

## FOOD SERVICES

### Generally

Employees of Botetourt County School Board do not require a student who cannot pay for a meal at school or who owes a school meal debt to throw away or discard a meal after it has been served to the student, do chores or other work to pay for such meals, or wear a wristband or hand stamp.

The School Board does not file lawsuits against a student or the student's parent because the student cannot pay for a meal at school or owes a school debt.

Neither the Botetourt County School Board nor any employee of the Board denies any student the opportunity to participate in any extracurricular activity because the student cannot pay for a meal at school or owes a school meal debt.

The Botetourt County school division provides free and reduced price breakfasts, lunches and milk to students according to the terms of the National School Lunch Program, the National School Breakfast Program and the Special Milk Program.

If any school in the division has a student population that qualifies for free and reduced-price meals at a minimum percentage of 50 percent in the prior school year and simultaneously offers educational or enrichment activities, the School Board applies to the Virginia Department of Education for such school to participate in the Afterschool Meal Program administered by the U.S. Department of Agriculture Food and Nutrition (FNS) Child and Adult Care Food Program (CACFP) to subsequently and simultaneously serve federally reimbursable meals and offer an afterschool education or enrichment program pursuant to FNS guidelines and state health and safety standards.

Competitive foods, as defined herein, comply with state and federal requirements.

The Botetourt County School Board may solicit and receive any donation or other funds for the purpose of eliminating or offsetting any school meal debt at any time and will use any such funds solely for such purpose.

### Free and Reduced Price Food Services

School officials determine student eligibility based on guidelines established by federal law. Eligible students are provided nutritionally acceptable meals and milk free or at a reduced cost if state and federal resources for school food programs are available. The superintendent or superintendent's designee establishes regulations or 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 and milk is publicly announced at the beginning of each

school year and provided to parents of all children in attendance at Botetourt County public schools.

If the School Board collects information to determine eligibility for participation in the National School Breakfast Program or the National School Lunch Program, it posts prominently on its website a web-based application for student participation in such program and provides a paper-based application.

Each elementary and secondary school processes each web-based and paper-based application for participation in the School Breakfast Program or the National School Lunch Program within six working days after the date of receipt of the completed application.

Employees of Botetourt County School Board do not physically segregate, overtly identify, or otherwise discriminate against any child eligible for free or reduced price meals.

The superintendent is responsible for establishing procedures by which excess food may be distributed to enrolled students eligible for the School Breakfast Program or National School Lunch Program administered by the U.S. Department of Agriculture, saving excess food for later consumption, or donating food. The superintendent's procedures identify which students are eligible to receive excess food.

## 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. Competitive foods meet the nutrient guidelines established by the Board of Education, including the guidelines for calories, fat, sugar and sodium.

"Excess food" means any remaining unexpired, unopened, and unconsumed food intended to be served as part of a reimbursable meal that was unable to be utilized for a current or future meal provision after a school has served breakfast and lunch to students during a school day.

"Fundraiser" means a school-sponsored activity where food or nonfood items are sold on the school campus during regular school hours by a school-sponsored organization to raise money for a school-related program or activity. One fundraiser is defined as one or more fundraising activities by one or more school-sponsored organizations that last one school day. If multiple school-sponsored organizations conduct fundraisers on the same day, the combined activities are counted as one fundraiser. If a fundraising activity lasts more than one school day, each subsequent day's activity is considered as one fundraiser and counts toward the total number of permitted fundraisers.

“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.

### School Sponsored Fundraisers

Each school may conduct 30 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. Fundraisers are not conducted during school meal service times.

### Unpaid Meal Charges

Students who do not have money on account or in hand to cover the cost of a meal at the time of service may be permitted to charge the meal. Students may charge no more than \$20 to their accounts.

A student carrying a negative balance of \$20 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.

Notice of low or negative balances in a student’s meal account are sent 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 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.

The superintendent or superintendent’s designee 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. In order to accomplish those goals, the following procedures are followed:

- At least one written notice is provided 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 30 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 60 days of notice being given, it is considered bad debt for the purposes of federal law concerning unpaid meal charges.

## Recordkeeping

The Botetourt County School Board is responsible for maintaining records that document compliance with this policy. Those records include documentation used to assess the nutritional profile of food items and determine whether a food item is an allowable competitive food, such as recipes, nutrition labels and/or product specifications for the competitive food available for sale to students.

The School Board is also responsible for

- maintaining records documenting compliance with the competitive food nutrition standards for food available for sale in areas that are outside of the control of the school nutrition programs operations,
- ensuring any organization or school activity designated as responsible for food service at the various venues in the school, other than the school nutrition programs, maintains records documenting compliance with the competitive food nutrition standards,
- maintaining records each school year documenting the number of exempt fundraisers, if any, conducted at each school within the division, and
- designating an individual at the division or school level to monitor and ensure compliance with this policy in all areas that are outside the control of the school nutrition programs operation. The designee may not be a school nutrition personnel.

Adopted: September 11, 1986

Revised: August 7, 2008  
June 11, 2009  
November 13, 2014  
June 8, 2017  
June 13, 2019  
July 8, 2021  
July 14, 2022  
July 13, 2023

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

7 C.F.R. §§ 210.9, 210.11, 220.20, 245.5, 245.8.

U.S. Department of Agriculture, SP 23-2017 Unpaid Meal Charges: Guidance and Q&A, March 23, 2017.

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, §§ 22.1-79.7, 22.1-207.2:2, 22.1-207.3, 22.1-207.3:1, 22.1-207.4, 63.2-1509.

8 VAC 20-740-10.  
8 VAC 20-740-30.  
8 VAC 20-740-35.  
8 VAC 20-740-40.

Cross Refs:	BBA	School Board Powers and Duties
	GAE	Child Abuse and Neglect Reporting
	JHCF	Student Wellness
	KH	Public Gifts to the Schools