

BATH COUNTY SCHOOL BOARD

AGENDA ITEM: INFORMATION { X } ACTION { X } CLOSED MEETING { }

**SUBJECT:** SUPERINTENDENT’S REPORT - ACTION

VSBA Policy (2<sup>nd</sup> Reading) and Regulations

**BACKGROUND:** For 2<sup>nd</sup> Reading and Approval

**EFB** **Free and Reduced Price Food Services**  
Policy updated to correspond to revisions to Policy JHCH School Meals and Snacks.

**EFB-R** *A local regulation outlining procedures to implement the policy has been included.*

**JHCF** **Student Wellness**  
Policy updated to reflect adoption of federal regulations implementing the Healthy, Hunger Free Kids Act of 2010.

**JHCF-R** *A local regulation, including standards and nutrition guidelines, to implement the policy has been included.*

For Discussion (and June 6, 2017 Approval)

**JHCH** **School Meals and Snacks**  
Policy updated to reflect guidance from the U.S. Department of Agriculture (USDA) for implementation of the Healthy, Hunger-Free Kids Act of 2010.  
*This policy will require a local regulation for policy implementation.*

**RECOMMENDATION:** **Recommend approval of policies EFB and JHCF and accompanying regulations.**  
**(Policy JHCH and JHCH-R will be presented for approval in June.)**

## FREE AND REDUCED PRICE FOOD SERVICES

The Bath County school division provides free and reduced-price breakfast and lunches to students according to the terms of the National School Lunch Program and the National School Breakfast Program.

School officials determine student eligibility based on guidelines established by federal law. Eligible students are provided nutritionally acceptable meals free or at a reduced cost if state and federal resources for school food programs are available. The superintendent or designee establishes rules and procedures as needed to implement this policy.

The criteria for determining a student's eligibility and the procedures for securing free and reduced-price meals is publicly announced at the beginning of each school year and provided to parents of all children in attendance at Bath County Public Schools.

The division's policy with regard to situations in which a student who is eligible for a reduced-price meal does not have money on account or in hand to cover the portion of the cost of the meal at the time of service is stated in Policy JHCH School Meals and Snacks. Policy JHCH School Meals and Snacks is delivered to all households at the start of the school year and to households that transfer into the school division during the school year.

The students who participate in the free or reduced-cost meals program are not overtly identified, distinguished or served differently than other students.

Adopted: June 28, 2002

Revised: August 4, 2009; December 2, 2014; May 2, 2017

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Legal Refs.: 42 U.S.C. §§ 1758, 1772 and 1773.

7 C.F.R. §§ 210.9, 220.20, 245.5, 245.8.

Code of Virginia, 1950, as amended, § 22.1-207.3.

8 VAC 20-290-10.

Cross Refs:	JHCF	Student Wellness
	JHCH	School Meals and Snacks

## FREE AND REDUCED PRICE FOOD SERVICES

Bath County Public Schools will provide free and reduced-price breakfasts and lunches to students according to the terms of the National School Breakfast Program and the National School Lunch Program.

The Nutrition and Wellness Director will determine student eligibility based on guidelines established by federal law. Eligible students will be provided nutritionally acceptable meals free or at a reduced cost if state and federal resources for school food programs are available.

The Nutrition and Wellness Director, under the direction of the Superintendent, will establish rules and procedures as needed to implement these regulations.

The criteria for determining a student's eligibility and the procedures for securing free and reduced-price meals will be publicly announced at the beginning of each school year and provided to parents of all children in attendance at Bath County Public Schools.

The forms necessary to determine eligibility shall be provided to all students and their parents/guardians. Additional copies will be available at the School Administration Office and at each school office.

Each principal shall assign a staff member the responsibility of assisting any parent with the completion of the eligibility form if assistance is needed. The staff member shall not answer the questions for the parent, but may assist the parent with the comprehension of the question.

If an application for free and reduced-price meals is denied, parents/guardians may appeal this decision to the Division Superintendent and a hearing will be conducted under the hearing procedure described in the National School Lunch Act, as amended. When a household appeals a reduction or termination of benefits within the 10 calendar day advance notice period, Bath County Public Schools must continue to provide the benefits for which the child was originally approved, until a final determination is made.

The students who participate in the free or reduced-cost meals programs will not be overtly identified, distinguished, or served differently than other students.

No information about the free or reduced-cost status for a student may be shared with other staff members without direct approval from the Superintendent or designee and without an expressed educational purpose such as identification of economic status for Standards of Learning assessments and subgroup designations.

Adopted: May 2, 2017

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## STUDENT WELLNESS

### Policy Statement

The Bath County School Board recognizes the link between student health and learning and desires to provide a comprehensive program promoting healthy eating and physical activity in division students.

### Goals

Based on review and consideration of evidence-based strategies and techniques, the Bath County School Board has established the following goals to promote student wellness.

### Nutrition Promotion and Education

- Nutrition education, PK-12, will include instruction that helps students learn more about the various food groups; caloric, sugar and fat intake; healthy cooking methods, the recognition of the role media plays in marketing and advertising foods and beverages; health body images along with the meaning of BMI (Body Mass Index); and the value of a balanced diet to a healthy lifestyle.
- Nutrition concepts will be reinforced by all school personnel, and integrated into various and appropriate subject areas.
- School breakfast, lunch and snack programs will model healthy eating habits and provide healthy food choices necessary to meet the federal nutritional guidelines.
- The school division will provide educational information and encourage healthy eating and physical activities for families. Parents and family members will be encouraged to be a part of the team responsible for teaching children about health and nutrition.
- Teachers and Support Staff responsible for nutrition education will be properly trained and regularly participate in professional development activities to effectively deliver quality nutrition education.
- Students receive nutrition education that teaches the skills they need to adopt and maintain healthy eating behaviors.
- Students receive consistent nutrition messages from all aspects of the school program.
- Division health education curriculum standards and guidelines address both nutrition and physical education.
- Schools link nutrition education activities with the coordinated school health program.
- Instructional personnel who provide nutrition education will have appropriate training.
- Schools are enrolled as Team Nutrition Schools, and they conduct nutrition education activities and promotions that involve parents, students and the community

## Physical Activity

The Bath County school division has a goal of making a program of physical fitness available to all students for at least 150 minutes per week on average during the regular school year. Such program may include any combination of physical education classes, extracurricular activities and other programs and physical activities. The division's goal for the implementation of its physical fitness program is

- Physical education, PK-10, will be regular, age appropriate\*, and designed to build interest and proficiency in the skills, knowledge and attitudes essential to a lifelong physically active lifestyle.  
(\*Age appropriate physical education is activity that utilizes movement concepts, motor skills, and intensity appropriate for a child's stage of development.) The health risks associated with a sedentary lifestyle will be specifically addressed.
- Safe and satisfying physical activity will be provided for all students, including those with special needs.
- Elementary schools will try to provide daily recess to encourage physical activity.
- Parents and family members will be encouraged to promote and incorporate physical activity into their children's lives.
- All physical education classes will be taught by licensed/endorsed teachers that participate in professional development.
- Schools will ensure students have adequate space and equipment to participate in structured physical education. Physical activity facilities, grounds, and equipment will be safe and well-maintained.
- Before-school and/or after-school programs will include supervised, age-appropriate physical activities which appeal to a variety of interests.
- Students are given opportunities for physical activity during the school day through physical education (PE) classes, daily recess periods for elementary school students and the integration of physical activity into the academic curriculum where appropriate.
- Students are given opportunities for physical activity through a range of before- and/or after-school programs including, but not limited to, intramurals, interscholastic athletics and physical activity clubs.
- Schools encourage parents and guardians to support their children's participation in physical activity, to be physically active role models and to include physical activity in family events.
- Schools provide training to enable staff to promote enjoyable, lifelong physical activity among students.

### Other school-based activities

- Schools are encouraged to utilize available community resources to promote increased physical activity.
- Elementary schools will participate in *The Virginia Wellness Program for Schools*.
- All students will be encouraged to participate in school meal programs, and the identity of students who are eligible for free and reduced lunch will be protected.
- When scheduling meals, adequate seated time (minimum of 10 minutes for breakfast and 20 minutes for lunch) will be provided, and lunch will be scheduled with a minimum of wait time and as close to mid-day as possible.
- Hand washing before meals will be encouraged and practiced.
- The dining environment will be clean, safe, and enjoyable and provide sufficient seating in an appropriate arrangement. A source of drinking water will be available.
- Food and candy will not be used as rewards.
- All children who participate in subsidized food programs are able to obtain food in a non-stigmatizing manner.
- The availability of subsidized food programs is adequately publicized in ways designed to reach families eligible to participate in the programs.
- Environmentally-friendly practices such as the use of locally grown and seasonal foods, school gardens and non-disposable tableware have been considered and implemented where appropriate.
- Physical activities and/or nutrition services or programs designed to benefit staff health have been considered and, to the extent practical, implemented.

### Nutrition Standards and Guidelines

The superintendent is responsible for creating

- regulations to develop and implement standards for all foods and beverages provided, but not sold, to students on the school campus during the school day; and
- standards and nutrition guidelines for all foods and beverages sold to students on the school campus during the school day that promote student health and reduce childhood obesity and are consistent with the applicable standards and requirements in 7 C.F.R. §§ 210.10, 210.11 and 220.8.

Marketing on the school campus during the school day is permitted only for those foods and beverages that meet the nutrition standards under 7 C.F.R. § 210,11.

### Implementation

The School Board encourages parents, students, representatives of the school food authority, teachers of physical education, school health professionals, school administrators and the general public to participate in the development, implementation and periodic review and update of this policy.

The Director of Nutrition and Wellness is responsible for overseeing the implementation of this policy and developing procedures for evaluating the policy, including indicators that will be used to measure its success.

Implementation procedures include measuring and making available to the public, at least once every three years, an assessment of the implementation of the policy, including the extent to which schools are in compliance with the policy, the extent to which this policy compares to model school wellness policies and a description of the progress made in attaining the goals of the policy. The results of the triennial assessment are considered in updating the policy.

The School Board retains the following records to document compliance with 7 C.F.R. § 210.31:

- the policy;
- documents demonstrating compliance with community involvement requirements, including requirements to make the policy and triennial assessments available to the public; and
- documentation of the triennial assessment of the policy.

Adopted: June 6, 2006

Revised: June 24, 2008; May 7, 2013; June 6, 2017

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Legal Refs: 42 U.S.C. § 1758b.

7 C.F.R. 210.3.

Code of Virginia, 1950, as amended, § 22.1-253.13:1.

Cross Refs:	EFB	Free and Reduced Price Food Services
	IGAE/IGAF	Health Education/Physical Education
	JL	Fund Raising and Solicitation
	JHCH	School Meals and Snacks
	KQ	Commercial, Promotional and Corporate Sponsorships and Partnerships



## STUDENT WELLNESS

The Bath County Public School Board recognizes the link between student health and learning and desires to provide a comprehensive program promoting healthy eating and physical activity among division students.

Based on review and consideration of evidence-based strategies and techniques, the Bath County School Board has established the following regulations in support of its goals to promote student wellness.

### **Nutrition Promotion and Education**

- Students will receive age appropriate nutrition education that teaches the skills needed to adopt and maintain healthy eating habits.
- Nutrition education is offered in the school cafeteria as well as in the classroom, with coordination between the school nutrition staff and other school personnel, including teachers.
- Students receive consistent nutrition messages from all aspects of the school program.
- The full meal program will follow the USDA standards for national school breakfast and lunch programs.
- Every effort to follow the Bath County Public School Division's Nutrition Standards when determining the items in a la carte sales.
- Only 100% whole grain products will be offered.
- A variety of fruits and vegetables will be offered daily as meal and a la carte options.
- Nutrition guidelines have been selected by the division for all foods available on every school campus during the school day (defined as the start of the breakfast period through 30 minutes following dismissal). The objectives of the guidelines are to promote student health and reduce the incidence of childhood obesity.
- Nutrition standards for the National School Breakfast and Lunch Programs are in place which meet or exceed state and federal guidelines.
- The breakfast/lunch program will be promoted to parents and will be accessible to all students. Free and reduced-price meals will be provided to students who meet income requirements in a manner that ensures that these students are not identified by others.
- Whenever possible, schools will not schedule other activities during lunch times.
- Schools will arrange bus schedules and utilize methods to serve breakfasts that encourage maximum participation.
- Students and staff will be encouraged to consume water throughout the day. Students will either be allowed to carry water bottles or take water breaks. Students will be provided cups and water during lunch at no charge.
- Instructional staff (preK-12) will be encouraged to integrate nutrition information into daily lessons whenever possible. See Appendix B for suggested topics to be covered.
- The Nutrition and Wellness Director will be properly qualified and certified according to current USDA professional standards.
- All food service personnel will have adequate pre-service training and at least twice a year participate in professional development activities that address strategies for promoting healthy eating behavior, food safety, and other topics directly relevant to the employee's job duties.

## Physical Activity

- Students are given opportunities for physical activity during the school day through physical education classes, daily recess periods for elementary school students, and the integration of physical activity into the academic curriculum where appropriate.
- During physical education, students will engage in moderate to vigorous physical activity at least 75% of the class time, with a focus on developing increased endurance and upper body strength.
- Physical education will have a student/teacher ratio that is the same as average classes in the school.
- The physical education curriculum will offer a variety of physical activities that will appeal to the varied interests of students.
- The curriculum will emphasize lifetime physical activities (walking, biking, tennis, yoga) and functional fitness.
- Physical activity will not be used (e.g. running laps, pushups) or withheld (i.e. physical education class) as punishment or to make up missed class/work/tests. Recess will not be withheld as punishment for misbehavior except as a last resort, and when it is withheld, it can be withheld for no longer than 5 minutes. This guidelines does not apply to extracurricular sports teams.
- Whenever possible, physical activity will be used as a reward to reinforce academic achievement.
- The physical education program uses instructional practices that are appropriate for students with special needs.
- All schools have equipment for every child to be physically active.
- Concepts concerning health, nutrition, and lifelong fitness are emphasized and taught to all students.
- The school division supports the participation of students in appropriate community-based activity programs.
- Physical education curriculum is aligned with national guidelines and Virginia physical education standards of learning.
- Communication with parents regarding student wellness/physical activity will be maintained.

## Other School-Based Activities

- The cafeteria environment will be relaxed, attractive and enjoyable for students.
- Students will have adequate time for meals. The School Nutrition Association recommends a minimum of at least ten minutes for breakfast and twenty minutes for lunch from the time the students are seated.
- Staff will encourage students to wash their hands either with soap and water or with the use of hand sanitizers before eating; there will be convenient access for hand-washing before meals.
- All schools will participate in the National School Breakfast and Lunch Programs.
- Foods or beverages will not be used as rewards for academic performance or good behavior.

## **Nutrition Standards and Guidelines**

- The nutritional content of foods and beverages donated for class parties or other school events is considered. Parents and teachers are encouraged to purchase healthy food items for these events in order to provide consistent nutrition messages. School administrators and parent/teacher organizations will promote healthy options for snacks and special occasions. (See Appendix C for healthy options)
- Fundraising groups may not sell foods or beverages during any breakfast or lunch periods. Foods or beverages that are sold outside of meal periods, but during the school day through 30 minutes following dismissal, must meet the same nutritional standards as a la carte items sold through the School Nutrition Program as regulated by the federal Healthy, Hunger-Free Kids Act of 2010. Up to five exemptions for fundraising events where foods sold do not meet federal regulations will be allowed per school year at the discretion of the Division Superintendent. Fundraising groups are encouraged to consider non-food fundraising ideas.
- School fundraising activities, excluding concessions, will either not involve food or will use only foods that meet the established standards (Appendix A) for foods and beverages sold individually.
- The division will encourage fundraising activities that promote physical and academic activity.
- The division can make available a list of ideas for acceptable fundraising activities.
- School-based marketing will be consistent with nutrition education and health promotion. Food and beverage marketing will be limited to the promotion of foods and beverages that meet the nutrition standards for meals or for foods and beverages sold individually.
- Brands that promote predominantly low-nutrition foods and beverages will not be marketed on school grounds.
- Healthy foods, beverages and practices will be promoted in a variety of creative ways.
- All foods and beverages made available on school grounds must comply with the current USDA Dietary Guidelines for Americans and with the Bath County Public School Division's Nutrition Standards (See Appendix A for division's nutrition standards).  
Other examples of sources of foods and beverages covered by Nutrition Regulations:
  - Vending machines
  - A la carte
  - Beverage contracts
  - Fundraisers
  - Student stores
  - Classroom parties/classroom celebrations

## **Implementation**

- The division superintendent or designee will ensure compliance with the division-wide student wellness policy and its regulations.
- In each school, the principal or designee will ensure compliance with the division's student wellness policy and regulations and will report at least annually on the school's compliance to the superintendent or designee.

Adopted: May 2, 2017

## **APPENDIX A STANDARDS FOR FOODS AND BEVERAGES**

**(Based on USDA guidelines for national school breakfast/lunch programs,  
and recommendations from the Virginia Action for Healthy Kids)**

### **Permitted Beverages**

- Water
- Non-fat and low-fat milk (plain or flavored)
- 100% real fruit and vegetable juices without added sugars
- Sports drinks that meet USDA guidelines for National School Breakfast and Lunch Programs
- Carbonated drinks that meet USDA guidelines for the National School Breakfast and Lunch Programs

### **Prohibited Beverages**

- Beverages that contain caffeine (with the exception of those that have only trace amounts of naturally occurring caffeine-related substances such as chocolate milk). This restriction applies only to students, not to staff.
- Fruit and vegetable drinks that contain added sugars and are less than 100% fruit or vegetable juice
- Sports drinks that don't meet the USDA guidelines for National School Breakfast and Lunch Programs
- Carbonated drinks that don't meet USDA guidelines. Note: this restriction applies only to students, not to staff.
- Since staff members are role models for students, they are strongly encouraged to refrain from drinking in front of the students any beverages that are prohibited for the students.

### **Permitted Snacks and Side Dishes**

- Permitted snacks and side dishes are those that have:
  - 300 or fewer calories per item
  - 35% or fewer calories from fat
  - 10% or fewer calories from saturated fat
  - 35% or less of their weight from sugar (except fresh, dried or canned fruits and \ vegetables without additional sweeteners)
- Reduced sodium (at least 25% less than reference food) snacks are recommended. Salt shakers and salt packets shall not be available to students
- Due to nutrient density, nuts (1 oz.), seeds (1 oz.), and cheese (1 oz.) are exempt from fat and saturated fat standards

### **Whole Grains, Fruits and Vegetables**

The following will always be provided:

- Whole grain breads and cereals
- A variety of high-quality fruits and vegetables

### **Suggested Portion Sizes for Snacks and Beverages**

(Calories should be 300 calories or less per item)

- Snacks: 1.25 oz.
- Cereal bars: 2 oz.
- Frozen desserts, ice cream: 3 oz.
- Beverages (no limit on water or milk): 12 oz.

## **APPENDIX B HEALTHY EATING TOPICS**

- Benefits of healthy eating
- Importance of eating a healthy breakfast
- Nutritious choices for each food group
- Importance of portion control and moderation in a person's eating habits
- Reading and using food labels
- Importance of and ways to eat five or more fruits/vegetables daily
- Importance of increasing water intake and decreasing intake of calorie dense beverages
- Importance of and ways to increase physical activity and decrease screen time
- Importance of avoiding unhealthy fats and using healthy fats in moderation
- Ideas and recipes for healthy snacks, lunches, and celebrations
- The influence of personal preferences, family, media, and culture on dietary behavior
- Finding and utilizing resources related to healthy eating
- Goal-setting and decision-making skills for healthy eating

**APPENDIX C**  
**RECOMMENDED FOODS AND BEVERAGES**

**Recommended Foods for Snacks, Party Treats, and Vending Items**

These recommended items must meet Bath County Public School Division's nutrition standards for sugar and fat content.

- Fresh vegetables with optional low fat dip
- Fresh, canned or dried fruits (dried in moderation) with optional low fat yogurt dip
- Low fat popcorn
- Pretzels
- Low fat/low sodium crackers
- Baked corn chips and fat free potato chips with salsa and low fat dips
- Dry roasted peanuts, tree nuts and soy nuts (MUST FOLLOW SCHOOL POLICY RELATED TO SAFEGUARDING STUDENTS WITH NUT ALLERGIES)
- Low fat cookies and crackers such as fig bars and gingersnaps
- Low fat, low sodium bread products (preferably whole grain) such as bread sticks, pita bread, small bagels
- Ready-to-eat low sugar cereals
- Low fat granola bars, muffins made with no saturated fat or trans-fat
- Low fat or nonfat yogurt/parfaits
- Low fat, low sodium snack mixes/trail mixes with combinations of cereal/pretzels/low fat crackers and dried fruit with small amounts of nuts/seeds
- Low fat cheese and crackers
- Un-iced angel food or sponge cakes, low-fat pound cake, gingerbread
- Frozen fruit juice pops
- Low fat ice creams, frozen yogurts, sherbets, sorbets
- Low fat pudding cups and gelatin cups, with or without fruit
- Low fat meat/cheese/hummus/vegetable sandwiches made with whole grain bread and low fat sandwich spreads; sandwiches made with nut butters, whole grain bread, thinly sliced fruit or fruit butters

## SCHOOL MEALS AND SNACKS

The BLANK School Board recognizes that students need adequate, nourishing food in order to learn, grow, and maintain good health.

Generally

To reinforce the division's nutrition education program, foods sold to students during regular school hours on school premises will be

***[The following list contains EXAMPLES your division may want to include in its policy. Each division should also consider other best practices to be included in the policy.]***

- carefully selected so as to contribute to students' nutritional well-being and the prevention of disease;
- prepared in ways that will appeal to students, retain nutritive quality, and foster lifelong healthful eating habits; and
- served in age-appropriate quantities and at reasonable prices.

The BLANK School Board promotes high-quality school meals and snacks by

***[The following list contains EXAMPLES your division may want to include in its policy. Each division should also consider other best practices to be included in the policy.]***

- involving students in the selection, tasting, and marketing of healthy foods and beverages that appeal to students;
- providing a variety of food options, such as fruits, vegetables, whole grains, and dairy foods, which are low in fat and added sugars;
- offering a variety of healthy choices that appeal to students, including cultural and ethnic favorites;
- restricting student access to unhealthy foods in vending machines, school stores, and other venues that compete with healthy school meals; and
- ensuring that healthy snacks and foods are provided in vending machines, school stores, and other venues within the division's control. The healthy options should cost the same or less than unhealthy alternatives.

The BLANK School Board strives to provide an environment conducive to good health by

***[The following list contains EXAMPLES your division may want to include in its policy. Each division should also consider other best practices to be included in the policy.]***

- allowing an adequate amount of time and space for students to eat school meals;
- scheduling lunch periods at reasonable hours around midday;
- ensuring that drinking fountains are operable, clean, and convenient for use throughout the school day;
- offering extracurricular physical activity programs, such as physical activity clubs, intramural programs, or interscholastic athletics;

- discouraging the promotion and advertising of unhealthy foods;
- using non-food items rather than food items such as candy, cakes, soda, and foods high in fat, as incentives and rewards for good behavior or academic performance; and
- encouraging parents to support the division's nutrition education efforts by considering nutritional quality when selecting any snacks which they may donate for occasional class parties.

The BLANK School Board supports nutrition education and physical education by ***[The following list contains EXAMPLES your division may want to include in its policy. Each division should also consider other best practices to be included in the policy.]***

- ensuring that qualified nutrition education and physical education specialists focus on knowledge and skill development so students are able to learn and adopt healthy eating and physical activity behaviors;
- offering nutrition education in the school dining area(s) and in the classroom, with coordination between food service staff and teachers; and
- eliminating any stigma attached to, and preventing public identification of, students who are eligible for free and reduced-price meals.

## Meals and Snacks

Meals and snacks offered as part of the National School Lunch Program or the School Breakfast Program meet, at a minimum, the requirements established by state and federal law and regulation.

Schools make potable water available and accessible without restriction to children at no charge in the place(s) where lunches are served during the meal service.

## Unpaid Meal Charges<sup>1</sup>

**FOOTNOTE IS FOR REFERENCE ONLY AND SHOULD BE DELETED FROM FINAL POLICY.**

<sup>1</sup> The U.S. Department of Agriculture directs divisions which participate in the National School Lunch Program or School Breakfast Program to have a policy in place for participating children who do not have money in their account or in hand to cover the cost of the meal at the time of service. SP 46-2016, Unpaid Meal Charges: Local Meal Charge Policies, July 8, 2016, <https://www.fns.usda.gov/sites/default/files/cn/SP46-2016os.pdf>

The U.S. Department of Agriculture directs the division's policy on unpaid meal charges to be delivered to all households at the start of the school year and to households that transfer into the school division during the school year. SP 46-2016, Unpaid Meal Charges: Local Meal Charge Policies, July 8, 2016. The division may also wish to publicize the policy in other ways, such as by inclusion in student handbooks and/or in online portals used to access student accounts.



Students<sup>2</sup> who do not have money on account or in hand to cover the cost of a meal<sup>3</sup> at the time of service **CHOOSE ONE** [may be permitted to charge the meal] **OR** [may be given an alternative meal **OR** [ insert local practice ].<sup>4</sup> Students may charge no more than [\$ **OR** meals] to their accounts.<sup>5</sup>

A student carrying a negative balance of \$ or more is not permitted to charge any additional amounts. A student who is not permitted to charge any additional amounts is permitted to buy a meal if the student has cash on hand. Reasonable efforts are used to avoid calling attention to a student's inability to pay.

Notices of low or negative balances in a student's meal account are sent<sup>6</sup> to parents and the school principal. Parents are expected to pay all meal charges in full by the last day of the school year.

If a parent regularly fails to provide meal money or send food to school with the student and the student does not qualify for free or reduced benefits the child nutrition director<sup>7</sup> will inform the principal, who will determine the next course of action, which may include notifying the department of social services of suspected child neglect and/or taking legal steps to recover the unpaid meal charges.<sup>8</sup>

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**FOOTNOTE IS FOR REFERENCE ONLY AND SHOULD BE DELETED FROM FINAL POLICY.**

<sup>2</sup> Divisions may choose to create different rules for students at different grade levels.

<sup>3</sup> This policy assumes that students are not permitted to charge a la carte or extra items. If a division does permit students to charge such items, the policy, or an accompanying regulation, should clarify that fact.

<sup>4</sup> Neither state nor federal law requires schools to permit students to charge meals or to provide alternative meals. If the division charges students for alternative meals, that information should be included here.

<sup>5</sup> If the division does not permit students to charge meals, the policy should be adjusted accordingly.

<sup>6</sup> Divisions may want to provide more detail regarding the points at which notice will be sent either in the policy or in an accompanying regulation. For example, a division may provide notice any time the balance in an account reaches a certain point and/or may provide a periodic report regardless of the balance in the account.

<sup>7</sup> Divisions may substitute the title of a different staff person.

<sup>8</sup> Any other steps that the division may take to recover funds should be added here.

The superintendent ensures that federal child nutrition funds are not used to offset the cost of unpaid meals and that the child nutrition program is reimbursed for bad debt.<sup>9</sup> In order to accomplish those goals, the following procedures<sup>10</sup> are followed:

- At least one written notice is provided to a student and the student's parent or guardian prior to the student being denied reimbursable meals for exceeding the division's charge limit.
- If payment of the negative balance is not received within \_\_\_\_\_ working days of the maximum charge limit being reached, the debt will be turned over to the superintendent or superintendent's designee for collection. If the debt is not paid within \_\_\_\_\_ days of notice being given, it is considered bad debt for the purposes of federal law concerning unpaid meal charges.

## Competitive Foods

### Definitions

"Competitive food" means all food and beverages other than meals reimbursed under programs authorized by the National School Lunch Act and the Child Nutrition Act of 1966 available for sale to students on the school campus during the school day.

"School campus" means all areas of the property under the jurisdiction of the school that are accessible to students during the school day.

"School day" means the period from the midnight before to 30 minutes after the end of the official school day.

All competitive food sold to students on the school campus during the school day meets the nutrition standards specified by federal and state law and regulation.<sup>11</sup>

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**FOOTNOTE IS FOR REFERENCE ONLY AND SHOULD BE DELETED FROM FINAL POLICY.**

<sup>9</sup> The U.S. Department of Agriculture directs that information regarding the collection of delinquent meal charge debt be included in this policy. More information regarding how federal regulations apply to the nonprofit school food service account (NSFSA) may be found in SP 47-2016, Unpaid Meal Charges: Clarification on Collection of Delinquent Meal Payments, July 8, 2016, <https://www.fns.usda.gov/sites/default/files/cn/SP47-2016os.pdf>.

<sup>10</sup> Any additional procedures followed in the division should be included here or in an accompanying regulation.

<sup>11</sup> School boards may impose additional restrictions on competitive foods, provided that they are not inconsistent with federal regulations.

Each school may conduct \_\_\_\_\_<sup>12</sup> school-sponsored fundraisers per school year during which food that does not meet the nutrition guidelines for competitive foods may be available for sale to students.

The BLANK School Board is responsible for maintaining records that document compliance with this policy. Those records include receipts, nutrition labels and/or product specifications for the competitive food available for sale to students.

Adopted:

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Legal Refs: U.S. Department of Agriculture, SP 46-2016, Unpaid Meal Charges: Local Meal Charge Policies, July 8, 2016.

U.S. Department of Agriculture, SP 47-2016, Unpaid Meal Charges: Clarification on Collection of Delinquent Meal Payments, July 8, 2016.

Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-207.4.

Virginia Board of Education, A Resolution to Establish and Define Exemptions for School-Sponsored Fundraisers Pending Incorporation in the Proposed Regulations Governing Nutritional Guidelines for Competitive Foods Available for Sale in the Public Schools (Nov. 19, 2015).

Cross Refs:	EFB	Free and Reduced Price Food Services
	IGAE/IGAF	Health Education/Physical Education
	JHCF	Student Wellness
	JL	Fund Raising and Solicitation
	KQ	Commercial, Promotional and Corporate Sponsorships and Partnerships

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**FOOTNOTE IS FOR REFERENCE ONLY AND SHOULD BE DELETED FROM FINAL POLICY.**

<sup>12</sup> Each school board must select the number of school-sponsored fundraisers that will be permitted. The maximum number permitted is 30.