food and Nutrition page located at the beginning of this section.
3 See the Contact Information for the Texas Department of Agriculture (TDA) Food and Nutrition page located at the beginning of this section. See the Nondiscrimination Statement subsection under the Civil Rights topic for detailed contact information for filing a complaint directly to USDA.
Training

Civil rights training is an annual requirement for all school nutrition programs. This training requirement applies to any CE staff member who takes a role in processing the eligibility for household meal applications, who interacts with participants about program eligibility, or who provides services related to the operation or management of the program. This includes any staff member who collects payments, provides eligibility information, processes applications, handles appeals, or any other activity where there is a possibility of discrimination occurring. Civil rights training is not limited to SNP staff.

The CE is not required to provide Civil Rights training to volunteers, but it is recommended. Training is also not required for individuals who provide information about a student’s participation in categorical program to SNP staff when the person is not responsible for certifying the eligibility of students for the SNP. This would include, but is not limited to, the homeless liaison, foster liaison, migrant director, or early childhood director who provides a list of students identified as categorical program participants to the SNP. However, if any of these individuals also have a role in managing and/or operating the SNP, the individuals must have civil rights training.

To assist CEs with meeting this requirement, civil rights training is available at www.squaremeals.org. TDA will check documentation related to civil rights training during an administrative review and may request documentation of training at any time. The required civil rights training may also be counted toward meeting the continuing education/training professional standards.

Equal Access to Meals for All Students

When a serving site offers a selection of more than one type of meal, more than one item, or different types of milk that are part of the reimbursable meal, the school must offer all students the same choices no matter the eligibility of the student—free, reduced-price, or paid. If all types of meals or selected items, including those receiving free or reduced-price meals or free milk, are not made available to all students, those meals or items must not be claimed as a reimbursable meal or milk.

Alternate Meals for Students with Unpaid Meal Charges

A CE may serve an alternate meal to any student who has unpaid meal charges.

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4 Both forms are available at www.squaremeals.org. The sample form is available under the Publications tab on the top navigation bar. The TDA form and directions located under the I Need To… tab on the top navigation bar.

5 See the Records Retention subsection in this section for additional information on this topic.

6 See Administrator’s Reference Manual, Section 25, Professional Standards for additional information on this topic.

7 See updated guidance TDA has provided in the TDA Bi-Weekly for additional information on alternate meals served in this circumstance. Administrator’s Reference Manual, Section 15, Meal Pricing is in the process of being updated to include the new guidance alternate meals.
Locally Grown Products

CEs may purchase locally grown products for their school nutrition program. Commonly used local products include, but are not limited to fruits, vegetables, beans, grains and flour, meat, poultry, fish, condiments, herbs, eggs, and dairy.

TDA has developed Texas Farm Fresh to promote the use of local products. The Texas Farm Fresh website provides information on strategies for offering local products, various programs that support the use of local products, best practices, success stories, a seasonal produce availability tool, and more. The Texas Farm Fresh website is located at www.squaremeals.org/FandNResources/TexasFarmFresh.aspx

The following resources may also be helpful in promoting the use of locally grown products:

- Contact the local cooperative extension agent or educators to learn more about local products. A list of offices is available at www.nifa.usda.gov/partners-and-extension-map
- Use the USDA Census of Agriculture to get a list of the crops being grown in a specific area. Maps are available at www.agcensus.usda.gov/Publications/2012/Online_Resources/Ag_Census_Web_Maps/

For information on procurement regulations related to local preference, see the Administrator’s Reference Manual, Section 17, Procurement.

Local Wellness Policy

Every CE must establish and follow a local wellness policy (LWP). The LWP is intended to be a useful tool in establishing, evaluating, and maintaining a healthy school environment and promoting transparency to the public on key areas that affect each school’s nutrition environment. The LWP must focus on nutrition education and promotion, physical activity, and school-based activities that promote student wellness. However, the CE may also include activities to promote wellness for parents, staff members, and the larger community.
The CE’s LWP must be approved by its board of trustees or governing board. The CE must be able to demonstrate this approval. The minutes from the board of trustees or governing board meeting when the LWP was approved will satisfy this requirement.

RCCIs
RCCIs, must establish and follow a local wellness policy (LWP). However, promoting transparency to the public and engaging parents and community members may be difficult for RCCIs that only provide services to residential children/students or primarily residential children/students. In these cases, RCCIs are expected to meet all requirements whenever possible and document those situations that prevent it from fully implementing a LWP as required.

The development of a LWP has two aspects:

- **Written formal policy or procedure**
  
  The formal policy or procedure describes how the CE will address all local, state, and federal requirements and is approved and adopted by the local board of trustees or governing board. This policy should be updated when there is a change in how the CE will address local, state, or federal requirements.

- **Written implementation plan**
  
  The implementation plan describes how the CE will implement the written formal policies or procedures. The plan for implementation should be updated to meet emerging needs and priorities of the community in addition to addressing local, state, or federal requirements.

**Developing a Local Wellness Policy (LWP)**

During SY 2016-2017, all CEs are required to review their LWP and ensure that it meets the requirements for a local wellness policy that must be implemented for School Year 2016-2017 as described below.

**Initial Local Wellness Policy for CEs in Their First Year of Operating the Program**

The CE must submit its LWP to TDA as part of its application to operate NSLP or SBP. The CE should work with its regional ESC child nutrition specialist in developing its LWP and implementation plan. The CE must keep a copy its LWP, proof of local board of trustee or governing board approval, and documentation related to its implementation. This documentation must be available during an administrative review (AR) or on request. CEs are not required to submit a copy of updated local wellness policies to TDA.

**Updated Local Wellness Policy**

Each year the CE must review its local wellness policy. If changes are made to the policy, TDA recommends that the CE contact its ESC child nutrition specialist to ensure that the updated policy meets the minimum requirements. The CE must keep a copy of the updated policy and proof of the updated LWP approval.
by the board of trustees or governing board. CEs are not required to submit a copy of updated local wellness policies to TDA.

**School Year 2017-2018**

Each CE must implement a LWP that meets the requirements of the LWP final rule. This includes setting goals after the review and consideration of evidence-based strategies.

**Triennial Assessment**

The CE is required to conduct a triennial assessment of its program, but may do so more frequently. A critical element of any assessment is the collection of data or information that is used for the assessment. Data or information about the LWP should be collected each year as part of the assessment. This includes, but is not limited to, number of participants in program activities, documentation of policy changes, and survey data about program impact.

CEs are not required to use the *Local Wellness Policy (LWP) Checklist* form in creating their local wellness polices and implementation plans; however, this form may be used by CEs to assist them in insuring that their LWP contains the required content and quickly identify key issues that must be addressed in their implementation plan. The ESC child nutrition specialists may also use this form to provide technical assistance on the development of local wellness policies.

### Elements of a Local Wellness Policy

At a minimum, CEs must address the following elements in their LWP:

<table>
<thead>
<tr>
<th>Structure</th>
<th>Must apply to all schools in the CE participating in NSLP and/or SBP and be approved by the board of trustees or governing board.</th>
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<tbody>
<tr>
<td></td>
<td>May customize the policy for different schools based on student age, facility, or other circumstances as long as the resulting LWP meets requirements and does not conflict with federal and state regulations.</td>
</tr>
</tbody>
</table>

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8 Available from [www.squaremeals.org](http://www.squaremeals.org). The Texas Association of School Boards (TASB) has also developed tools to assist CEs in this effort. These materials are available at [www.tasb.org/Home](http://www.tasb.org/Home).
| Nutrition Education and Promotion | **Must** address nutrition education and promotion through goals that address the following:  
1. Activities that promote health, wellbeing, and students’ ability to learn.  
2. Nutritional guidelines for all food and beverages available to be sold or given to students on the school campus during the school day, including food and beverages offered by the school nutrition program and outside of the school nutrition program. This includes fundraisers, school-sponsored activities, and nonschool-sponsored activities that take place during the school day on the school campus.  
**Must** target students.  
**May** also target parents, community members, and staff in nutrition education and promotion. |
|---------------------------------|--------------------------------------------------------------------------------|
| Stakeholder Engagement          | **Must** engage the following stakeholders in developing and implementing the LWP:  
• Administrators (district and/or school)  
• Community members  
• Parents  
• Representatives of the CE or school(s)  
• Representatives of the board of trustees or governing body  
• School health professional  
• School nutrition staff  
• Students  
**May** involve other stakeholder groups, including Supplement Assistance Program Education (SNAP-ED) coordinators. |
| Assigned Responsibilities        | **Must** assign a staff position or positions to be responsible for the following tasks:  
1. Development of the LWP  
2. Implementation of the LWP  
3. Assessment of the LWP  
4. Update of the LWP  
**May** assign one person to take responsibility for all tasks or **may** assign multiple people. |
**Marketing**

**Must** describe how the following marketing issues will be addressed:

1. Current district marketing guidelines for foods and beverages sold to students.
2. Strategies the CE will implement to ensure that, as of July 1, 2017, all future marketing for foods and beverages sold to students on the school campus during the school day meets the Competitive Food Nutrition Standards.\(^9\)

**May** immediately replace or eliminate items that display marketing information (including products with logos) that are not compliant with the Competitive Food Nutrition Standards.

**Must** establish a plan to ensure that all items that display marketing information obtained after July 1, 2017 are compliant with the Competitive Food Nutrition Standards.

**Must** establish a plan for replacing or eliminating all existing marketing displays and items with marketing information that are not compliant with the Competitive Food Nutrition Standards.

**What is marketing?**

Strategies used to promote the sale of a food or beverage.

**What types or methods of marketing are covered in the requirements related to marketing?**

Includes, but is not limited to, oral, written, and graphic statements that appear on vending machines, posters, menu boards, tray liners, beverage cups, coolers, trash cans, digital marketing, food service supplies and equipment, or other items.

**When and where do the marketing standards apply?**

Marketing for any food or beverage sold on the school campus during the school day for those schools operating NSLP and/or SBP.

**When do the marketing standards not apply?**

Marketing standards do not apply to materials used for classroom educational purposes; for schools that do not operate NSLP and/or SBP; product marketing that occurs outside of the school day; incentive program coupons for products that are not intended to be served during the school day; and label redemption programs such as Box Tops for Education which are brought from home.

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\(^9\) Marketing is defined as *strategies used to promote the sale of a food or beverage*. The kinds or method of marketing that are covered include, but are not limited to, oral, written, and graphic statements that appear on vending machines, posters, menu boards, tray liners, beverage cups, coolers, trash cans, food service supplies and equipment, or other items. The marketing requirements apply to food or beverage sold on the school campus during the school day. Marketing standards do not apply to materials used for classroom educational purposes.

\(^10\) See the *Administrator’s Reference Manual, Section 20, Competitive Food Nutrition Standards* for additional information on this topic.
**Triennial Assessment**

Must establish a plan to assess the effectiveness of the implementation of its LWP at least every three years including, but not limited to, an assessment of the following:

1. compliance with its LWP
2. alignment to model, evidence-based LWPs
3. progress made toward attaining the goals described in its LWP

Must distribute the results of the assessments to the public.

May assess the implementation of its LWP more frequently and may include other areas or issues in its assessment.

**Records Retention**

Must establish a system to retain all records that demonstrate compliance with LWP requirements, including, but not limited to, stakeholder involvement, development, and implementation of the LWP, triennial assessments, public notifications, and marketing policy.

**Local Needs.** Local wellness polices may also include additional policies that reflect the goals of the local community as long as those goals do not conflict with USDA or TDA regulations.

*For Example:* CE may include, but are not limited to, the following types of policies.

- Activities and goals that focus on promoting wellness for parents, community members, and school and CE staff
- Food or beverages given or provided to a student by an adult acting on behalf of a student’s parent or guardian
- Food or beverages delivered by businesses to students on the school campus
- Food or beverages sold during campus fundraisers

**Resources for Local Wellness Policies**

- Centers for Disease and Control and Prevention—The Centers for Disease and Control and Prevention provides resources and information specific to school health at [www.cdc.gov/HealthyYouth/](http://www.cdc.gov/HealthyYouth/) and [www.cdc.gov/healthyyouth/npao/wellness.htm](http://www.cdc.gov/healthyyouth/npao/wellness.htm).

- Institute of Child Nutrition—The Institute of Child Nutrition, formerly the National Food Service Management Institute (NFSMI), has created the *Resource to Sustain and Strengthen Local Wellness Initiatives* which is available at [www.theicn.org](http://www.theicn.org).

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11 USDA provides resources on successful practices and best practices on the School Nutrition Environment and Wellness Resources website ([http://healthymeals.nal.usda.gov/school-wellness-resources-2](http://healthymeals.nal.usda.gov/school-wellness-resources-2)).

12 See the *Records Retention* subsection in this section for additional information on this topic.
• Texas Association of School Boards (TASB)—TASB has developed tools to assist CEs in developing their LWP and implementing their LWP. The tools are available at www.tasb.org/services/policy-service/news.aspx.

• USDA Team Nutrition—USDA Team Nutrition provides a wide array of resources CEs can use in developing a local wellness policy and in sharing information about nutrition with students, parents, and larger community at www.fns.usda.gov/

Meal Service Issues
This subsection provides general information and guidance on meal service options and issues that cross school nutrition programs. Specific information related to meal service and the reimbursable meal for specific programs may be found in the Administrator’s Reference Manual, Sections 8, Breakfast; Section 9, Lunch; Section 10, Afterschool Meal Programs; Section 12, Seamless Summer Option; and Section 27, Special Milk Program.

A La Carte
CEs may provide an a la carte service as long as they also offer a reimbursable meal to all students.

At Breakfast
If a student chooses less than three food items menued for a reimbursable breakfast (including a minimum serving of fruit or vegetables), the student must pay the a la carte price of those items if this is the CE’s policy when a student does not select a reimbursable meal.

At Lunch
If a student chooses less than three food components menued for a reimbursable lunch (including a minimum serving of fruit or vegetables), the student must pay the a la carte price of those items if this is the CE’s policy when a student does not select a reimbursable meal.

A la carte prices should be set to cover the total cost of each menu item. All a la carte sales must meet all applicable Competitive Food Nutrition Standards.

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13 See Administrator’s Reference Manual (ARM), Section 15, Meal Pricing for additional information on this topic.

14 See the Administrator’s Reference Manual (ARM), Section 20, Competitive Food Nutrition Standards for additional information on a la carte sales and the competitive food requirements.
Adults Eating from a Student’s Tray
Parents or caretakers occasionally visit their children during mealtime. TDA encourages their involvement in students’ education and the nutrition program. However, an adult is not allowed to consume all or part of a meal served to a student. If an adult eats from a student’s tray, that meal is not reimbursable.

Required Response to an Adult Eating from a Student’s Tray
If an adult eats from a student’s tray, SNP staff must inform the adult that the meal is for the student’s consumption and that the adult must either purchase a meal at the school, bring in an outside meal to eat, or not eat with the student.

Alternative School or In School Suspension (ISS)
When serving meals to students in an alternative school or ISS facility, CEs must apply the following requirements as appropriate to their serving situation:

- All students, including ISS students, must have equal access to all food service lines if they are allowed to go to the cafeteria to receive meals during regular meal service periods.
- If ISS students are only allowed access to the cafeteria before or after regular serving times, they may be limited to one reimbursable line. In this situation, the ISS students must receive and consume their meals prior to or after the regular meal periods for other students. They may consume these meals in the cafeteria or in another location.
- If the alternative school or ISS site participates in NSLP or SBP, students must not be required to bring a meal when there is a meal service on the campus. However, in cases where no foodservice is available at the location where the students are assigned, the CE is not required to provide meals.
- Students attending an alternative school or ISS site may be served a different meal than students attending school in regular school sites. In this case, the meal served must be a reimbursable meal, and the student must be allowed to choose from a variety of low-fat and fat free milk.
Consumption of Reimbursable Meals Outside of Designated Meal Service Area

Reimbursable meals prepared for school nutrition programs are to be served and consumed in the cafeteria or other designated eating areas. However, USDA recognizes that with time-limited meal periods and the increased amount of fruits and vegetables offered at meals, some students may be inclined to save some items for consumption at a later time. There is no federal prohibition of this practice. USDA encourages this practice as a means of reducing potential food waste and encouraging consumption of healthy school meals. For food safety reasons, this practice should be limited to food items that do not require cooling or heating, such as a whole fruit or packaged non-perishable item.

However, meals that are prepared with the intention of being consumed by students outside of the regular school day are not reimbursable.

*For Example: Meals given to students to eat on the bus on the way home or meals sent home when there is an early dismissal.*

Declared Disaster

This subsection addresses issues related to meal service during a declared disaster. For information on the eligibility of students based on a declared disaster, CEs should review the Administrator’s Reference Manual (ARM), Section 4, Determining Eligibility.

USDA defines a disaster as a natural occurrence such as hurricanes, tornadoes, and floods or an exceptional emergency or man-made disaster to include such situations as human pandemics or chemical plant explosions. When there is a declared disaster that may impact the ability of CEs to continue normal program operations, USDA may approve flexibilities to accommodate the needs of severely impacted areas or authorize TDA to approve flexibilities.

Flexibilities are provided on a case-by-case basis and require justification from TDA. CEs must contact TDA as soon as possible to alert TDA that a disaster is anticipated, will occur, or has occurred. TDA will coordinate with USDA and other agencies as appropriate in responding to the disaster.

CEs must maintain accurate records related to meal service during the disaster.15

When there is an emergency situation impacting large geographic areas, TDA will provide additional directions on options or flexibilities for continued operation in one or more of the following methods:

- SquareMeals website ([www.squaremeals.org](http://www.squaremeals.org))
- Direct communication with CEs and ESCs

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15 See the Records Retention subsection in this section for additional information on this topic.
The following flexibilities may be approved during a disaster:

Serving Locations
The designated disaster organization and the CE should determine if NSLP or SBP sites will be open to provide relief. The size of the kitchen and cafeteria, amount of inventory on hand, size and condition of equipment, and available staff should be considered in determining locations.

Expanded Serving Locations
Under this authority, TDA may expedite the authorization of Seamless Summer Option (SSO) sites or Summer Food Service Program (SFSP) sites to provide meal services when schools or day care facilities must remain closed during a disaster. USDA may also authorize TDA to waive the normal site requirements for Child and Adult Care Food Program (CACFP), SFSP, and SSO in order to provide meals in the most suitable locations during a disaster.

Changing Service Locations When Facilities Are Damaged
When facilities are damaged and the CE is unable to provide meal services at the sites the CE normally operates, a CE may combine or consolidate meal services at existing or new sites. For existing sites, the CE will need to adjust the enrollment number in TX-UNPS for these sites to reflect the new number of students enrolled at the location. For new sites, temporary or long term, the CE will create a new site in TX-UNPS.

Meal Service
TDA may allow meal service flexibility in the following areas:

- Traditional meal service time
- Requirements related to offer versus serve
- Substitution of an alternate form of milk
- Meal pattern requirements

If the CE is unable to serve the required meal pattern, the CE must provide the reason to TDA prior to the meal service, and TDA will obtain approval from USDA.
Resources for Disaster Feeding

The following resources provide information on preparation for disaster responses and guidance related to child nutrition programs.

**TDA**
- TDA Disaster website at [www.squaremeals.org/Programs/FoodAssistanceforDisasterRelief.aspx](http://www.squaremeals.org/Programs/FoodAssistanceforDisasterRelief.aspx).

**USDA**

**Other Sources**
- Red Cross at [www.redcross.org/](http://www.redcross.org/).

Disciplinary Action

USDA guidance prohibits the denial of meals as a disciplinary action for any student who is enrolled in a school operating a school nutrition program. This does not include disciplinary action which suspends the student from attending school.

Farm to School and School Farm or Garden Programs

Educational activities offered in farm to school and school farm or garden program may provide benefits to school food service operations in a variety of ways: improving student attitudes toward fruits and vegetables, increasing student consumption of fruits and vegetables and improving job satisfaction for school nutrition team members. Farm to school and school farms and gardens may be used to incorporate locally or regionally produced foods into the meal service for all NSLP and SBP programs and integrate hands-on learning activities and food-related education into classroom instruction.
Common educational activities include classroom lessons, field trips to local farms, or meet the farmer day.

**Health and Safety**
In selling garden produce, the CE must also follow all federal, state, and local requirements regarding health and safety regulations.

**Leftover Garden Produce**
Any leftover produce from the garden may be used for other child nutrition programs. If that is not possible, the garden program may sell the produce to the public as long as the profits accrue to the nonprofit school food service account or may donate the leftovers in accordance with state and local health and safety regulations.

**Field Trips or Special Events**
When planning for meal service at special functions for all Child Nutrition Programs (CNPs), parties, field trips, or other special events, the CE must ensure (1) that students are not denied meals or a variety of milk; (2) that there is no overt identification of eligibility; and (3) that meals claimed for reimbursement meet meal pattern requirements.

The SNP may provide sack lunches for only those students who request one. Request forms used for field trips must not include eligibility status.

**Home-Canned Products**
Home-canned products are unallowable in the school meal program because of food safety concerns. However, canned food items (including those produced locally) that are produced and processed in an approved facility that meet all local, state, and federal food safety and health guidelines may be used in school meals.

**Leftover Food**
CEs have several options in dealing with leftover food items.

**Leftover Sharing Tables**
To minimize food waste, schools may set up leftover sharing tables for food items students don’t want. SNPs must apply all appropriate state and local health and safety regulations to sharing tables.

**Leftovers Sold in School Cafeteria**
Leftovers may be sold in the school cafeteria or other designated eating area as second meals or a la carte items or meals or may be incorporated into a future reimbursable meal as long as all state and local health and safety regulations are
followed. When leftovers are sold, the income from the sale of the leftovers must accrue to the nonprofit school food service account, and the items sold must meet the competitive food requirements.\textsuperscript{16} Income from the sale of a la carte items must be tracked as part of documenting nonprogram income.\textsuperscript{17}

The a la carte sale price must include the following costs:

- Value of USDA Foods
- Purchased foods used to make the item
- Labor to prepare the item
- Overhead

Students Saving Items from Their Meal to Eat Later

Students are allowed to take food items from a meal service with them to eat later. School policies related to students removing food items from the meal service area should be based on whether the item can be carried by the student without a special container and if the item is food safe without refrigeration.

Donating Leftovers

If food from a meal or snack service is leftover and cannot be used for another meal service, the food may be donated.

\textit{Donation Agreement}

When an SNP donates leftover food to a nonprofit, the CE should create an agreement that provides guidelines for food transfers and food holding and storage.

\textit{Donating to Local Food Banks and Charitable Organizations}

USDA regulations allow CEs to donate leftover food to eligible food banks and charitable nonprofit organization under the following conditions:

- The CE practices good meal production planning to ensure that one meal per student is produced.
- The CE does not intentionally prepare additional servings with the intention of donating extra servings.
- CEs should ensure that policies to support a food donation program do not discourage students from consuming all items served to them.

\textsuperscript{16} See the \textit{Administrator’s Reference Manual, Section 20, Competitive Food Nutrition Standards} for additional information on this topic.

\textsuperscript{17} See the \textit{Administrator’s Reference Manual, Section 14, Financial Information Concerning School Nutrition Funds} for additional information on nonprogram foods.
• The CE is not able to use the leftover food for another meal service and food would, therefore, be thrown away.
• State and local health codes are followed in the storage and transport of the leftover food items.

Eligible local food banks and charitable organizations are entities that are exempt from taxes under Section 501(c)(3) of the Internal Revenue Code of 1986 [26 USC. 501(c)(3)].

**Good Samaritan Food Donation Act**
CEs that make donations under these provisions also have extended protections against civil and criminal liability for persons or organizations when making food donations to the extent provided under the *Bill Emerson Good Samaritan Food Donation Act*, found in Section 22 of the *Child Nutrition Act*.

**Types of Donated Food**
Donations may include packaged or unpackaged unserved food; packaged served food if the packaging is in good condition; whole, uncut produce; wrapped raw produce; and unpeeled fruit required to be peeled before consumption. However, CEs must follow all applicable local, state, and federal food safety regulations for handling and storing donated foods.

**Donation of Food to a Nonprofit Organization with an Affiliation with a CE**
If food from a meal or snack service is leftover and cannot be used for another meal service, Texas law allows public or charter schools to donate food to a nonprofit organization through an official of the nonprofit organization who is directly affiliated with the campus.

See the *Donating Leftovers* subsection above for additional guidance on donating foods.

*[NOTE: Texas law allows public and charter schools to create these types of programs, but there are no USDA regulations that prevent a private school or other entity operating an SNP from creating a similar program.]*

**Affiliation with the CE**
A person who is directly affiliated includes a teacher, counselor, or parent of an enrolled student.

**Distribution of Donated Food**
CEs may allow the SNP to donate leftovers from breakfast, lunch, supper, and snack meal service(s). Food may be distributed onsite by the nonprofit organization at any time, including using leftovers from a previous meal service to provide food or a meal to a student who is
unable to purchase a meal for breakfast, lunch, supper, or snack. CEs will need to be careful not to overtly identify the eligibility of a student or students if food is distributed during the school day.

Any food given away is not subject to the Competitive Rules. Even if the food or meal provided by a food donation program during a meal service time meets the meal pattern, a CE cannot claim the meal because the food was not provided as part of the SNP meal service.

SNP staff must also be mindful that they cannot take SNP food for personal use,18 i.e., personally profit from the SNP. CEs must have policies or guidelines in place that ensure that SNP staff do not profit from the SNP, including through donation programs.19

Use of SNP Equipment
The CE may allow donated food to be received, stored, and distributed onsite. However, a CE needs to keep in mind whether the use of SNP equipment for these purposes is incidental or long term.

If any SNP equipment is used for a food donation program, the CE must maintain documentation that demonstrates (1) that there is negligible cost in using SNP equipment and/or storage and that no additional equipment has been purchased specifically because of or for the donation program or (2) that the cost for equipment and/or storage has been covered by non-SNP sources.

Involving School Nutrition Staff
School nutrition staff may assist in organizing and distributing food as volunteers for the nonprofit food donation program. However, the CE needs to be mindful of how staff charge their time when assisting with the organization and distribution of food.

SNP staff may charge time to the SNP when identifying and organizing food items to be donated, but cannot charge time to the SNP when performing operational tasks for the food donation program.

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18 SNP staff assisting with the operation and supervision of the nutrition program may be served a meal at no cost before, during, or after the meal service.

19 See Administrator’s Reference Manual (ARM), Section 16, Confidentiality and Program Integrity for additional information on this topic.
Donating USDA Foods

There are occasionally situations when a CE has ordered USDA Foods and is unable to use the food items in its meal service before storage limitations expire. See Administrator’s Reference Manual (ARM) Section 21, USDA Foods for additional information on this topic.

Leftovers to Feed Swine

In Texas, no individual, agency, or organization may donate or sell any type of food garbage to swine that contains meat, meat scraps, or items that came in contact with the cooking of meat. This law applies to all SNP sites.

Offsite Classes

If students enrolled at one of the CE’s sites attend classes at an offsite facility that does not participate in the school nutrition program, a CE may provide reimbursable meals during the period of time when students are attending classes at the offsite facility. Students must be in attendance at the offsite facility when the meals are served, and meals must be served during the regular site’s normal meal time. The meal service must be congregate service when multiple students are in attendance at the offsite facility. Offsite classes commonly include, but are not limited to, students enrolled in offsite work-study or alternative academic program classes. The meal may be a sack lunch or other appropriate service method.

Traditional Foods

CEs that primarily serve Indian populations are allowed to accept the donation of traditional foods and serve traditional foods as part of the school nutrition program. Traditional foods are defined as food that has traditionally been prepared and consumed by an Indian tribe which includes the following types of food:

- Wild game meat
- Fish
- Seafood
- Marine mammals
- Plants
- Berries

20 The Food Buying Guide for School Nutrition Programs will be updated to allow the use of donated traditional foods in school nutrition programs that primarily serve Indian populations.
To make use of these products, the CE must make sure the following requirements are met:

- Ensure that the food received is whole, gutted, gilled, as quarters, or as a roast, without further processing.
- Make a reasonable determination that
  - the animal was not diseased;
  - the food was appropriately butchered, dressed, transported, and stored to prevent contamination, undesirable microbial growth, or deterioration; and
  - the food will not cause a significant health hazard or potential for human illness.
- Carry out any further preparation or processing of the food at a different time or in a different space from the preparation or processing of other food for the applicable program to prevent cross-contamination.
- Clean and sanitize food-contact surfaces of equipment and utensils after processing the traditional food.
- Label donated traditional food with the name of the food item.
- Store the traditional food separately from other food for the program, including through storage in a separate freezer or refrigerator or in a separate compartment or shelf in the freezer or refrigerator.
- Follow Federal, State, local, county, Tribal, or other non-Federal law regarding the safe preparation and service of food in public or nonprofit facilities.
- Follow other such criteria as established by the Secretary of Agriculture and Commissioner of the U.S. Food and Drug Administration.

Meal Service Methods
CEs may choose to deliver meals through a variety of strategies including family style, multiple-choice menus, multiple serving stations, offer versus serve (OVS), pre-packaged delivery, and pre-plated meals. No matter which meal service type, CEs must implement strategies to (1) ensure that staff are able to accurately identify a reimbursable meal at the point of service (POS) and (2) ensure that students are able to recognize a reimbursable meal during meal service.
Breakfast in the Classroom (BIC)

Breakfast in the Classroom (BIC) is an alternative serving method that CEs may use to provide students with a nutritious meal in a familiar setting—their classroom. BIC commonly results in the following outcomes:

- More students eat breakfast; therefore, more students are ready for learning.
- BIC allows teachers to accomplish routine morning tasks—attendance, collecting homework, and announcements—while students are eating breakfast. Therefore, little, if any, teaching time is lost.
- Food service staff save time since students are usually responsible for clearing away their trash.
- When the food service facilities are not large enough to accommodate all students at one setting, BIC allows breakfast service to be completed more quickly since the site does not have to offer staggered serving times.

BIC works well in many types of circumstances. However, the following conditions will help to support a successful BIC:

- Students are in the same room at the start of each day.
- Buses arrive just before classes begin.
- Teachers are supportive of the breakfast program and realize its importance to learning.
- The cafeteria is centrally located or has methods for delivering meals quickly to classrooms.

Strategies for BIC Service

TDA recommends that CEs develop a written policy on BIC before implementing this program. It is also recommended that the SNP staff obtain the approval and support of administrators, principals, and teachers.

BIC can be served in a variety of ways.

- Meal in a bag
- Individually wrapped items
- Cafeteria style service, eaten in the classroom
- Delivery to the classroom

Breakfast Carts

Breakfast Carts are used to bring meals to the students. Meals are pre-packaged for a student to pick up or to be delivered to a specific location.

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21 More information on breakfast in the classroom (BIC) is available from USDA at [www.fns.usda.gov](http://www.fns.usda.gov); the Institute of Child Nutrition at [www.nfsmi.org](http://www.nfsmi.org); and the Food Research and Action Center at [www.frack.org](http://www.frack.org).
Grab ‘N’ Go Breakfast

The Grab ‘N’ Go method allows breakfast to be served where students are congregating or passing—during transition period or during breaks. Meals may be consumed in a central location or at scattered locations through the building.

Nutrition Break or Second Chance Breakfast

Students are served breakfast during a morning break, usually 9:00 a.m. to 10:00 a.m. Any breakfast meal served after 10:00 a.m. must not be claimed for reimbursement unless a student is late arriving at school. Commonly reimbursable breakfasts are pre-packaged and ready to serve to each student. Meals may be served from mobile carts, tables, or the cafeteria and must include a variety of milk.

Serving Time

Even though BIC is commonly offered as the day starts, it can be offered later in the day. Often, older students are not ready to eat early in the morning, so a later time can increase breakfast participation for them. This strategy may also be used at other grade levels.

Family Style Meals

A site or residential child care center (RCCI) may serve meals family style. Family style meal service allows students to serve themselves from common dishes of food with assistance from supervising adults. Prepared meals must meet all of the daily and weekly food component/food item requirements and the weekly dietary specifications.

Age-Grade Groups K-12

When family style meal service is used with Age-Grade Groups K-12, the following guidance must be used:

- The supervising adult should initially offer the student the full planned serving of each food component/food item.
  
  [NOTE: However, since portions of food served may be replenished immediately at each table, the initial serving of a food component/food item may be less than the full required minimum quantity.]

- The supervising adult should encourage additional portions and selections as appropriate.

- During family style meal service, the adult supervisor must ensure that each student selects at least ½ cup of fruit or vegetable or combination of both during the course of a family style meal service in order for the meal to be reimbursable.
Pre-Kindergarten (Pre-K) Family Style Meals

When family style meal service is used with Pre-K students, the following guidance must be used:

- A sufficient amount of prepared food must be placed on each table to provide the full required portions of each of the components for all the students and/or adults at the table.
- Students, with assistance as needed, and adults must be allowed to serve the food components themselves with the exception of fluids, including milk and juice. During the course of the meal, it is the responsibility of the supervising adults to actively encourage each student to serve themselves the full required portion of each food component of the meal pattern.
- Supervising adults who serve the fluid components, including milk and juice, directly to the students must serve the required minimum quantity to each student.
- While students must be offered the minimum required serving size of each meal component, a student does not need to take the full minimum required serving size of a food component in order for the meal to reimbursable.

Multiple Choice Menus

CEs may offer students a choice of menus as a strategy to provide students with a larger selection of food options and increase meal participation. Each meal on the menu must include at least the daily and weekly minimum requirement for each food component or food item.

Multiple Serving Lines or Stations

For NSLP and SBP, if the CE uses independent serving lines which offer different entrée options or serving stations where students select different components or food items for a reimbursable meal before passing the point of service (POS), all serving lines or the serving stations as a whole must meet the following requirements:

- Meet the daily required number of components/food items.
- Meet the required serving portion for each as well as the weekly vegetable subgroup requirements for lunch meal service.

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22 See Administrator’s Reference Manual, Section 7, Counting and Claiming for additional information on point of service (POS) systems.
Offer Versus Serve
Offer versus serve (OVS) is a serving method designed to reduce food waste and food costs without jeopardizing the nutritional integrity of the meals served. The food production record must indicate offer versus serve (OVS), if utilized.

For NSLP—OVS is a requirement in the NSLP for senior high schools (age/grade group 9–12) and is an option for lower grade schools. Residential child care institutions (RCCIs) may be exempted from OVS if their system does not accommodate a structure to use OVS. In these cases, RCCI CEs are encouraged to provide choice to the extent practicable.

For Example: An RCCI could offer fruit, vegetable, and grain components separately to allow student to have a choice about what they want to eat. A basket with a variety of fruits and a separate cooler with milk choices are strategies to implement OVS in this situation.

For SBP—OVS is not required for any age/grade group under the breakfast requirements; however, CEs may choose to offer OVS at breakfast for any age/grade group.

Another Child Nutrition Program, NSLP or SBP Meal Pattern
When operating a CACFP program, CEs following the NSLP or SBP meal patterns must follow the NSLP or SBP OVS requirements for meals (suppers) as applicable. However, OVS at snack is not allowed for any Child Nutrition Program (CNP).

Communication about Reimbursable Meals
For OVS meal service, signage located near or at the beginning of the serving line and shared menus should provide clear information about allowable choices that will help the student easily build a reimbursable meal.

Food Items or Components Offered under OVS
The planned OVS meal must include all five components for NSLP or all three components for SBP and be priced as a unit whether the student takes the minimum number of food items or components or not.

USDA provides detailed guidance on OVS in *Offer Versus Serve, Guidance for the National School Lunch Program and the School Breakfast Program*. Available at [www.fns.usda.gov/cnd/guidance/default.htm](http://www.fns.usda.gov/cnd/guidance/default.htm). For detailed information on identifying a reimbursable meal under OVS, see the *Administrator’s Reference Manual (ARM)*, Section 8, Breakfast and Section 9, Lunch.
Offering choices within components does not necessarily constitute OVS. CEs are encouraged to give students options of entrees and side items and are required to offer a variety of milk.

For Example: Offering a student a choice of four types of cereal with the instruction to choose one is not the same as having a choice of different items. It is not an acceptable OVS practice. However, if the student is offered 3 different types of grain items and is told to choose any two of the three, this is an acceptable choice under OVS.

When a student declines a full portion of a food item, a smaller portion may be offered. However, the student would still need to take enough of the other components for a meal to be reimbursable.

Menu Planning under OVS
If a student is required to select all components, the CE is not utilizing OVS. SNP directors and menu planners should consider participation and selection trends to determine what food items to offer and how much food to prepare. It is the menu planner’s discretion to determine the variety of food items offered for a reimbursable meal under OVS.

A student’s reimbursable meal is determined by how each food item offered is menued. A CE may menu several items that fall within one component in equal or varied quantities. Students may be required to take paired items in order to meet meal pattern requirements as long as the student is still given a choice of items.

In these situations, the CE must (1) ensure that the cashier is able to identify a reimbursable meal and (2) provide instructions to students so that students know how much to take of any one or more items to get a reimbursable meal.

Meal Preparation
CEs should prepare enough servings for each student to take the full-required amount for the age/grade group for each food component or item.

Pre-Ordered Meals under OVS
CEs may use a system where students pre-order a reimbursable meal under OVS. CEs must ensure that the ordering system has a method to communicate what items must be selected for a reimbursable meal.
Salad or Theme Bars under OVS

If a site uses OVS as a method for serving a reimbursable meal, the salad or theme bar

1. must be available to all students on any day a salad or theme bar is offered;\(^{24}\)
2. must meet the weekly required offerings for fruit or vegetables over the course of the week including juice or vegetable subgroups; and
3. must provide the minimum daily and weekly required servings of grain.

When planning a menu that includes a salad or theme bar as a part of a reimbursable meal or a complete meal, the menu planner must take the following actions:

- Make sure that the minimum portion sizes are consistent with the meal pattern requirements for the serving size for the age/grade group and creditable amount to be counted toward a reimbursable meal.
- Monitor the components that contribute toward a reimbursable meal.

*For Example:* The minimum creditable amount for fruit is \(\frac{1}{8}\) cup. On the menu and signage in the serving area, the menu planner lets students know the amounts of each food item or the combination of food items that contribute toward the appropriate portion size for each component for a reimbursable meal. At the POS\(^{25}\), the cashier uses the menu planner’s information to determine if a reimbursable meal is selected by the student.

Pre-Plate Delivery System

CEs with a pre-plate delivery system must inform students that they may request the server to remove any unwanted item(s) from their plates for NSLP and SBP. Strategies to provide this information may include announcements by homeroom teachers or posters in the cafeteria. All students must be able to select their own milk from a variety of milk types offered.

Pre-Packaged or Pre-Proportioned Delivery System

CEs may pre-package or pre-proportion menu items in specific portions for NSLP and SBP. The pre-packaging or pre-proportioning system (1) must allow students to take at least the minimum daily requirement of all components for the age/grade group; (2) must provide a method for students to have a choice of

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\(^{24}\) See the *In School Suspension (ISS)* subsection in this section for additional information on the application of this requirement in an ISS context.

\(^{25}\) See *Administrator’s Reference Manual, Section 7, Counting and Claiming* for additional information on point of service (POS) systems.
what menu items to take if using OVS; and (3) must give students the option to refuse any food item(s).

Salad or Theme Bars
Salad and theme bars are an effective strategy for providing a wider range of food choices and increasing acceptability for NSLP and SBP. They can be used for the following types of meals:

- A la carte food items
- One food component, multiple food components, or a complete meal of three or more components for a reimbursable meal.

This type of food service may be used for any age of student. However, it is critical that CEs make sure that all sites using salad or theme bars follow appropriate health and safety precautions.26

Serving Utensils
CEs using salad bars are required to use specific serving size utensils to meet quantity requirements to encourage students to take appropriate food amounts. Regardless of the serving utensils used, SNP staff must ensure that the portions on students’ trays meet the meal pattern requirements for the meal to be reimbursable.

Vegetable Subgroups
Vegetable subgroups offered on a salad or theme bar must be listed on the planned menu and identified on production records.27

Point of Service (POS) for Salad or Theme Bars (NSLP and SBP)
If the site has a salad bar, students may be able to make an entree salad or a side dish menu item from the various ingredients. Food components or food items located on a salad or theme bar must be labeled, listed on the menu, or otherwise identified so that students can easily recognize all the food components and serving sizes for a reimbursable meal. This includes information that allows students to select the correct quantities of fruit or vegetables.

CEs are also required to monitor the food components or items taken and the portion size of each serving taken if the student is selecting food components or items that are credited toward a reimbursable meal or for a complete reimbursable meal. The cashier at the POS28 must be trained to accurately judge the quantities of self-serve items on trays,

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26 See Administrator’s Reference Manual, Section 18, Sanitation and Food Handling for additional information on this topic.
27 See Administrator’s Reference Manual, Section 3, Records Retention for more detailed information on this topic.
28 See Administrator’s Reference Manual, Section 7, Counting and Claiming for additional information on point of service (POS) systems.
so the cashier can determine if the food/menu item can count toward a reimbursable meal.

For Example: Students and cashiers need to be informed that the entree salad consists of two scoops of tuna or chicken salad plus a bowl of lettuce, a spoon of tomatoes, and small bowl of carrots. The side salad/menu item could be a bowl of lettuce and other vegetables or a bowl of fruit salad.

If the salad or theme bar is not monitored after the POS, any items taken from the salad or theme bar are considered Extra food. Extra food cannot be credited toward a reimbursable meal but must be included in the required dietary specifications for the week: calories, sodium, and saturated and trans fats.

Pre-Packaging and Pre-Proportioning for Salad or Theme Bars
Food items on salad or theme bars may be offered in prepackaged or pre-proportioned amounts. Prepackaged or pre-proportioned food or menu items may help cashiers at the POS determine if the items chosen are creditable toward a reimbursable meal. If pre-packaging and pre-proportioning are used under OVS, CEs must make sure students are still allowed a choice of items.

Resources for Salad and Theme Bars
The following web-based sources may help CEs to establish a safe and successful salad or theme bar:

- **Best Practices: Handling Fresh Produce in Schools**, a USDA and Institute for Child Nutrition fact sheet that provides specific food safety recommendations for produce
  

- **Fruits and Vegetables Galore: Helping Kids Eat More**, a USDA publication that contains information on how to train students on salad bar etiquette
  

- **Program Information Manual, Retail Food Protection: Recommendations for the Temperature Control of Cut Leafy Greens during Storage and Display in Retail Food Establishments**
  
  Available at [www.fda.gov/Food/GuidanceRegulation/RetailFoodProtection/IndustryandRegulatoryAssistanceandTrainingResources/ucm218750.htm](http://www.fda.gov/Food/GuidanceRegulation/RetailFoodProtection/IndustryandRegulatoryAssistanceandTrainingResources/ucm218750.htm)

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29 See Administrator’s Reference Manual, Section 7, Counting and Claiming for additional information on point of service (POS) systems.

30 See Administrator’s Reference Manual, Section 7, Counting and Claiming for additional information on point of service (POS) systems.
• **Program Information Manual: Retail Food Protection Storage and Handling of Tomatoes**
  Available at [www.fda.gov/Food/GuidanceRegulation/RetailFoodProtection/IndustryandRegulatoryAssistanceandTrainingResources/ucm113843.htm](http://www.fda.gov/Food/GuidanceRegulation/RetailFoodProtection/IndustryandRegulatoryAssistanceandTrainingResources/ucm113843.htm)

• **Retail Food Safety Program Information Manual: Safe Handling Practices for Melons**
  Available at [www.fda.gov/Food/GuidanceRegulation/RetailFoodProtection/IndustryandRegulatoryAssistanceandTrainingResources/ucm217290.htm](http://www.fda.gov/Food/GuidanceRegulation/RetailFoodProtection/IndustryandRegulatoryAssistanceandTrainingResources/ucm217290.htm)

### Vending Machines

CEs may use vending machines as a method of serving a reimbursable meal as long as the vending machines are able to price a reimbursable meal as a unit. When vending machines are used to offer a reimbursable meal, the machines are subject to the same procedures, menu planning requirements, competitive food rules, and offer versus serve (OVS) requirements that are applicable to meals offered on a service line with a cashier.

The CE is responsible to ensure that the vending system is able to do the following:

- **Dispense reimbursable meals that meet the meal pattern requirements.** Vending machines may provide the same service as a different OVS line, i.e., different machines may be treated as different serving lines with different OVS options or a vending machine may be a different OVS line. All meals offered through vending machines must be planned to meet the daily and weekly meal pattern requirements, including a variety of milk for students to choose from.

- **Document when a reimbursable meal has been selected by an eligible student.** Documentation includes counting the number of reimbursable meals served by each eligibility category: free, reduced-price, and paid. However, the vending machine system must prevent overt identification of the eligibility of any student.

- **Prevent a free or reduced-price student from receiving more than one reimbursable meal per service period.** A student may pay for a second meal if the student chooses to do so, but only one meal per student is reimbursable.

- **Have a method in place to prevent a vending machine from dispensing meals or food items when it is no longer able to dispense a complete reimbursable meal.** When a vending machine is out of reimbursable meals, there has to be method to prevent the machine of vending any food or beverage item in order to ensure that a student does not buy a meal assuming it is reimbursable when it is not.

If a CE plans to operate vending machines to serve reimbursable meals, the CE must notify TDA of its intent to do so by emailing to squaremeals@TexasAgriculture.gov. TDA will provide
information on the requirements for vended reimbursable meals and assist the CE in developing appropriate strategies to meet vended meal requirements.

**Meal Times for Breakfast, Lunch, and Snack**
The following meal service times apply to school nutrition programs (SNPs):

<table>
<thead>
<tr>
<th>Program</th>
<th>Time Requirements</th>
</tr>
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</table>
| ASCP | After the end of the regular school day\(^{31}\)  
For half-day school programs and split-session kindergarten programs, students can be served snacks at the end of their school day provided all other program eligibility requirements are met. The snack program has no ending timeframes. |
| NSLP | 10 a.m. to 2 p.m.  
Meal must be served prior to 2 p.m., but students may continue to eat after 2 p.m. |
| SBP | Prior to 10 a.m.; however, CEs are encouraged to allow students to eat breakfast when they are late arriving at school. |

**Adequate Meal Service Periods**
USDA encourages sites to make every effort to establish meal periods that are long enough for students to fully consume their meals and to provide an environment conducive to eating those meals. It is important, both nutritionally and socially, to give students sufficient time, conducive atmosphere, and safe environment to eat nutritious meals.

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\(^{31}\) See Administrator’s Reference Manual, Section 10, Afterschool Meal Programs for additional information on the end of the regular school day.
The following resources provide information on current research related to adequate meal service periods:

- *The Relationship Between the Length of the Lunch Period and Nutrient Consumption in the Elementary School Lunch Setting* (Ethan A. Bergman, PhD, RD, CD, FADA; Nancy S. Buergel, MS, RD, CD; Timothy F. Englund, PhD; and Annaka Femrite, MS, RD) *Journal of Child Nutrition & Management*
  Available at [http://docs.schoolnutrition.org/newsroom/jcnm/04fall/bergman/bergman2.asp](http://docs.schoolnutrition.org/newsroom/jcnm/04fall/bergman/bergman2.asp)


### Non-Traditional Meal Service Times

TDA may grant reasonable variances to meal service times in the following circumstances:

1. Accommodation of special circumstances for traditional students during traditional meal times which includes limitations caused by capacity of facility and length of school day
   For Example:
   - The CE cannot provide a complete meal service to all program participants because its facilities do not have the capacity to accommodate the number of meals served.
   - The CE has extended school hours.

2. Accommodation of special circumstances for traditional students with non-traditional meal times which includes situations where students are not on campus during the regular school day
   For Example:
   - Credit recovery or graduation programs that operate on a non-traditional school day schedule
   - Work study programs that allow students to work during the regular school day and attend classes in the late afternoon or evening

Exemptions to the meal service time are made on a case-by-case basis. TDA may also grant an exemption for a limited period of time when warranted. It is not necessary for a CE to seek approval each year after an approval is made if the conditions upon which the approval was made remained unchanged. However, if the circumstances do change, the CE must resubmit the request for an approval.32

32 See the Contact Information for the Texas Department of Agriculture (TDA), Food and Nutrition page located on the page following the Table of Contents for information on how to contact TDA.
To obtain an approval for non-traditional meal service time, CEs must indicate meal service times they plan to implement in the Application Packet in TX-UNPS. Once a CE indicates a non-traditional meal service time, TDA will contact the CE.

[NOTE: Evening meals served to students in adult education courses are not eligible for a meal exemption.]

Weekends
Saturday breakfast and lunch meals may be served and claimed as long as the classes are part of the regular CE’s instructional program, and students are required to attend classes. A school-affiliated extracurricular event or activity, such as football, band, or choral activity is not eligible for weekend meal service.

Refer to the Administrator’s Reference Manual (ARM) Section 26, Residential Child Care Institutions for additional information regarding RCCIs and weekend meals.

Year-Round CEs or Schools
Year-round CEs or schools may claim reimbursement for eligible meals. If the CE or school has implemented a multi-track system (not all students in a school are attending school at the same time), the CE must ensure that systems are in place to distinguish students participating in an instructional track from students who are off track. However, year-round CEs or schools may provide reimbursable meals to enrolled students who are off track (not attending class because of school breaks or vacations) if the students are engaged in school-sponsored educational activities on the school campus.

Proprietary Rights
Any discovery, invention, and/or software/program that are paid for using funds from the school nutrition program must remain the property of the school nutrition program, and TDA and USDA must have unrestricted rights for use and access.
**Student/Parent Involvement**

Regulations require schools 33 to promote activities to involve students and parents in NSLP. This involvement includes activities to engage parents, teachers, and students in assisting in menu planning. CEs have flexibility in planning and implementing program activities that meet the needs of individual sites.

*Suggested Student/Parent Involvement Activities*

The following strategies and activities may help to encourage parental involvement:

- Prepare articles for local newspapers or student newsletters. Articles might feature menus, meal statistics, special activities, offer versus serve, or nutrition information.
- Take pictures that can be shared with local newspapers or used in student newsletters. Pictures might demonstrate parent involvement activities, students trying new foods or activities that might interest the public or parents.
- Plan special menus—
  - Menus to highlight special events, such as holidays or athletic victories
  - Menus to reflect the types of food eaten in foreign countries
  - Menus to reflect the types of food eaten in specific regions of the country
- Invite parents, grandparents or other people in the community to have lunch at the site. The invitation can be an informal invitation to have lunch when it is convenient or a special event.
- Plan projects to improve the appearance of the cafeteria. This might include up-to-date bulletin boards, decorations for holidays or special events, or student artwork.
- Conduct student surveys on food likes and dislikes and solicit menu suggestions. Topics might include how to reduce plate waste, tasting events results, or other topics of interest for students.
- Work with educational staff to include nutrition activities and study in the classroom. These activities might include the following:
  - Student evaluation of menus based on the *Dietary Guidelines for Americans* or an evaluation of meals for variety, texture and color
  - Student created menus using available food product list and meal pattern information
  - Student developed brochures on nutritious snack foods

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33 RCCIs are encouraged, but not required, to implement parental involvement strategies.
• Home economics classes planning which help to prevent weight gain or promote weight gain
• Student tasting panel for new products where students conduct product acceptability surveys
• Class tour of the kitchen
• Student research reports on nutrition relating to personal appearance and health.
  – Engage parent/school organizations in menu planning or product taste testing.
  – Reach out to other CEs to see what kinds of activities’ have been successful for them.
  – Engage students in advisory groups to support program participation and promote good nutrition.

TDA provides the *Student/parent Involvement Activity Form* on the SquareMeals website to assist schools in tracking these types of activities.

**Youth Advisory Council (YAC)**

Youth Advisory Councils (YACs) are organizations composed of students and adult advisors who have the mutual goal of promoting good nutrition through the SNP. Members participate in nutrition-related projects and serve as a communication bridge between the SNP administration and the students and community.

**Use of School Nutrition Program Facilities by Nutrition Services Incentive Program (NSIP)**

The Nutrition Services Incentive Program (NSIP) is a program administered by the United States Department of Health and Human Services, Administration on Aging that is intended to provide incentives to states agencies or tribal organizations to purchase food or receive USDA Foods to provide nutritional support to older individuals.

CEs operating NSLP, SBP, or SMP have the option to enter into an agreement\(^\text{34}\) to use funds received through the NSIP in which CEs are paid to make food purchases, in the commercial market, on behalf of the state agencies or tribal organizations. If CEs opt to enter into an agreement through the NSIP, food purchases must be made in accordance with an agreement between the state agency or tribal organization and the CE. The agreement may also allow reimbursement to the CE for related expenses on behalf of the state agency or tribal organization.

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\(^{34}\) The agreement described above is purely voluntary; however, USDA encourages CEs to enter into such agreements in order to promote greater economy or efficiency.
Related expenses include, but are not limited to, the following:

- Transporting
- Distributing
- Processing
- Storing
- Handling food

CEs must follow state and federal procurement requirements when making such purchases. CEs are also permitted to use facilities, equipment, and personnel to support elderly nutrition projects under the NSIP.\textsuperscript{35}

**TDA Forms**

TDA provides the following forms on the SquareMeals website\textsuperscript{36} to assist CEs in implementing the guidance presented in this section:

- School Nutrition Programs Questionnaire, Compliance with Civil Rights Act of 1964
- Texas Department of Agriculture Food & Nutrition Complaint Form
- Local Wellness Policy (LWP) Checklist
- Student-Parent Involvement Activity Form
- Sample Complaint Form

**Records Retention**

The CE is required to maintain an organized system of record retention that is accessible to appropriate CE staff members and federal or state reviewers. TDA may request documentation for both offsite and onsite administrative reviews. CEs also have the option to maintain records in paper or electronic form. The Administrator’s Reference Manual (ARM), Section 3, Records Retention has additional information on the records CEs must retain.

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\textsuperscript{35} See the Administrator’s Reference Manual (ARM), Section 14, Financial Information Concerning School Nutrition Funds, subsection Using School Meal Facilities for Elderly Nutrition Programs or Other Non-School Nutrition Programs for additional information on this topic.

\textsuperscript{36} Available at www.squaremeals.org.
Retained records include, but are not limited to, the following types of documentation:

**Civil Rights**

- *Nondiscrimination Statement.* CEs must retain documentation that demonstrates their use of the nondiscrimination statement on communications with households and other documents as appropriate.

  *NOTE: When a document is printed or released using the most current nondiscrimination statement when the document was printed or released, the CE is not required to retroactively update the document with a nondiscrimination statement that is issued after the print or release date. If the document is reprinted or released again, the nondiscrimination statement must be updated to reflect the most current statement. However, the CE should maintain records that indicate when documents were printed or released in order to demonstrate that the correct nondiscrimination statement was used.*

- *Training.* CEs must document that civil rights training was conducted.

  Documentation must include the following information: date, topic, and participants names, and indication of attendance.

**Complaints**

The CE must retain documentation of all complaints submitted, documentation submitted to TDA, and documentation related to the resolution of any complaint.

**Disaster**

The CE must retain records for the following topics related to meal service during a disaster:

- *Claiming.* If the CE is approved to have extended time to submit claims because of a disaster, the claims are not subject to the one-time exception for late submissions.

- *Lost Records.* When records required for review purposes are lost or destroyed because of a disaster, the CE must inform TDA as quickly as possible. This includes, but is not limited to, paid claims, approved applications, and food production records.

- *Meal Service.* When the CE provides meal service or food items as part of disaster response, the CE must retain record for meals served and food items served.

- *Other Records.* When a CE provides meal service for food items as part of disaster response, the CE must retain records such as staffing and food inventory documentation.

- *Unable to Maintain Normal Operational Procedures.* In situations where the CE is operating, but unable to maintain normal accounting systems, including counting, claiming, and monitoring, the CE must contact TDA. TDA will coordinate with USDA on appropriate actions to take.
• **Unpaid Claims.** If records related to unpaid claims are lost, the CE must inform TDA as quickly as possible. TDA will coordinate with USDA on appropriate actions to take.

• **Verification.** In cases where a disaster interrupts the CEs procedures to complete the verification of applications, TDA may approve deadline extensions in consultation with USDA.

**Meal Service**

• **A La Carte.** The CE must retain records related to competitive foods, including, but not limited to, nutritional profile of food and beverages served, income, and cost.

• **Reimbursable Meals.** The CE must retain food production records, menus, and other documentation related to meal service as well as income and cost.

**Leftovers**

The CE must retain records that demonstrate how leftovers are handled.

**Local Wellness Policy (LWP)**

The CE must retain records for its LWP written policy, procedures, assessments, and documentation that demonstrates implementation of the LWP as well as documentation demonstrating that the LWP has been approved by the board of trustees or governing board.

**Racial and Ethnic Data**

CEs that do not submit racial and ethnic data through PEIMS must retain records documenting racial and ethnic participation.

**School Gardens**

If the CE operates a school garden, the CE must retain records that document expenses, income, and products used in meals or for nutrition education.

**Student/Parent Involvement**

When the CE uses strategies used to engage parents, students, and teachers in menu planning, the CE must retain records reflecting involvement activities.

**Compliance**

TDA will review documentation submitted through TX-UNPS, retained onsite during Administrative Reviews (ARs), or on request to ensure that the CE is in compliance with the regulations described in this section. TDA may require an approvable corrective action plan if the CE does not comply these requirements.

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37 The Student/Parent Involvement Activity Form located at [www.squaremeal.org](http://www.squaremeal.org) may be used for this purpose.