

## FOOD SERVICES MANAGEMENT

The District's food service program is intended to provide nutritious and appetizing meals to students. The School Board recognizes that good nutrition is vital to students' health, their mental and physical growth, and their readiness to participate and learn at school.

The food service program is operated in conjunction with federal and state school nutrition programs, including the National School Lunch Program, the School Breakfast Program, and the Summer Feeding Program.

It is the Board's goal that the food service program shall be operated in a manner that is financially self-supporting on an operational basis, with allowances for capital expenditures (e.g., facilities and capital equipment). The Board shall establish the unsubsidized price to be charged for school meals. Employees and authorized school visitors may be permitted to purchase school meals according to procedures approved by the Superintendent.

The District's Student Nutrition Director shall have primary responsibility for the management of the District's food service program, subject to administrative supervision and Board oversight. The responsibilities of the Student Nutrition Director include the following:

1. Establishing a program that meets applicable nutrition standards and that is consistent with the District's school wellness policy.
2. Establishing and monitoring the implementation of a food safety program and plan that includes procedures and standards for the safe and sanitary transportation, storage, preparation, and serving of food.
3. Arranging for the regular inspection of the District's food service preparation and serving facilities as required by law.
4. Working with the District's Director of Business Services to implement and monitor sound program accounting practices, appropriate and lawful purchasing and procurement procedures, and program and financial reporting.
5. Arranging for and monitoring the completion of training received by the District's food service employees, including training related to food safety and the District's civil rights obligations.
6. Ensuring the proper dissemination and processing of free and reduced-price meal applications and establishing standards and procedures to ensure the appropriate confidentiality of application information and eligibility status.
7. Ensuring that students who participate in the free or reduced-price meals program are not overtly identified, distinguished, or served differently than other students, and have the same choice of meals or milk as other students.
8. Working with individual students and their parents or guardians and school to address special dietary needs.
9. Arranging for and verifying that the District issues and provides required public notices related to the District's food service program. Such notices include (a) the District's annual public release (i.e., the notice of program availability, eligibility requirements, application information, and applicant/participant rights, complaint

procedures, etc.); (b) the distribution of information letters to households with children attending schools in the District; (c) the appropriate posting of the most recent food safety inspection report; (d) the appropriate posting of the mandatory federal nondiscrimination poster; and (e) the inclusion of the mandatory nondiscrimination statement in appropriate publications, documents, and other informational sources.

10. Establishing a system to collect and report program ethnic and racial data on an annual basis.

District Nondiscrimination Statement and District Complaint Information

The District prohibits all forms of unlawful discrimination in conjunction with all elements of its food service program. In connection with students, no student shall be unlawfully denied access to or the rights and benefits of the food service program or otherwise unlawfully discriminated against because of a student's sex, race, religion, color, national origin, age, ancestry, creed, pregnancy, marital or parental status, sexual orientation, physical, mental, emotional or learning disability, or any other legally-protected status or classification. Student discrimination complaints may be filed in accordance with the District's student discrimination complaint procedures.

Employee complaints shall be processed using the District's employment discrimination complaint procedures and all other complaints shall be processed using the District's student nondiscrimination complaint procedures. Additional Information about District discrimination complaint procedures can be obtained from the Office of the Superintendent or from any of the individuals identified for handling discrimination complaints in the District's nondiscrimination policies.

As required by federal law, all complaints filed involving the District's food service program shall additionally be forwarded to either the Wisconsin Department of Public Instruction (DPI) or the U.S. Department of Agriculture (USDA) within three days of receipt and shall be documented using the applicable USDA Civil Rights Complaint Form and recorded in the District's Civil Rights complaint log.

Discrimination complaints regarding the District's food service program may also be submitted directly to the USDA, as provided below, or directly to the DPI as follows: Wisconsin DPI: Director, Community Nutrition Programs, 125 South Webster Street, P.O. Box 7841, Madison, WI 53707-7841, (608) 267-9129.

ADOPTED: July 27, 1987

REVISED: July 23, 1990  
December 17, 1990  
October 23, 2000  
February 12, 2007  
March 25, 2019

REVIEW DATE: March 25, 2019

**CROSS REFERENCES:**

EF-R – Accommodations and Modifications in School Food Service Programs  
Policy EFB - Free and Reduce Priced Meals  
Policy JB - Discrimination Complaint Procedures

LEGAL REFERENCES:

**Wisconsin Statutes:**

<a href="#">Section 97.33</a>	[school lunchroom management food protection practices certificate requirement]
<a href="#">Section 97.59</a>	[restrictions on handling foods]
<a href="#">Sections 115.34</a> to <a href="#">115.347</a>	[school nutrition programs generally]
<a href="#">Section 118.13</a>	[student nondiscrimination]
<a href="#">Section 120.10(16)</a>	[annual meeting authority to direct the board to provide student lunches]
<a href="#">Section 120.13(10)</a>	[authority to expend funds for a food service program and to charge students and employees for such meals]

**Administrative Regulations:**

<a href="#">PI 1.11</a>	[appeals by individuals or institutions adversely affected by actions taken by the DPI regarding federally-funded food and nutrition programs]
<a href="#">PI 9.03(1)(i)</a>	[policy requirement to address nondiscrimination in relationship to school-sponsored food service programs]

**Federal Laws:**

<a href="#">National School Lunch Act</a> , as amended	[school lunch program provisions and requirements]
<a href="#">Child Nutrition Act</a> , as amended	[school breakfast and special milk program provisions and requirements]

**USDA Nondiscrimination Statement and Complaint Information:**

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.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.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 E-mail: [program.intake@usda.gov](mailto:program.intake@usda.gov)

This institution is an equal opportunity provider.

# ACCOMMODATIONS AND MODIFICATIONS IN SCHOOL FOOD SERVICE PROGRAMS

The District has obligations under a variety of state and federal laws to ensure that its programs and services, including its food service program, do not unlawfully discriminate on the basis of a person's disability. These obligations include ensuring that individuals with disabilities have an equal opportunity to participate in the program and appropriate access to the program, including appropriate access to the facilities and areas where meals are provided. The District's legal obligations also include making reasonable modifications to accommodate individuals with disabilities, including reasonable modifications to meals and the meal service.

Requests for modifications and accommodations within the District's food service program due to a student's disability, including meal modifications, should normally be submitted in writing to the District's Section 504 Coordinator for student matters. The Section 504 Coordinator has primary responsibility for coordinating compliance with disability requirements within the food service program. Grievances and complaints related to any such requests or to another disability-related matter within the District's food services program may be submitted to the Section 504 Coordinator. The contact for the District's Section 504 Coordinator for student matters is as follows:

**Director of Special Education and Pupil Services**  
206 S. Taft Avenue, Jefferson, WI 53549  
920-675-1000

If the designated Section 504 Coordinator is temporarily unavailable or is personally accused of improper conduct, requests or complaints may be submitted to the Superintendent.

Complaints and grievances involving students will be processed using the same procedures that are used to process other Section 504 and student discrimination complaints, including an opportunity for a hearing and a review via appeal.

In some cases, a student with a disability may have an individualized education program (IEP) that expressly requires specific instruction, services, or modifications related to the student's nutritional needs. To the extent a parent or guardian is satisfied that a child's food-service-related needs are adequately addressed and specified within the IEP, a separate Section 504 plan or food-service accommodation request is not required. The District will simply implement the IEP as required by law, seeking a clarifying medical statement if necessary. Complaints and grievances regarding the content or implementation of the IEP will be addressed through the district's special education procedures, which include opportunities for an impartial hearing and a procedure for review.

## **Modified Meals**

Federal laws and regulations governing Child Nutrition Programs expressly require the District to provide a modified meal, at no extra charge, for a student who has a disability that restricts the student's diet whenever the need is supported by a sufficient written statement signed by a state-licensed healthcare professional who is authorized to write medical prescriptions. The written statement from the qualified healthcare professional must include the following:

1. A description of the child's physical or mental impairment that is sufficient to allow the District to understand how the impairment restricts the child's diet; and

2. An explanation of what must be done to accommodate the disability (for example, identifying the food(s) or ingredient(s) to be avoided, and, to the extent applicable, identifying the choice of foods or ingredients that may be reasonably substituted).

If a medical statement is unclear or lacks sufficient detail, District staff will seek appropriate clarification from the parent or guardian and/or the healthcare practitioner so that a proper and safe meal can be provided.

Even when the need for a modification is supported by a medical statement, the District is not necessarily obligated to (1) prepare a specific meal or provide a specific food item that is chosen by the family, or (2) use a particular brand of food or food ingredient. Rather, the District's obligation is to offer a reasonable modification that effectively accommodates the child's disability, while also taking into account factors such as cost and efficiency.

When a request for an individualized meal modification is not supported by adequate documentation (i.e., a qualifying medical statement and/or a sufficiently explicit IEP requirement), the District may not provide modified meals that do not comply with applicable federal meal pattern requirements and nutrition standards. Further, the District has no legal obligation to accommodate a student's or a parent's/guardian's general food or dietary preferences or general concerns about health, nutrition, or certain foods.

***USDA Nondiscrimination Statement:***

This institution is an equal opportunity provider.  
Esta institución es un proveedor que ofrece igualdad de oportunidades.

**Legal References:**

**Wisconsin Statutes**

[Section 118.13](#) [student nondiscrimination]

**Wisconsin Administrative Code**

[PI 9.03\(1\)\(i\)](#) [policy requirement to address nondiscrimination in relationship to school-sponsored food service programs]

**Federal Laws**

[7 C.F.R. Part 15b](#) [nondiscrimination on the basis of handicap in programs or activities receiving federal financial assistance]

[7 C.F.R. §210.10\(m\)\(1\)](#) [nondiscretionary meal substitutions for children with disabilities; written statement from a state-licensed healthcare professional required]

[7 C.F.R. §210.10\(m\)\(2\)](#) [fluid milk substitutions in cases other than a disability; written statement required]

[7 C.F.R. §220.8](#) [parallel provisions regarding meal substitutions in the school breakfast program]

[Section 504 of the Rehabilitation Act of 1973](#) (as amended) [disability discrimination; reasonable accommodations]

[Individuals with Disabilities Education Act](#) (as amended) [programs and services for students with disabilities, including accommodations]

[Title II of the Americans with Disabilities Act](#) (as amended) [disability discrimination; reasonable accommodations]