

WEST VIRGINIA
SECRETARY OF STATE

KEN HECHLER

ADMINISTRATIVE LAW DIVISION

Form 88

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NOTICE OF AGENCY ADOPTION OF A PROCEDURAL OR INTERPRETIVE RULE
OR A LEGISLATIVE RULE EXEMPT FROM LEGISLATIVE REVIEW

AGENCY: West Virginia Board of Education TITLE NUMBER: 126

CITE AUTHORITY: WV Code 18-2-5

RULE TYPE: PROCEDURAL INTERPRETIVE _____

EXEMPT LEGISLATIVE RULE _____
CITE STATUTE(S) GRANTING EXEMPTION FROM LEGISLATIVE REVIEW

AMENDMENT TO AN EXISTING RULE: YES , NO _____

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 85 (Policy 4320)

TITLE OF RULE BEING AMENDED: Operational Manual of Child Nutrition

IF NO, SERIES NUMBER OF NEW RULE BEING ADOPTED: _____

TITLE OF RULE BEING ADOPTED: _____

THE ABOVE RULE IS HEREBY ADOPTED AND FILED WITH THE SECRETARY OF STATE. THE
EFFECTIVE DATE OF THIS RULE IS September 26, 1992

Barbara L. Estep
August 25, 1992

TITLE 126
PROCEDURAL RULE
WEST VIRGINIA BOARD OF EDUCATION
CHAPTER 18-2
SERIES 85
POLICY 4320

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Title: Operational Manual of Child Nutrition

Section 1. General

- 1.1 Scope - This procedural rule establishes operational procedures that enhances child nutrition and provides for an efficient operation of the program. The procedures cover the child nutrition program and the school breakfast and school lunch programs.
- 1.2 Authority and Related Code Citation(s) - WV Code 18-2-5
- 1.3 Filing Date - August 25, 1992
- 1.4 Effective Date - September 26, 1992
- 1.5 Repeal of Former Rules - None - This is a revision of former rules filed in 1983, revised in 1991.

Section 2. Incorporation by Reference

- 2.1 Copy of rules and regulations are attached. Copies may be obtained in the office of the Secretary of State and the West Virginia Department of Education, Bureau of Finance and Services.
- 2.2 Summary of rules and regulations below:

SUMMARY OF RULES AND REGULATIONS

State Board Policy Number 4320 authorizes the Child Nutrition Program/Policy Operation Manual to comply with the federal requirements and other State Board policies as these relate to the overall administration of Child Nutrition Programs. The manual is revised and updated periodically.

The Child Nutrition Program/Policy Operation Manual is distributed to school administrators and other personnel involved with the operations of Child Nutrition Programs. The Manual provides vital technical assistance and guidance and contains all state and federal policy statements and program regulations.

Information in the Child Nutrition Program Policy Manual includes the Department philosophy and goals for nutrition and nutrition education for West Virginia children. In addition, the Manual includes state and federal meal requirements for school breakfast and lunch, special milk regulations and instructions for claiming federal reimbursement for eligible meals and milk. There are instructions for completing required records and reports and for handling government donated foods.

Specifications related to financial management include allowable and non-allowable costs, federal procurement regulations, nonprofit status, federal audit requirements including the Assessment, Improvement and Monitoring System (AIMS).

This Manual provides federal eligibility guidelines for free or reduced price meal benefits, and federal requirements for verification of meal applications. Information regarding Civil Rights requirements are included. Policies are detailed which apply to emergency feeding, competitive food sales, catered meals for senior citizens, food service for handicapped children and regulatory provisions for parent and student involvement.

Recommendations for personnel training are described and programs available from the Department of Education are outlined.

HD NO _____ DRAFT NO _____ BILL NO _____ RESOLUTION NO _____

SUBJECT Child Nutrition Policy Manual 4320 FUND General

SOURCE OF REVENUE: GENERAL SPECIAL OTHER (SPECIFY) _____

COST ESTIMATE BASED ON: AN ORIGINAL ESTIMATE BUDGET BILL OTHER (SPECIFY) _____

INCOME ESTIMATE BASED ON: AN ORIGINAL ESTIMATE BUDGET BILL OTHER (SPECIFY) _____

SHOW OVER-ALL EFFECT IN ITEMS 1 AND 2 AND ITEM 3 GIVE EXPLANATION OF BREAKDOWN BY FISCAL YEAR INCLUDING LONG-RANGE EFFECT

EFFECT OF PROPOSAL	ANNUAL		FISCAL YEAR		
	INCREASE	DECREASE	CURRENT	NEXT	THEREAFTER
1. ESTIMATED TOTAL COST	\$ 0	\$ 0	\$ 0		
PERSONAL SERVICES	\$ 0	\$ 0			
CURRENT EXPENSES					
REPAIRS AND ALTERATIONS					
EQUIPMENT					
OTHER					
2. ESTIMATED TOTAL REVENUES	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0

3. EXPLANATION OF ABOVE ESTIMATES (INCLUDING LONG-RANGE EFFECT):

IMPACTS No direct fiscal impact.
FISCAL: The policy implements the National School Lunch Program, School Breakfast Program and Child and Adult Care Food Program, which generate approximately 49 million annually for West Virginia.

STATE
STAFF: Harriet Deel
Thomas Sands

DATE 5/18/02 AGENCY West Virginia Department of Education AUTHORIZED REPRESENTATIVE [Signature]
1074c/1

POLICIES OF OPERATION MANUAL

4320

Child Nutrition Division

West Virginia Department of Education



**WEST VIRGINIA BOARD OF EDUCATION
1992-93**

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POLICIES OF OPERATION MANUAL

**Henry R. Marockie
State Superintendent of Schools**

August 1992

FOREWORD

This policy manual is provided to school administrators, school food service supervisors and others concerned with the advancement of child nutrition programs in our West Virginia Schools. By observing these state and federal policies, schools throughout the state will be better able to:

1. Provide nutrition programs needed by the students each serves;
2. Up-grade and expand available services;
3. Provide attractive, nutritionally balanced meals to all students; and
4. Help students develop sound food habits.

The philosophy of the West Virginia Board of Education, set forth in this policy enhances the school's ultimate goal - physically fit adults. The following policies reflect the concerns of parents and other interested citizens.

Henry Marockie
State Superintendent of Schools

EXECUTIVE SUMMARY

Educators and the public generally agree that nutritionally adequate Child Nutrition Programs are essential to the total education system. Programs are effective when they are well planned, organized and accountable at all levels - national, state and local.

The National School Lunch Program - a forerunner to all the Child Nutrition Programs - was enacted....

...."to safeguard the health of the nation's children"....

The program was not designed as a welfare or income-transfer program, but solely as a health education program. Although subsequent legislation has provided incentives to encourage participation of children from low income families (based upon the greater incidence of nutritional problems among these children), Congress has continued to recognize that nutritional need is not limited to specific income groups.

In 1977, Congress recognized the need and potential value of nutrition education by enacting Public Law 95-166, providing a mechanism whereby nutrition education can be coordinated with school food services.

Currently, accountability of all public programs is a vital issue. The focus of greater fiscal accountability and automated data processing should complement the basic purpose of the National School Lunch Program -- "to safeguard the health of the Nation's children." Progress depends upon continuous evaluation, direction and improvement to ensure that each child's nutritional needs are met. Meaningful student, parent and community involvement are essential as we continue to improve program quality and participation.

INDEX

Section A - Child Nutrition Programs in West Virginia	
History	A - 1
Philosophy	A - 2
Long Range Goals for Child Nutrition Programs	A - 3
USDA Child Nutrition Programs	A - 4
Responsibilities for Child Nutrition Programs:	
Federal Level	A - 6
State Level	A - 8
Sponsor Level	A - 10
School Level	A - 12
Section B - School Breakfast	
Background	B - 1
Meal Requirements and Recommendations	B - 2
Sugar Content of Breakfast Items	B - 3
Offer Versus Serve	B - 4
A La Carte	B - 5
Dietary Exceptions	B - 6
Reimbursable Breakfasts	B - 7
Severe Need Rates of Reimbursement	B - 8
Production Records	B - 9
Bus Schedule	B - 10
Waiver	B - 11
Termination Provision	B - 12
Section C - School Lunch	
Background	C - 1
Meal Requirements and Recommendations	C - 2
Food Quantities	C - 3
Meat or Meat Alternate Component	C - 4
Vegetable/Fruit Component	C - 5
Bread/Bread Alternate Component	C - 6
Milk Component	C - 7
Product Analysis Sheet and CN Labels	C - 8
Offer Versus Serve	C - 9
Kindergarten Snacks	C - 10
A La Carte	C - 11
Special Dietary, Cultural or Religious Exceptions to Basic Meal Requirements	C - 12
Reimbursable Lunches	C - 13
Higher Reimbursement Rates	C - 14
Production Records	C - 15
Section D - Donated Foods	
Background	D - 1
Allocation of Donated Foods	D - 2
Procedure for Requesting Donated Foods	D - 3
Inventory	D - 4
Loss or Damage	D - 5
Commodity Processing	D - 6

Section E - Special Milk Program	
Purpose	E - 1
Charges and Reimbursement	E - 2
Milk Shakes	E - 3
Reporting Procedures	E - 4
Section F - Free and Reduced Price Meal and Free Milk Policies	
Introduction	F - 1
Applications for Free or Reduced Price Meals	F - 2
Approving Applications for Households Eligible for AFDC/FS Benefits	F - 3
Approving Applications for Households Not Eligible for AFDC/FS Benefits	F - 3
Income	F - 4
Determining Household Size	F - 5
Reviewing Official's Responsibilities	F - 7
Reviewing Official's Completing an Application	F - 8
Feeding Prior to Application Approval	F - 9
Application Files and Working List	F - 10
Collection Procedure	F - 11
Daily Meal Count (Point of Service Count)	F - 12
Nondiscrimination	F - 13
Civil Rights Information	F - 14
Student Help	F - 15
Verification (USDA)	F - 16
Application Selection	F - 17
Verification Procedures	F - 18
Section G - Financial Management	
Reporting Procedure	G - 1
Reimbursement Procedure and Policy	G - 2
Accurate (Accountable) Records:	
Participation	G - 3
Income	G - 4
Expenditures	G - 5
Allowable Costs:	
Food	G - 6
Milk	G - 7
Labor	G - 8
Supplies and Expendable Equipment	G - 9
Non-Expendable Equipment	G - 10
Indirect	G - 11
Non-Allowable Costs	G - 12
Shared Costs	G - 13
Procurement Standards	G - 14
Excess Balance - Net Cash Resources	G - 15
Consolidation of Schools	G - 16
Pricing of Adult Meals	G - 17
Inventory Records	G - 18
Equipment Depreciation	G - 19
USDA Food Service Equipment Assistance	G - 20
Guidelines for Purchase of Computers for Automation of School Food Service Functions	G - 21

Section H - Monitoring and Auditing	
Monitoring	H - 1
The Management Evaluation	H - 2
On-Site Visit	H - 3
Corrective Action	H - 4
Assessment Procedure	
Free and Reduced Meal Application	H - 5
Assessment Procedure	
Meal Components and Quantities	H - 6
Policy Concerning Adjustment/Repayment of Funds	H - 7
Auditing	H - 8
AIMS Monitoring	H - 9
AIMS Review	H - 10
Second Review Threshold	H - 12
AIMS Exit Conference	H - 13
AIMS Second Review	H - 14

Section J - Food Service Policies	
Meal Service	J - 1
Meal Service to Adults	J - 2
Meal Service for Handicapped Children	J - 3
Disciplinary Practices and Meal Service	J - 4
Meal Service for Senior Citizens	J - 5
Emergency Feeding	J - 6
Charging Meals	J - 7
Lost, Stolen and Misused Tickets	J - 8
Use of Foods, Supplies and Equipment	J - 9
Safety and Sanitation	J - 10
Sale of Nutritious Foods	J - 11
Sale of Non-Nutritious Foods	J - 12
Definitions	J - 13
Guidelines for Selection of Snack Foods	J - 14
Guidelines for Selection of Juice or Juice Products	J - 15
Meals for Secondary Students Attending College	J - 16

Section K - Personnel and Training	
Program Management	K - 1
Classification of Cooks	K - 3
Nutrition Education and Training (NET)	K - 4
Training Programs for Food Service Personnel	K - 5
Competency Testing for Food Service Personnel	K - 6

Section L - Student and Parent Involvement	
Background	L - 1
County Nutrition Advisory Council	L - 2

Section M - Definitions	
-------------------------	--

EXHIBITS

RECEIVED

1992 AUG 27 AM 9 33

WVDE 43-10-10 Sponsor's Agreement	A - 30.1
WVDE 43-10-11 Policy Statement	A - 30.2
WVDE 43-10-01 Application for School Lunch, School Breakfast and Special Milk Programs	A - 30.3
Criteria for Determination of Eligibility for Severe Need	B - 30.1
Breakfast Production Worksheet	B - 30.2
ES-DF-02 Agreement	D - 30.1
ES-DF-05 Request for Donated Foods	D - 30.2
ES-DF-01 Administrative Review Report	D - 30.3
Report of Loss of Donated Foods	D - 30.4
Instructions for the Report of Loss of Donated Foods	D - 30.4a
Guides for Summer Storage of Perishable Foods	D - 30.5
National Commodity Processing (NCP) System Post Card	D - 30.6
Income Eligibility Guidelines	F - 30.1
Application for Free or Reduced Price Meals	F - 30.2
Letter to Parents	F - 30.3
WVDE 43-10-20 Notice of Approval, Change or Termination of Benefits	F - 30.4
Eligibility Guidance for School Meal Programs	F - 30.5
Food Stamp Information	F - 30.6
Information Up-Date	F - 30.7
Civil Rights Information	F - 30.8
Nondiscrimination Poster	F - 30.9
Procedures for Selecting a Random Sample	F - 30.10
Documentation of Random Selection	F - 30.11
Procedures for Selecting a Focused Sample	F - 30.12
Documentation of Focused Selection	F - 30.13
Prototype Letter to Parents	F - 30.14
Parent Information - Proof of Income	F - 30.15
Procedures for Developing a Consistency Check	F - 30.16
Parent Letter - Difference Between Documentation and Application	F - 30.17
Summary Report to County Office (School)	F - 30.18
Sponsor's Summary Report	F - 30.19
WVDE 43-10-30-S Daily Record of Program Operations	G - 30.1
Instructions for Completion of WVDE 43-10-30-S	G - 30.2
WVDE 43-10-31 Monthly Financial Report	G - 30.3
Instructions for Completion of WVDE 43-10-31	G - 30.4
WVDE 43-10-30 Monthly Claim for Reimbursement	G - 30.5
Current Reimbursement Rates	G - 30.6
WVDE 43-10-37a Net Cash Resources	G - 30.8
Perpetual Inventory of Consumable Items	G - 30.9
Equipment Record	G - 30.10
Non-Expendable Equipment Schedule	G - 30.11
Non-Expendable Equipment Depreciation Schedule	G - 30.12
Disposition Procedure	G - 30.13
Computer Use Time Record	G - 30.14

EXHIBITS (Cont.)

Management Evaluation	H - 30.1
WVDE 43-30-03-S On Site Visit	H - 30.2
Plan of Corrective Action	H - 30.3
WVDE 43-10-13-ME Noted Exceptions	H - 30.4
Assessments 43-40-22a	H - 30.5
Monitoring of Accountability	H - 30.6
Inspection Report for Food Service Establishments	H - 30.7
WV Board of Education-Mandate on Non-Nutritious Foods	J - 30.1
State Board Policy 2550.19	K - 30.1
Children and Nutrition	K - 30.2
Comprehensive Training Program (CTP) for Cooks	K - 30.3
Comprehensive Training Programs	K - 30.4
Planning a Program and Suggested Activities	L - 30.1

SECTION A
CHILD NUTRITION PROGRAMS IN WEST VIRGINIA

History	A - 1
Philosophy	A - 2
Long Range Goals for Child Nutrition Programs	A - 3
USDA Child Nutrition Programs	A - 4
Responsibilities For Child Nutrition Programs Federal Level	A - 6
Responsibilities For Child Nutrition Programs State Level	A - 8
Responsibilities For Child Nutrition Programs Sponsor Level	A - 10
Responsibilities For Child Nutrition Programs School Level	A - 12
Exhibits	
WVDE 43-10-10 Sponsors Agreement	A - 30.1
WVDE 43-10-11 Policy Statement	A - 30.2
WVDE 43-10-01 Application for School Lunch, School Breakfast and Special Milk Programs	A - 30.3

CHILD NUTRITION PROGRAMS IN WEST VIRGINIA

HISTORY

School food service gained national emphasis during the depression days. As part of the national effort to combat depression in the early 1930's, the National Youth Association and the Works Progress Administration were established, both of which provided federal funds for employment in school lunch programs. In 1935, Congress authorized a direct purchase and distribution program for surplus farm products to needy families, charitable institutions and non-profit school lunch programs. When food demands of World War II eliminated farm surpluses, an interim cash assistance program was initiated which proved to be a forerunner to permanent legislation. In 1946, after World War II draft statistics indicated that one-third of all men rejected for military service were physically unfit due to nutritional deficiencies, the National School Lunch Act was enacted to provide funds to schools for each lunch served students.

Acting upon the testimony of the Surgeon General, who stated emphatically that money was being wasted in trying to educate children with half-starved bodies, Congress defined the purpose of the National School Lunch Act:

"It is hereby declared to be the intent of Congress, as a measure of national security, to safeguard the health and well-being of the nation's children and to encourage the domestic consumption of nutritious agricultural commodities and other food, by assisting the states, through grants-in-aid and other means, in providing an adequate supply of food and other facilities for the establishment, maintenance, operation and expansion of nonprofit school lunch programs..."

In 1954, the Special Milk Program was enacted to increase children's consumption of fluid milk. During the 1960's as a result of national awareness of hunger and malnutrition in the United States (as portrayed on the CBS documentary "Hunger in America" and substantiated by the Ten State Nutrition Survey, conducted by the Department of Health, Education and Welfare), the School Breakfast Program, Child Care Food Program and the Summer Food Service Program were established on a pilot basis. In 1966, the Child Nutrition Act was passed, which complemented the program provided under the School Lunch Act. In 1970, new amendments to the National School Lunch Act and the Child Nutrition Act brought about substantial changes and program expansion.

During the 1970's a series of amendments provided: permanent authorization of the School Breakfast and Child Care Food Programs; changes in the meal pattern; "offer versus serve" provisions for older children; establishment of a national advisory council; and a three-year authorization of the nutrition education and training program.

The Child Care Food Program was recently expanded to include the eligibility of certain adults. The implementation of the provisions of the Older Americans Act (OAA) Amendments of 1987 and the Rural Development Act of 1989 allows for the participation of adult day care centers in the Child and Adult Care Food Program.

In developing plans for the 1990's, the United States Department of Agriculture has identified several priorities: (a) assess, improve and strengthen point of service and accountability systems; (b) operate more efficiently; (c) integrate food service and nutrition education; (d) involve students, parents, teachers and school administrators; (e) reduce paperwork; (f) increase outreach in the breakfast program; and (g) simplify eligibility documentation. Although adequate facilities, enabling state and federal legislation and a sound financial system all are necessary, the ultimate success and effectiveness of the child nutrition program is dependent upon full support and cooperation at all administrative levels and upon trained personnel.

In May of 1989 the School Breakfast Program was expanded to include the requirement of an additional food item and allowed schools to implement an "offer vs serve" option for breakfast. This change resulted from national evaluations conducted by the Department of Agriculture comparing nutrient content of home and school breakfasts. Based on a review of these evaluations, the home breakfast provided more iron and vitamin A but less milk related nutrients than the School Breakfast Program.

In an effort to increase the nutrient integrity of the School Breakfast Program, an additional meat or bread item was required. This addition would raise the iron content of the school breakfast and also allow for the increased levels of other nutrients occurring in combination with iron.

PHILOSOPHY (West Virginia Department of Education)

The primary responsibility of the food service program is to the participant and the participant's nutritional needs - the child in school (public and private)... the child in institutional surroundings... the child in a special classroom... the child in day care (center and home)... the adult in day care. Each has equally important food needs.

An effective food service makes available to all participants a nutritionally adequate noon-day meal as an extension of classroom activity, child development and support services to adults and caregivers. Breakfast and Supplemental nourishment are added as needed for the participants involved.

All meal service in the dining area shall conform to the nutritional standards prescribed and shall be priced and served as a unit. Any other food or beverage served at any time during the day should provide protein, vitamins and minerals in a satisfactory balance with calories in order to contribute to the nutritional quality of the meals served.

Non-nutritious foods - namely, candy, soft drinks, chewing gum and flavored ice bars - shall not be sold during the school day (i.e., that period of time between the arrival of the first child at school and the end of the last scheduled instructional period).

LONG-RANGE GOALS FOR CHILD NUTRITION PROGRAMS

- I. Upgrade and expand child nutrition programs.**
 - A. Increase the use of menu selections and food choices in all programs.**
 - B. Enhance dining environments.**
 - C. Modernize the food service work environment.**
 - D. Extend program to eligible children, youth and functionally impaired adults.**

- II. Ensure attractive, nutritionally balanced meal service.**
 - A. Complete food service training curriculum for schools and child care centers.**
 - B. Implement food service training.**

- III. Increase efficiency and accountability in food service operation.**
 - A. Establish computerized accounting and reporting systems in all public schools -- assess level of technology for each county and coordinate school record keeping with county, state and federal data requirements.**
 - B. Provide regionalized computer based services for child nutrition programs.**
 - C. Ensure accountability through the audit process.**

- IV. Assist students in achieving optimum performance and quality of life.**
 - A. Improve student knowledge and awareness of the relationship between nutrition and performance.**
 - B. Target programs for infants and high risk youth.**

- V. Improve the public perception of child nutrition.**
 - A. Recognize successful programs.**
 - B. Develop materials explaining the positive benefits of child nutrition programs.**
 - C. Assist sponsors in developing local public information programs.**
 - D. Identify and/or disseminate films, video tapes on a state-wide basis to assist in reaching informing parents.**

WEST VIRGINIA DEPARTMENT OF EDUCATION GOALS

Established goals for education call for. . .

- students to have equal educational opportunity;
- students to graduate with the knowledge and skills needed to succeed in a competitive, changing society;
- the best personnel to be recruited, retained and provided with competitive salary and benefits;
- school personnel to improve their knowledge and skills to ensure that each student succeeds;
- schools to become centers for life-long learning and community service with partnerships that support teaching and learning;
- school facilities to be safe and to meet the educational needs of students in an efficient and economical manner.; and
- improved economic development through a well-educated and technically literate work force.

The statutory Goals for the Year 2000 are more specific than State Board Goals in terms of outcomes desired. These goals would. . .

- have all children entering the first grade ready for school;
- provide all students with access to equal educational opportunities;
- have students performance on national measures equal or exceed the national average, and have student performance in the lowest quartile improve by fifty percent;
- have 90% of ninth graders graduate from high school;
- have high school graduates fully prepared for college, other post-secondary education or gainful employment; further, have the number of high school graduates entering post-secondary education increase by 50%; and
- have all working-age adults functionally literate.

MISSION

To enhance learning and quality of life through nutrition education and nutrition services.

MAJOR FUNCTIONS

Major functions are categorized in the areas of administration, technical assistance and training, monitoring and accountability, and outreach. Specifically, the child nutrition office works to achieve the following:

1. Ensure the service of nutritious meals which appeal to children.
2. Increase efficiency and accountability in food service operations.
3. Assist students in achieving optimum performance and quality of life.

4. Enable educators, food service personnel and parents to positively influence children's eating habits.
5. Collaborate with other governmental and community agencies in establishing goals and nutrition services for children.
6. Optimize the effectiveness of child nutrition personnel.
7. Promote and expand child nutrition programs.

UNITED STATES DEPARTMENT OF AGRICULTURE (USDA) CHILD NUTRITION PROGRAMS

Seven separate Child Nutrition Programs are administered by the United States Department of Agriculture, Division of Food and Nutrition Service:

1. National School Lunch Program
2. School Breakfast Program
3. Child and Adult Care Food Program
4. Summer Food Service for Children
5. Special Milk Program
6. Nutrition Education and Training
7. Donated Foods Program

These programs are authorized by the National School Lunch Act of 1946 and the Child Nutrition Act of 1966. All are administered by the West Virginia Department of Education, except the Donated Foods Program which is under the West Virginia Department of Health and Human Resources. A brief description of each program follows:

National School Lunch Program - The National School Lunch Program assists in providing nutritious lunches to students in public and non-profit private schools of high school grade and under and in non-profit residential child care institutions.

School Breakfast Program - The School Breakfast Program was established by the Child Nutrition Act of 1966 as a pilot project and aimed only at schools with large numbers of needy children or students who traveled long distances to school. Today, the program is available to all public and private schools and to non-profit residential child care institutions.

Child and Adult Care Food Program - The Child and Adult Care Food Program (CACFP) operates year-round in non-residential institutions which provide care for children enrolled in: day care centers, Head Start centers, outside-school-hours care centers and family day care homes, and adults enrolled in day care centers. Attending participants are served breakfast, lunch, suppers and snacks, as needed.

Nutrition Education and Training Program (NET) - The Nutrition Education and Training Program provides funds to the states for the dissemination of nutrition information to participants and for inservice-training of food service personnel and teachers. The program is for all participants in public and private schools and in residential and non-residential care institutions.

Food Distribution Program - The Food and Nutrition Service through the Food Distribution Program donates foods to various food program outlets including schools and summer camps. Commodities used in the program are generally acquired under price support and surplus removal legislation and donated to program outlets through cooperating state agencies. The Department of Agriculture also has special purchasing authority to acquire food for certain feeding programs.

RESPONSIBILITIES FOR CHILD NUTRITION PROGRAMS

FEDERAL LEVEL

At the federal level, the Food and Nutrition Service shall act on behalf of the United States Department of Agriculture in implementing the Child Nutrition Programs. It shall be responsible for the following four areas:

1. Program Administration

- providing timely information to the Administration and to Congress;
- drafting, up-dating and publishing in the Federal Register regulations to implement the National School Lunch Act and the Child Nutrition Act, as amended by Congress;
- soliciting public comment prior to issuing federal regulations in their final form;
- conducting briefing sessions and/or public hearings concerning national policies related to school food service;
- negotiating an annual written contract with each state educational agency for administration of the School Lunch, School Breakfast, Special Milk, Child Care Food Program, Summer Food Service Program;
- developing and disseminating policy statements, instructions, time frames, guidelines and memoranda related to program management;
- developing national policy concerning the provision of free and reduced price meals or free milk, including income poverty guidelines and prototype applications and administrative guidance;
- annually reviewing and evaluating each state agency, together with selected sponsors and schools for each child nutrition program administered; initiating corrective action plans where necessary; and
- reviewing and approving the various State Plans as submitted by each state for the succeeding school years.

2. Financial Management

- allocating federal funds by means of an annual Letter of Credit to each state agency agreeing to administer the various child nutrition programs;
- developing prototype contracts, reporting forms, agreements, policy statements, financial management systems, application forms and review and evaluation forms for use in administration of the programs;
- developing, where necessary, corrective action plans in cooperation with the state agency, including follow-up and financial assessment where necessary;
- providing budgetary information to the Administration and to Congress;
- revising proposed budgets in terms of authorized and budgeted expenditures;

- collecting, processing and collating monthly participation reports;
- processing and up-dating each state's Letter of Credit to reflect program activity;
- periodically up-dating reimbursement rates for various programs; and
- reviewing and approving state automated data processing systems.

3. Training

- preparing and distributing program aids;
- preparing and distributing suggested training materials for school food service personnel, nutrition education and parental involvement;
- developing criteria to measure the nutritional quality of foods and beverages to be served in schools;
- cooperating with community groups, professional associations and allied agencies to evaluate program effectiveness; and
- negotiating contracts with appropriate agencies to conduct surveys, evaluations, and special research projects.

4. Food Distribution

- negotiating an annual agreement with each state for the acceptance, allocation and delivery of government-donated foods;
- developing specifications and issuing bids for the purchase of foods to be distributed to child nutrition programs;
- allocating and shipping government-donated foods to each state;
- monitoring the state's government-donated foods distribution plan; and
- approving Commodity Processing contracts and/or implementing the National Inventory System.

RESPONSIBILITIES FOR CHILD NUTRITION PROGRAMS

STATE LEVEL

The West Virginia Department of Education is responsible for the following four areas:

1. Program Administration

- preparing annual State Plans for Child Nutrition Program Operations and a State Plan for the Nutrition Education and Training Program;
- annually negotiating a Sponsors Agreement [A - 30.1] with sponsoring agencies;
- developing prototype Policy Statements [A - 30.2] for provision of free and reduced price meals, free milk, free textbooks, workbooks and instructional supplies;
- approving Policy Statements submitted annually for all school programs administered by each sponsoring agency;
- developing, printing and distributing prototype student applications and letters to parents concerning the availability of free and reduced price meals;
- preparing annual state and federal budget requests for the succeeding fiscal year (State-July 1 through June 30; Federal-October 1 through September 30);
- scheduling, conducting, summarizing and evaluating public hearings on the various child nutrition programs;
- continuously reviewing and evaluating USDA regulations and instructions as published in the Federal Register (proposed, interim and final regulations) or as issued by the USDA Regional Office (guides, handbooks, instructions, memoranda and reports);
- notifying sponsoring agencies of USDA regulations, instructions and policy guidelines on a timely basis;
- cooperating with parents, students, community groups, professional associations, state and local agencies in outreach activities to extend program benefits and to create a positive image;
- establishing, organizing and convening State Advisory Councils and Advisory Committees to maintain liaison with participating agencies; and
- cooperating with national, state and local agencies in implementation of an on-going nutrition education and training program which meets the identified needs of the state.

2. Financial Management

- timely draw-down of federal funds to pay outstanding claims for reimbursement;
- timely and accurate processing and paying of monthly claims for reimbursement;
- preparing accurate monthly financial status reports and timely submission at state and federal levels;
- annually reconciling reimbursement payments with program costs;

- monthly reconciliation of state and federal subsidiary accounts;
- auditing of sponsoring agencies and selected sites on a annual schedule in accordance with USDA Audit Guides; and
- assessing sponsoring agencies for overclaims identified as part of the audit reports, AIMS review or management evaluation.

3. Monitoring And Evaluation

- developing and monitoring the procedures to be used by schools in verifying information reported in a sampling of applications for free/reduced price meals;
- annually reviewing net cash resources at the sponsor level;
- conducting on-site management evaluations of program performance;
- monitoring of sponsoring agencies and selected participating sites in accordance with regulations (AIMS, Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973 and the State Standards for Educational Excellence); and
- continuously evaluating program effectiveness.

4. Training And Technical Assistance

- scheduling and completing on-site visits to provide technical assistance and/or follow-up visits; providing technical assistance as a result of AIMS reviews;
- implementing a competency based training program for local school food service personnel;
- assisting sponsoring agencies with local school food service training programs where necessary;
- developing and implementing on-going training programs for supervisory and administrative personnel (sponsor level);
- reviewing and approving proposed plans and layouts for food service facilities; and
- preparing and distributing training materials, program aids and guidance materials.

RESPONSIBILITIES FOR CHILD NUTRITION PROGRAMS

SPONSOR LEVEL

At the local level, each county board of education or sponsor is responsible for the following four areas:

1. Program Administration

- annually negotiating contracts with participating schools;
- presenting for approval to the local board of education the Sponsors Agreement [A - 30.1] and Policy Statement [A - 30.2] for provision of free and reduced price meals or free milk, free textbooks, workbooks and instructional supplies; providing copies of sponsor's approved Policy Statement to all participating schools;
- distributing copies of Application for Free or Reduced Price Meals and Free Textbooks, Workbooks and Instructional Materials [F - 30.2];
- implementing required hearing procedures [Policy Statement, A - 30.2];
- implementation of a county level verification procedure to be used in the approval of applications for free and reduced price meals;
- monitoring school procedures in handling of applications for free and reduced price meals, collection procedures for meal payment, point of service count and avoidance of overt identification of needy children;
- developing standard policies regarding employment practices, grievance procedures, supervision and training of food service personnel;
- organizing, when needed for compliance with §2550.19, school and county advisory councils;
- assisting student-parent planning committees to improve public relations and increase student participation;
- notifying school administrators and school food service personnel concerning rules, regulations and policies governing school food service programs;
- maintaining liaison with parent, student and community groups;
- promoting National School Lunch Week and other special activities;
- extending and expanding program benefits to meet the nutritional, emotional and social needs of all children; and
- implementing a county long range plan for school automation of records and reports.

2. Financial Management

- verifying and consolidating schools' monthly reports of participation and claims for reimbursement; promptly submitting the sponsor's consolidated Claim for Reimbursement [G - 30.5]; verifying sponsor's monthly reimbursement payments and allocating payments to the individual schools or programs;

Administrative Requirements, School Food Authority

- consolidating schools' financial reports each month; preparing an annual sponsor's report of accrued income and per meal costs; submitting report to state agency; documenting reported income and expenditures and retaining documentation for three years plus current operating year;
- annually reviewing operating balances at the school level; annually reconciling reimbursement payments to direct costs incurred at the school or sponsor level; assigning and adjusting school reimbursement rates (in relation to allowable per meal costs);
- developing, implementing and maintaining an inventory control system for food service equipment (retention for 12 years);
- establishing and implementing purchasing procedures in compliance with state and federal regulations;
- developing and implementing a viable financial management system and an automated data processing plan which meets state and federal requirements;
- review edit checks monthly and document reasons for unusually high percentage of participation; and
- obtain attendance factor for each school.

3. Monitoring And Evaluation

- maintaining a regular schedule of on-site visits to participating schools; monitoring of all food service sites prior to February 1 of each school year and scheduling follow-up visits to schools to ensure program compliance; accompanying state and/or federal representatives on local school visits; and
- continuously evaluating the effectiveness of the child nutrition program in reaching its goal to serve all children.

4. Training And Technical Assistance

- reviewing and approving building and renovation lay-outs, plans and purchasing contracts; reviewing and approving major food service equipment purchases;
- planning and/or approving school food service menus prior to time of service; developing and implementing local policies concerning the serving of nutritious foods at schools;
- complying with state and local standards concerning sales of foods and beverages during the school day;
- providing technical assistance to school food service personnel, school administrators and clerical personnel;
- developing and implementing an on-going training program for food service personnel, school clerical personnel and school administrators;
- providing resource person(s) for school administrators, teachers, professional groups and allied agencies;
- assisting teachers and school administrators in developing an on-going nutrition education program;
- developing and/or disseminating training aids, instructional materials, handbooks, manuals and other program aids; and
- initiating an on-going, relevant professional growth program for food service supervisory personnel.

RESPONSIBILITIES FOR CHILD NUTRITION PROGRAMS

SCHOOL LEVEL

The local school administrator is responsible for the following five areas:

1. Program Operation

- filing an Application for School Lunch, School Breakfast and Special Milk Programs [A - 30.3] with the county boards of education;
- distributing, at the beginning of each school year Applications for Free and Reduced Price Meals and Free Textbooks, Workbooks and Educational Materials [F - 30.2] to each student enrolled in the school;
- reviewing and approving, in accordance with state and county administrative guidance materials, each application for free and reduced price meals;
- verifying information reported on a sampling of applications for free and reduced price meals and verifying any incomplete, illegible or questionable information entered on the applications;
- approving all eligible, complete applications and denying all applications which do not meet the eligibility guidelines. Such approval or denial must be entered on the application in the appropriate areas and parents must be notified within 10 working days after the completed application has been returned to the school;
- informing all teachers and clerical personnel of the federal, state and county requirements for provision of free and reduced price meals or free milk;
- initiating hearing procedures when information entered on the application is challenged, or appears to be inaccurate;
- providing copies of student applications for free and reduced price meal benefits when an eligible student transfers to another school;
- checking menus prior to and during service to ensure that all nutritional requirements are met;
- providing assistance to school food service personnel in planning menus which provide for choices within the required meal components to all students; and
- providing alternate meal services (plate lunch and box lunch; salad plate and regular plate lunch; continental breakfast and regular breakfast) to increase student participation.

2. Records And Reports

- establishing a procedure for obtaining accurate meal counts at the serving line without overt identification so that accurate reports of daily student participation by category are entered on the daily reporting form;
- maintaining all records pertaining to child nutrition programs (including applications for free and reduced price meals,

participation records, invoices, bills, financial reports, equipment inventories and production records) for three years plus the current school year;

- submitting complete and accurate reports of daily participation; and
- submitting a monthly report of food service revenue and expenditures to the county office.

3. Financial Management

- developing and implementing standard procedures for collecting meal payments, collecting meal tickets and serving meals so that no student is overtly identified;
- establishing a system for payment and reporting of all food service invoices in compliance with county and state requirements for financial management;
- obtaining prior approval for all major purchases from the sponsoring agency;
- establishing standard procedures for maintaining inventories of purchased and government-donated foods, supplies and equipment; and
- documenting reported expenditures.

4. Training

- encouraging school food service and clerical personnel to participate in the county's in-service training program;
- remaining informed concerning federal, state and county regulations and policies concerning the various child nutrition programs; and
- encouraging teachers to attend available nutrition education training and assisting teachers in developing a sequential nutrition education program in the classroom.

5. Public Relations

- advising all parents concerning the types of food service programs available at the school and surveying the need for additional programs when these are not available;
- organizing student advisory councils to assist in menu planning, publicity and observance of special days in the lunchroom; and
- maintaining liaison with parents, students, community groups and the administration to promote good public relations.

WEST VIRGINIA DEPARTMENT OF EDUCATION
Charleston, West Virginia 25305

NATIONAL SCHOOL LUNCH ACT
CHILD NUTRITION ACT OF 1966
SPONSOR'S AGREEMENT FOR THE SCHOOL LUNCH,
SCHOOL BREAKFAST AND SPECIAL MILK PROGRAM

1. NAME OF SPONSORING AGENCY:

2. ADDRESS OF SPONSORING AGENCY:

3. EFFECTIVE DATE:

In order to effectuate the purposes of the National School Lunch Act, as amended (42 U.S.C. 1751) and the Child Nutrition Act, as amended (42 U.S.C. 1771), the West Virginia Department of Education, hereinafter referred to as the "Department", and the Sponsoring Agency (Item 1 above), hereinafter referred to as the "Sponsor", agree as follows:

The DEPARTMENT agrees to make funds available to the Sponsor for the programs operated by it, as designated below, in accordance with the various State and Federal Regulations applicable to such programs: National School Lunch and Breakfast Program Regulations (7 CFR Parts 210, 220, 3015 and 245); and/or Special Milk Program Regulations (7 CFR Part 215) and Nutrition Education and Training Regulations (7 CFR Part 227), and any applicable amendments thereto, as well as any State Laws, Regulations, or Standards.

The SPONSOR agrees to accept federal funds for expenditure in accordance with the applicable Regulations and any amendments thereto, and to comply with all the provisions of such regulations and amendments thereto. In the event of a proposed amendment of any applicable regulation, if the Sponsor gives to the Department, prior to the effective date of the amendment, written notice of its determination to discontinue operation of any program conducted thereunder, this Agreement shall be terminated as to such program as of the effective date of the amendment.

The SPONSOR agrees that it will be responsible for the operation of the following Child Nutrition Programs: (Place an "X" in the applicable space to designate the program(s)).

National School Lunch Program _____
School Breakfast Program _____
Special Milk Program _____
(In "No Program" schools or
split session Kindergartens only)
Commodity Schools _____

This agreement shall be effective commencing on the date specified (Item 3 above) and ending one year thereafter, unless terminated earlier as provided herein. The Department may renew this Agreement each year thereafter, by notice in writing given to the Sponsor as soon as practicable after funds have been appropriated for carrying out any of the purposes of the National School Lunch Act and of the Child Nutrition Act during each such year. In any event, however, either party hereto may, by giving at least ten days written notice, terminate this Agreement.

The DEPARTMENT agrees to reimburse the Sponsor to the extent of funds available for school lunches, school breakfasts or special milk served to eligible children in connection with the Child Nutrition Programs indicated above. Reimbursement shall be made only in connection with meals served to children which meet the nutritional standards set forth in this agreement. Reimbursement rates as established by the United States Department of Agriculture shall be used to reimburse the Sponsor on behalf of the school or institution. For all Sponsors, general cash-for-food assistance funds shall be used to assist the schools or institutions in obtaining food (the assigned reimbursement rate multiplied by the total number of school lunches or breakfasts served to children); special cash assistance payments shall be made to assist schools in providing free and reduced price meals to eligible children (the reimbursement rate multiplied by the total number served free or reduced).

The SPONSOR agrees to submit to the Department for approval at the beginning of each school year, a Policy Statement for the Provision of Free and Reduced Price Meals or Free Milk which covers all food services provided under the National School Lunch Act and the Child Nutrition Act for all schools or institutions participating in the child nutrition programs. An approved copy of the Policy Statement will be provided to all participating schools or institutions by the Sponsor. Any school or institution participating in the programs indicated above may, through the Sponsor, be reimbursed for school lunches and school breakfasts served free or at a reduced price to children meeting the Sponsor's approved eligibility standards, provided that a current, correctly approved Application for Free or Reduced Price Meals is on file at the school or institution. Such free and reduced price meals shall be offered to all eligible children by all participating schools or institutions. Neither the child nor any member of its family may be required to work for a meal. Each participating school or institution shall comply in all respects to the Sponsor's approved Policy Statement. When the school or institution participates in the Child Nutrition Programs listed above, meals may not be denied any child for disciplinary purposes and, if consumed in another school location, must be the same meal offered to other children. If no meal service is available at a given school or institution, the Sponsor may apply for the Special Milk Program for that particular school or institution. An approved Policy Statement must be on file. For schools or sites with split-session kindergarten programs, the sponsor may apply for the Special Milk Program for those particular kindergarten children only.

The SPONSOR and the participating schools or institutions under its jurisdiction shall comply with all provisions of Chapter 7, Code of Federal Regulations, Parts 210, 215, 220 and 245.

The DEPARTMENT and the SPONSOR hereby agree to comply with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et. seq.), Title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et. seq.), Section 504 of the Rehabilitation

Act of 1973 (29 U.S.C. 794), the Age Discrimination Act of 1975 (42 U.S.C. 6101 et. seq.), all provisions required by the implementing Regulations of the Department of Agriculture, Department of Justice Enforcement Guidelines (28 CFR 50.3 and 42) and FNS (USDA) directives and guidelines. Compliance will be consistent with the objective that no person in the United States shall, on the ground of race, color, national origin, age, sex or handicap be excluded from participation in, be denied the benefits of, or be otherwise subject to discrimination under any program or activity for which the Sponsor receives federal financial assistance under this contract. The Sponsor hereby gives assurance that it will immediately take measures necessary to effectuate this agreement. By accepting this assurance, the Sponsor agrees to compile data, maintain records and submit reports, as required, to permit effective enforcement of the nondiscrimination laws and permit authorized USDA/WVDE personnel during normal working hours to review such records, books and accounts as needed to ascertain compliance with the nondiscrimination laws. If there are any violations of this assurance, the United States Department of Agriculture or the Department shall have the right to seek judicial enforcement of this assurance. Federal financial assistance is extended under this agreement in reliance on the representations made herein. This assurance is binding on the program applicant and its successors, transferees and assignees as long as they receive assistance or retain possession of any assistance from the United States Department of Agriculture. The person whose signature appears below is authorized to sign this assurance on the behalf of the Sponsor.

The SPONSOR hereby agrees that it will comply with Section 504 of the Rehabilitation Act that is designed to assure that those who receive federal financial assistance will not discriminate against handicapped persons. It provides in relevant parts as follows: "No otherwise qualified handicapped individual in the United States. . . shall, solely by reason of his handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance."

The SPONSOR shall take appropriate initial and continuing steps to notify participants, beneficiaries, applicants and employees, including those with impaired vision or hearing, and unions or professional organizations and local minority and grass roots organizations that it does not discriminate on the basis of handicap in violation of Section 504 of the Rehabilitation Act of 1973. The notification shall state, where appropriate, that the sponsor does not discriminate in admission or access to, or treatment or employment in, its programs and activities.

All information used by the sponsor to inform the public about the program shall contain the following nondiscrimination statement: "Program benefits and services are available to all children without regard to race, color, sex, handicap, age or national origin. If you believe you have been discriminated against because of race, color, national origin, age, sex or handicap, write to the Secretary of Agriculture, Washington D.C. 20250."

The collection and reporting of data on the racial or ethnic identity of children who apply for free and reduced price meals is required by Department of Justice regulations.

A - 30.1a

THE SCHOOL FOOD AUTHORITY AGREES THAT, for each school listed in the Policy Statement, it will conduct the program(s) indicated in the Sponsor's Agreement in accordance with the Department's regulations and will conform to the following requirements in the conduct of each program (unless the requirement is restricted to a particular program):

Meal Counts, Monitoring and Claims

The official signing the monthly Claim for Reimbursement shall be responsible for reviewing and analyzing meal counts to ensure accuracy as specified in Section 210.8 governing claims for reimbursement.

The school food authority acknowledges that failure to submit accurate claims will result in the recovery of an overclaim and may result in the withholding of payments, suspension or termination of the program as specified in Section 210.24.

The school food authority acknowledges that if failure to submit accurate claims reflects embezzlement, willful misapplication of funds, theft, or fraudulent activity, the penalties specified in Section 210.25 shall apply.

The school food authority shall provide that free, reduced price, and paid reimbursable meals served to eligible children are counted at the point of service, or through another counting system if approved by the State agency.

Each school food authority with more than one school shall perform no less than one on-site review of each school under its jurisdiction prior to February 1 of each school year (see 210.8 (a) (1). The person who will monitor and complete

the monitoring visits report is _____

whose position (title) is _____.

Prior to the submission of a monthly Claim for Reimbursement, each school food authority shall compare each school's daily claim against data which will assist in the identification and correction of Claims for Reimbursement in excess of the number of reimbursable free, reduced price and paid lunches actually served that day to children eligible for such lunches. Such data shall, at a minimum, include the number of children currently approved for free and reduced price lunches in the school, and, for every month except September, the average daily number of free, reduced price and paid lunches served for the preceding month (see 210.8 (a) (2).

School food authorities shall also compare claims against the school's average daily attendance, enrollment or membership data, and a factor which accurately accounts for the difference between enrollment and attendance at any given time (see 210.8 (a) (3). The person responsible for these edit checks is _____

whose position (title) is _____.

The SPONSOR agrees: to develop a system for collection of data; to maintain this information on file for 3 years; and to establish procedures to ensure that the information is made available only to authorized state and federal personnel during reviews or as part of OMB approved surveys. Estimated data on the racial/ethnic make-up of the applicant organization's program service area (NSLP, SBP, SMP) and enrollment shall be maintained by the Sponsor.

The SPONSOR agrees to make available upon request, information about program requirements and procedures for filing compliant in the appropriate translation to non-English speaking persons.

The SPONSOR, if it employs 15 or more persons, agrees to designate a coordinator to carry out Section 504 activities.

The SPONSOR hereby certifies that any school(s) or institution(s) under its jurisdiction and participating in any of the Child Nutrition Programs indicated above is nonprofit, exempt from Federal Income Tax under the Internal Revenue Code, as amended, and devoted to the care, training and education of children. Any Sponsor, school or institution which operates its food service under a contractual arrangement with a concessionaire or a food management company shall submit a copy of that contractual agreement to the Department annually for approval prior to negotiation.

The SPONSOR and its schools or institutions participating in any or all of the Child Nutrition Programs indicated above shall comply with the requirements set forth in 7 CFR Part 3015 regarding financial management; shall maintain full and accurate records of operations under this agreement and shall keep such records for a period of three years after the end of the fiscal year to which these records pertain. Records of income and expenditures shall be maintained in such a manner as to reflect the non-profit status of this service. The Sponsor shall limit its operating balance to a level consistent with program needs. All excess funds (as determined by the Department) shall be used to reduce the price of the meal, to improve the quality of the meal service or to purchase new or replace old equipment as approved by the Sponsor and the Department.

The SPONSOR and each of the participating schools or institutions shall make available to the Department or to the United States Department of Agriculture or to the State Tax Commission for examination and/or audit at any reasonable time and place, all records pertaining to the operation of programs under this agreement. The SPONSOR agrees to make it possible for the Department to fulfill its agreement with the United States Department of Agriculture concerning its responsibilities for program supervision, management control, audit, monitoring compliance and on-site visitation.

The SPONSOR, for its participating schools or institutions, agrees to submit to the Department on forms provided by the Department claims for reimbursement in accordance with instructions provided by the Department. Claims for reimbursement not filed within 60 days following the last day of the month covered by the claim will not be paid except when the United States Department of Agriculture determines that late submission of the claim was justifiable.

The SPONSOR agrees that all income accruing to the food service program in its office or in any schools or institutions participating in the programs available under the National School Lunch Act or the Child Nutrition Act shall be used only for Program purposes; provided however, that such income shall not be used to purchase land or to acquire or to construct buildings.

The SPONSOR agrees that adequate facilities will be maintained for storing, preparing and serving food purchased for service under the National School Lunch Act or the Child Nutrition Act and for food donated by the United States Department of Agriculture. Proper sanitation and health and safety standards conforming with all federal, state and local standards and regulations shall be maintained by the participating schools and institutions, including an adequate and safe supply of water and sanitary disposal of all water and refuse. Such facilities shall be provided that the children may eat their meal in an accepted social manner. Adequate and empathetic supervision shall be provided in the lunchroom. Food or beverages other than the school lunch or school breakfast, extra milk or other approved foods shall not be served in the dining area at the time the meal is served. Meals may not be denied to any child for disciplinary purpose, and must be the same meal served to other students.

Prices charged for adult and student meals and/or milk shall be approved annually by the Department. Lunches and breakfasts shall be priced as a unit.

Extra milk served under the Special Milk Program in schools with no food services and/or schools with split session kindergarten programs shall be fluid milk which meets state and local standards. Reimbursement under the Special Milk Program shall be claimed only for fluid milk which meets state and local standards and is served in schools or institutions with no reimbursed food service. Reimbursement may be claimed only for fluid milk purchased and served to children.

The SPONSOR agrees that all lunches claimed for reimbursement must meet the nutritional requirements for the school lunch and that all breakfasts claimed for reimbursement must meet the nutritional requirements of the school breakfast. Schools and institutions shall cooperate with the Department in developing procedures for diminishing the waste of foods without endangering nutritional integrity. Only one breakfast and/or one lunch per day may be claimed for reimbursement for each participating student.

The School Lunches claimed for reimbursement must meet the requirements prescribed by the Department and the United States Department of Agriculture and must be served during a period or periods designated as the lunch period. The School Breakfasts claimed for reimbursement must meet the requirements prescribed by the Department and the United States Department of Agriculture and must be served during a period which is near the beginning of the school day. The Sponsor and its participating schools and institutions shall endeavor to follow menu suggestions given by the Department and/or Sponsor and shall initiate varied types of menus, even though it may on occasion mean serving foods with which some students are unfamiliar. Substitutions may be made in food if the individual participating children are unable, because of medical or other special needs to consume such foods. Such substitutions shall be supported by a statement from a recognized medical authority which includes recommended alternate foods.

The SPONSOR agrees that all schools and/or insitutions under its jurisdiction will serve meals to handicapped children even when the child's handicap restricts his/her diet. These special dietary needs must be verified by a statement from a medical doctor and must include prescribed alternate foods. If an emergency should arise preventing a school or institution from temporarily obtaining delivery of milk, the Department may approve the service of meals with an available alternate milk or without milk during the emergency period.

This agreement may be terminated upon ten days written notice on the part of either party hereto and the Department may terminate the agreement immediately upon receipt of evidence that the terms and conditions of this agreement or of the regulations have not been complied with by the Sponsor. Any termination of this agreement shall be in accord with applicable laws and regulations.

A SPONSOR which operates its food service program on contract with a food service management company shall remain responsible for assuring that the feeding operation is in conformance with its agreement with the Department.

The DEPARTMENT may make adjustments in rates of reimbursement in accordance with the availability of funds or in order to comply with the provisions of the National School Lunch Act or the Child Nutrition Act. Notice of such adjustments shall be given as far in advance as is practicable.

SIGNATURES

STATE DEPARTMENT OF
EDUCATION

(State Agency)

BY:

(County) or (Sponsoring Agency)

STATE SUPERINTENDENT OF
SCHOOLS

APPROVED:

(County Superintendent) or (Director)

State Director of Child Nutrition
Programs

Date

Date

WEST VIRGINIA DEPARTMENT OF EDUCATION
Charleston, West Virginia 25305

POLICY STATEMENT
FOR
PROVISION OF FREE AND REDUCED PRICE SCHOOL MEALS OR FREE MILK
The National School Lunch Act and Child Nutrition Act

The _____
(County Board of Education or Nonpublic School or Child and Adult Care Sponsor)

has entered into agreement with West Virginia Department of Education to participate in the National School Lunch Program and/or the School Breakfast Program, the Child and Adult Care Food Program or the Special Milk Program, and/or to receive commodities donated by the United States Department of Agriculture and accepts responsibility for providing free and reduced price meals or free milk to eligible participants in the school(s), institution(s) or center(s) under its jurisdiction.

The County Board of Education or the Nonpublic School or the Child and Adult Care Institution or Sponsor assures the West Virginia Department of Education that the school system, the institution or sponsor will uniformly implement the following policy to determine the eligibility of participants for: (1) Free and reduced price meals in all classrooms and/or schools and/or institutions and/or centers or homes under its jurisdiction which are participating in the National School Lunch Program and/or the School Breakfast Program and/or the Child and Adult Care Food Program and/or which are receiving government-donated foods; or (2) Free milk in all schools and/or institutions in its jurisdiction which are participating only in the Special Milk Program or schools which serve milk only to split session Kindergarten children.

In fulfilling its responsibilities the County Board of Education or the Nonpublic School or Child and Adult Care Institution or Center or Home agrees:

- A. To serve meals free or at reduced price to participants from families whose income is at or below that listed in Attachment A, Columns 1 through 6.
- B. To serve milk free to children from families whose income is at or below that listed in Attachment A, Columns 1-3 (in schools/centers/institutions/homes with no food service and in schools with split session Kindergarten).
- C. To provide these benefits to any participant whose family's total household income before deductions falls within the criteria given in Attachment A at the time the application is submitted.
- D. To insure that there shall be no physical segregation of or other discrimination made by the school, institution, center or home against any participant eligible for a free or reduced price meal or for free milk. The names of participants eligible to receive free or reduced price meals and free milk shall NOT be posted, published or announced in any manner and there shall be no overt identification of any

participant by use of special tokens or tickets or by any other means. Further assurance is given that participants eligible for free or reduced price meals or free milk shall: (1) not be required to work for their meals or milk, (2) not be required to use a separate lunch or service area, (3) not be required to go through a separate serving line, (4) not be required to enter the lunchroom/dining area through a separate entrance, (5) not be required to eat meals or drink milk at a different time and (6) have the same choices of meals and of milk as the paying participant.

- E. That in the operation of feeding programs, no participant shall be discriminated against because of his/her race, color, national origin, sex, age or handicap.
- F. To verify by December 15, in accordance with program regulations a prescribed number of applications and to maintain records as follows: (1) a summary of the verification efforts; (2) the total number of applications on file by October 31; and (3) the percentage or number of applications verified. Compliance with these requirements will be monitored by the West Virginia Department of Education as part of its supervisory assistance, monitoring and verification efforts.
- G. To establish charges for meals served as follows: a reduced-price lunch or supper not to exceed 40 cents, a reduced price breakfast not to exceed 30 cents, and a reduced-price supplement not to exceed 15 cents.
- H. To establish and use a fair hearing procedure for any parent's/adult household member's appeal(s) of the (sponsor's) decisions on applications, and for challenges to the continued eligibility of any participant for free or reduced price meals or free milk. During the appeal and hearing, the participant who was determined eligible based on the face of the application submitted will continue to receive free or reduced price meals or free milk. A record of all such appeals and challenges and of their dispositions shall be retained for three years.

Prior to initiating the hearing procedure, the parent/guardian/adult household member or local official may request a conference to provide an opportunity for the household member and official to discuss the situation, present information, and obtain an explanation of data submitted in the application and decisions rendered. Such a conference shall not in any way prejudice or diminish the right to a fair hearing.

The hearing procedure shall provide the following for both the family and the sponsor:

1. A publicly-announced, simple method for making an oral or written request for a hearing.
2. An opportunity to be assisted or represented by an attorney or other person.

WEST VIRGINIA DEPARTMENT OF EDUCATION
CHILD NUTRITION DIVISION
Charleston, West Virginia 25305

APPLICATION AND AGREEMENT FOR THE SCHOOL LUNCH, SCHOOL BREAKFAST AND SPECIAL MILK PROGRAMS

NAME OF SCHOOL OR INSTITUTION _____

ADDRESS _____

COUNTY _____ TYPE OF PROGRAM: NEW _____ RENEWAL _____

CURRENT ENROLLMENT _____ AVERAGE DAILY ATTENDANCE _____ PROGRAM BEGINS _____

PROGRAM ENDS _____ NUMBER FOOD SERVICE WORKERS: FULL TIME _____ PART TIME _____

DOES THE SCHOOL OPERATE ITS MEAL SERVICE ON A FEE, CONCESSION OR CONTRACT ARRANGEMENT?

YES _____ NO _____ If "Yes", attach a copy of the current contract.

THE SCHOOL OR INSTITUTION LISTED ABOVE IS APPLYING FOR APPROVAL TO OPERATE THE CHILD NUTRITION PROGRAMS AS LISTED BELOW:

SECTION A. SCHOOL LUNCH PROGRAM _____ (check if appropriate)

Estimated number of lunches to be served daily: To Children _____; To Adults _____

Estimated number of lunches to be served daily to children: Free _____; Reduced Price _____

Lunch Prices: Children: Regular Price _____; Reduced Price _____; Adult Price _____

SECTION B. SCHOOL BREAKFAST PROGRAM _____ (check if appropriate)

Estimated number of breakfasts to be served daily: To Children _____; To Adults _____

Estimated number of breakfasts to be served daily to children: Free _____; Reduced Price _____

Breakfast Prices: Children: Regular Price _____; Reduced Price _____; Adult Price _____

SECTION C. SPECIAL MILK PROGRAM _____ (check if appropriate)

NOTE: Schools which applied for either the School Lunch and/or the School Breakfast Program in Section A or Section B above, may for children in split-session kindergarten only complete Section C.

Net Delivered Price (after discount) paid to supplier per 1/2 pint milk _____

Unflavored, low fat _____; Fluid, whole _____; Flavored _____; Other _____

Price to be charged children per 1/2 pint milk: Unflavored, low fat _____; Flavored _____

Fluid, whole _____; Other _____ (Specify type, e.g., buttermilk, milk shake, etc.)

LIST BELOW THE NAMES AND ADDRESSES OF ANY OTHER SITES WHICH ARE SERVED BY THIS PROGRAM:

MEMORANDUM OF UNDERSTANDING

To effectuate the purposes of the National School Lunch Act and the Child Nutrition Act and federal/state regulations governing the School Lunch Program, the School Breakfast Program and the Special Milk Program, the West Virginia Department of Education, the County Board of Education or other Sponsoring Agency and the School or Institution completing this Application and Agreement do hereby agree:

1. The West Virginia Department of Education (hereinafter referred to as "Department") shall reimburse the Sponsoring Agency (hereinafter referred to as "Sponsor") to the extent of funds available, for lunches and/or breakfasts and/or special milk served to children in connection with the National School Lunch Act and the Child Nutrition Act during the fiscal year during which the Department's Agreement with the Sponsor and the Sponsor's Agreement with the School or Institution (hereinafter referred to as "School") is in effect.

Reimbursement shall be made to the Sponsor only in connection with meals which are served to eligible children, which meet the nutritional requirements set forth in Section 3 of this Memorandum of Understanding. The School may be reimbursed, to the extent that funds are available, by the Sponsor for school lunches and/or school breakfasts or for special milk served by the School under the Programs indicated on Page 1 of this Agreement. Further, compliance by the School with federal regulation set forth in Chapter 7, Code of Federal Regulations, Parts 210, 220, 215 and 245, as applicable to the specific child nutrition program, is prerequisite to participation in the School Lunch Program, the School Breakfast Program and the Special Milk Program.

Reimbursement rates are established by the Department, to the extent funds are available, within the maximum payments prescribed by the United States Department of Agriculture. Such payments are determined by multiplying the appropriate rate by the total number of school lunches, school breakfasts or one-half pints of special milk served to the appropriate categories of eligible children (free, reduced price or fully paid).

In approving Applications from eligible schools or institutions, in assigning reimbursement rates and in approving for payment of monthly Claims for Reimbursement, the Department requires compliance with the following conditions:

- A. The Sponsor has on file with the Department an approved and current Sponsor's Agreement for the School Lunch, School Breakfast and/or Special Milk Program;
- B. The Sponsor has on file with the Department an approved and current Policy Statement for the Provision of Free and Reduced Price School Meals and Free Milk;
- C. A Sponsor (or School) which operates its food service program on contract with a food service management company remains responsible for assuring that the Programs are in compliance with the Sponsor's Agreement;
- D. To the extent of funds available, and upon submission of an accurate Claim for Reimbursement the Department reimburses the Sponsor on behalf of the School for meals or milk served in accordance with the terms of this Memorandum of Understanding in any fiscal year during which this Memorandum and the Sponsor's Agreement are in effect. If meals or milk are served by the School during parts of two fiscal years, the Department's agreement to reimburse the Sponsor is conditional upon appropriation by Congress of funds in sufficient amounts for the specific meal or milk service during such second fiscal year.
- E. No legal liability on the part of the Department for the payment of any money shall arise until such appropriations have been provided by the United States Department of Agriculture.

- F. The Department will honor Claims for Reimbursement which are submitted by the Sponsor on forms provided by the Department within 60 days following the last day of the month covered by the Claim. Claims not filed within 60 days will not be paid except when the United States Department of Agriculture determines that late submission of the Claim was justifiable.
 - G. The Sponsor conducts a non-profit food and/or milk service and maintains records of income and expenditures in such a manner as to reflect the non-profit status of the food/milk service.
 - H. The Sponsor makes available for review or audit appropriate documentation concerning program eligibility, licensure with the required State Agencies and documentation of tuition, fees and meal/milk charges to the Child.
2. In administering the various school nutrition programs; in assigning meal reimbursement rates to schools/sites; and in compiling and approving for payment monthly Claims for Reimbursement, the Sponsor requires compliance with the following conditions:
- A. The School conducts a non-profit meal or milk service and maintains records of income and expenditures to reflect the non-profit status of the service.
 - B. All income accruing to the school food service program in any School participating in the Programs under the National School Lunch Act and the Child Nutrition Act is used by the Sponsor and by the School only for Program purposes, provided that such income shall not be used to purchase land or to acquire or to construct buildings.
 - C. The Sponsor and/or the School shall limit operating balances for the school nutrition programs to levels consistent with program needs. All excess funds shall be utilized to: reduce the price of meals or milk to the child; improve the quality of meals; and upgrade equipment, as approved by the Sponsor and/or Department.
 - D. No food, other than the school meal or milk is served in the dining area at the time of meal service. Meals or milk shall not be denied any child for disciplinary purposes. No student shall be discriminated against by service of meals or milk which are different from those offered to other children.
 - E. Except for food service personnel, payments for all adult breakfasts, lunches and milk are made. Adult and student meal and milk prices are approved annually by the Department.
 - F. The School and Sponsor operate the School Lunch, School Breakfast and Special Milk Program in compliance with all policies set forth in the West Virginia Department of Education Policies of Operation Manual.
 - G. The School complies in all respects with the conditions set forth in the Sponsor's current Policy Statement for Provision of Free and Reduced Price Meals and Free Milk. School lunches and/or school breakfasts or special milk are offered to all children attending a participating school and are served without cost or at reduced cost to all children with approved applications on file for free or reduced price benefits.
 - H. The Sponsor and School maintain for a period of three years after the end of the fiscal year to which these pertain, all records and reports related to program operation, including Applications and Agreements, Policy Statements for the Provision of Free and Reduced Price Meals and Free Milk, Student Applications for Free/Reduced Price Meals or Free Milk, records of verification of eligibility, daily participation records, Claims for Reimbursement, Meal Production Records,

Inventory Records, invoices, bills, receipts, purchase orders, bid requests, bid award documentation, bank statements and ledger sheets.

- I. All records related to program operation are made available to the Sponsor, Department, United States Department of Agriculture and to State Auditors for review and/or audit at any reasonable place and time.
 - J. In the operation of all child nutrition programs, the School agrees to comply with Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973 and the Age Discrimination Act of 1975. Compliance is consistent with the objective that no person in the United States shall, on the ground of race, color, national origin, age, gender or handicap, be excluded from participation in, be denied the benefits of or be otherwise subject to discrimination.
3. In the operation of the school food service programs, the School or Institution agrees to follow the policies concerning food service as set forth in United States Department of Agriculture Meal Pattern Guidelines and included as part of each sponsor's annual Agreement:
 4. Adequate facilities shall be maintained for storing, preparing and serving food and milk. Sanitation, health and safety standards shall conform with all state and local standards, including an adequate and safe supply of water and sanitary disposal of all water and refuse.
 5. The School shall furnish adequate facilities and equipment so that the children may eat their meals in an accepted social manner. Adequate and empathetic supervision shall be provided in the dining area.
 6. This Agreement may be terminated upon 10 days written notice on the part of either party hereto and the Department and/or Sponsor may terminate this agreement immediately upon receipt of evidence that the terms and conditions of this agreement or of the applicable regulations and policies have not been fully complied with by the School or Sponsor. The Department may make adjustments in rates of reimbursement in accordance with the availability of funds or in order to comply with the provisions of the National School Lunch Act or the Child Nutrition Act. Notice of such adjustments shall be given in writing to the Sponsor as far in advance of the applicable date as is practicable.

Any deviation from this memorandum may mean just cause for the program to be terminated unless the situation may be remedied at once.

7. I CERTIFY THAT THE ABOVE MEMORANDUM HAS BEEN READ AND AGREED TO.

SIGNATURES

_____	_____
PRINCIPAL OR ADMINISTRATOR	DATE
_____	_____
COUNTY SUPERINTENDENT OR SPONSORING AGENCY OFFICIAL	DATE
_____	_____
STATE SUPERINTENDENT OF SCHOOLS	DATE

3. An opportunity to examine, prior to and during the hearing, the documents and records presented to support the decision under appeal.
 4. Reasonable promptness and convenience in scheduling a hearing and adequate notice as to the time and place of the hearing.
 5. An opportunity to present oral or documentary evidence and arguments supporting its position without undue interference.
 6. An opportunity to question or refute any testimony or other evidence and to confront and cross-examine any adverse witness.
 7. That the hearing be conducted and the decision made by a hearing official who did not participate in the decision under appeal or in any previous conference.
 8. That the decision of the hearing official be based upon the oral and documentary evidence presented at the hearing and entered into the hearing record.
 9. That the parties concerned and any designated representative thereof be notified in writing of the decision.
 10. That for each hearing a written record be prepared, including the decision under appeal, any documentary evidence and a summary of any oral testimony presented at the hearing, the decision of the hearing official and the reasons therefor, and a copy of the notification to the parties concerned of the hearing official's decision.
 11. That such written record be retained for a period of 3 years after the close of the school/fiscal year to which they pertain. These records must be made available for examination by the parties concerned or their designees at any reasonable time and place during such period.
- I. To designate by name and title the county food service director, school principal, assistant principal, center director or other assigned staff to review applications for free and reduced price meals or milk and make determinations of eligibility. Such officials will use the criteria outlined in this policy to determine which individual participants are eligible for free and reduced price meals or free milk.
 - J. To make available, at the beginning of each school year, and whenever there is a change in the eligibility criteria, to the parent, guardian or adult household member of each participant attending the schools, centers or institutions participating in the School Lunch, School Breakfast, Child and Adult Care Food Program, Commodity Programs or Special Milk Program a copy of Form WVDE 43-10-20, Application for Free and Reduced Price Meals, or Form WVDE 43-10-20 Milk, Application for Free Milk.

Interested parents, guardians or adult household members are responsible for filling out the Application and returning the completed Application to the county office, school or site. Such applications and documentation of all determinations made on all applications shall be maintained at each school, center or institution for 3 years after the end of the school/fiscal year to which they pertain.

Applications for Free and Reduced Price Meals or Applications for Free Milk may be filed at any time during the year. Any parent, guardian or adult household member who enrolls a participant for the first time shall be supplied with a copy of Form WVDE 43-10-20 regardless of the time of year the participant is registered.

K. APPLICATION APPROVAL PROCESS

1. Prior to the review and approval of applications for the 1991-92 school year, free and reduced price meals and free milk shall be served to participants from households with approved applications on file from last year. This includes: (a) those participants who attended the school/center last year; (b) new students in a school with older siblings who were approved free or reduced price last year; (c) previously approved participants who transfer from one school/center to another under the jurisdiction of the same school food authority or sponsoring organization.
2. Each incoming application shall be reviewed at the school/center to determine that it is complete. The following information must be provided before an eligibility determination can be made:

HOUSEHOLDS ENROLLING CHILDREN

(a) For Food Stamp/AFDC Assistance units:

- (1) Name of child;
- (2) The child's food stamp or AFDC case number; and
- (3) Signature of an adult household member.

(b) Other Households enrolling children:

- (1) Name of child;
- (2) Names of all household members;
- (3) Social security number of either the primary wage earner or the household member who signs the application or an indication that the household member does not have a social security number;
- (4) the amount of income received by each household member identified by source (wages, welfare, alimony/child support); and
- (5) signature of an adult household member.

HOUSEHOLDS ENROLLING DAY CARE ADULTS

(c) For Food Stamp/SSI/Medicaid participants:

- (1) Name of participant(s);
- (2) The participant's food stamp, SSI or Medicaid number; and
- (3) Signature of an adult household member.

- (d) Other Households enrolling day care adults:
 - (1) Name of participant;
 - (2) Name(s) of participant's spouse and dependent(s) residing with the participant;
 - (3) Social security number of participant, participant's dependent(s) and spouse residing with the participant;
 - (4) The amount of income received by participant, dependent(s) and spouse residing with the participant; and
 - (5) Signature of an adult household member.
- (e) Any other information requested on the application, but not provided by the household must not delay approval of the application.

3. Eligibility Determination:

- (a) Participants currently receiving food stamp, AFDC assistance, SSI or Medicaid assistance shall be approved for free benefits if the application contains the participant's name, the food stamp/AFDC case number/SSI or Medicaid number and the signature of an adult household member;
- (b) Households that do not claim food stamp/AFDC/SSI or Medicaid eligibility must provide household size and income information to enable comparison against the current income eligibility guidelines. If the total reported income is within the eligibility limits, the participant shall be approved for either free or reduced price benefits, as applicable.

4. Household Notification:

- (a) All households must be promptly notified of their eligibility status.
- (b) Households denied benefits must be given written notification of the reason for denial and of appeal rights and procedures. The household shall be advised that they may reapply at any time during the school year if their circumstances change. The reasons for denial shall be noted and kept on file together with the date the denial notice is sent and the name of the denying official.

- 5. If a participant transfers from one school, center, home or institution to another under the jurisdiction of this County Board of Education or Sponsor, his/her eligibility for free or reduced price meals or, if so offered, free milk will be transferred to and honored by the receiving school, center, home or institution, provided that the receiving school, center or institution participates in the School Lunch and/or School Breakfast Programs, the Child and Adult Care Food Program or in the Commodity Only Program or the Special Milk Program. The school/center/institution from which the participant transferred shall retain a copy of the participant's application.

All participants from a family will receive the same benefits, provided that all attend schools, centers, homes or institutions where these feeding programs are in operation.

6. It is recognized that in certain cases foster children are also eligible for these benefits. If a household has foster children living with them and wishes to apply for such meals or milk for these children, the household will be instructed to contact the school, center, institution or home.
7. The designated hearing official for this County Board of Education or this Nonpublic School or this Institution or this Center or this Home is:

Name* _____ Title _____
Address _____

*(Note: This person must be someone not involved in the original eligibility determinations. It is suggested that the designated hearing official hold a position at a higher administrative level than that of the determining official.)

- L. To submit a public/press release containing both the free and reduced price eligibility guidelines and all other information outlined in the parent/guardian/adult household member letter to the local news media, local unemployment offices and major employers contemplating or experiencing large layoffs.
- M. To establish a procedure to collect money from participants who pay for their meals or milk and to account for the number of free, reduced price and full price meals served or for the number of half-pints of free and full price milk served. The procedure described in Attachment B will be used. No other participant in the school, center, home or institution will consciously be made aware by such procedure of the identity of the participants receiving such benefits and an accurate meal time count will be made and recorded daily.
- N. To submit to the West Virginia Department of Education for approval any alterations or amendments to the policy, including eligibility criteria, applications, public announcements, or collections of payments, prior to implementation. Such changes will be effective only upon approval. All changes in eligibility criteria must be publicly announced in the same manner used at the beginning of the school year.

ATTACHMENTS: The following attachments are adopted with and considered a part of this Policy Statement:

- Attachment A Income Eligibility Criteria for Free and Reduced Price Meals and Free Milk
- Attachment B Point of Service Count and Collection Procedure for Meal Payment
- Attachment C Public Release
- Attachment D Offer Verses Serve Policy Report
- Attachment E Income Eligibility Application and Parent/Household Letters

THE POLICY STATEMENT OUTLINED ABOVE WAS APPROVED BY THE _____ COUNTY BOARD OF EDUCATION OR THE BOARD OF DIRECTORS ON _____.

APPROVED BY:

County Superintendent of Schools or
Administrator, Nonpublic School or
Child Care Institution, or
Director, Child and Adult Care
Food Program

Director, Division of Child
Nutrition Programs
West Virginia Department of
Education

Date

Date

Copies of this Policy Statement, including Attachments A, B, C, and D will be issued to each participating school or institution by _____.
Date

**GUIDELINES TO DETERMINE PARTICIPANT ELIGIBILITY
FOR FREE AND REDUCED PRICE MEALS
School Year 1991-92**

ANNUAL FAMILY INCOME BEFORE DEDUCTIONS

FAMILY SIZE	ELIGIBLE FOR FREE MEALS OR FREE MILK			ELIGIBLE FOR REDUCED PRICE MEALS		
	YEARLY	MONTHLY	WEEKLY	YEARLY	MONTHLY	WEEKLY
ONE	\$ 8,606	\$ 718	\$166	\$12,247	\$1,021	\$236
TWO	11,544	962	222	16,428	1,369	316
THREE	14,482	1,207	279	20,609	1,718	397
FOUR	17,420	1,452	335	24,790	2,066	477
FIVE	20,358	1,697	392	28,971	2,415	558
SIX	23,296	1,942	448	33,152	2,763	638
SEVEN	26,234	2,187	505	37,333	3,112	718
EIGHT	29,172	2,431	561	41,514	3,460	798
FOR EACH ADDITIONAL FAMILY MEMBER, ADD						
	2,938	245	57	4,181	349	81

**POINT OF SERVICE COUNT AND
COLLECTION PROCEDURES FOR MEAL PAYMENTS**

PLEASE NOTE:

1. In collecting payments for meals and in distributing tickets, tokens or bills, officials must ensure that there is no overt identification of recipients of free or reduced meals: (a) at the time the meal payment is made, (b) at the time the ticket or invoice is issued, and (c) in the serving line.
2. Any payment collection system must have a built-in accounting system. Daily records must document the amount of reduced, and fully paid participant and non participant payments collected and the number of free, reduced price, and fully paid participant and non participant meals which actually were served. Keeping these counts is a federal regulatory requirement. The use of "slash marks" as a hand tally device does not meet federal regulatory requirements.

Furthermore, the meal counts must be taken at the point of service where a determination can accurately be made that a reimbursable meal has been served to an eligible participant. For all practical purposes, this is at the end of the serving line.

Attachment B. serves as documentation of the system which will be used by each school, institution, center or home during the current school year for daily meal counts and the collection of meal payments. If more than one method is used within the school district or sponsoring agency each method must be described and the sponsor must indicate which (school) site uses which system.

Any methods not listed below must be submitted in detail to WVDE for approval prior to implementation.

POINT OF SERVICE COUNT AND MEAL PAYMENTS COLLECTION

In all schools/centers/homes/institutions participating in the school lunch and/or the school breakfast programs, and/or child and adult care food program the following procedures will be used during the current school year:

METHOD 1

Before the beginning of class, participants go to the office to make daily (or weekly) payments for their meals. The meal payments are collected in such a manner that other participants are unable to detect those who pay reduced prices. Meal payments are counted and recorded in the office. Each day the appropriate numbers of coded daily meal tickets (including those for free meals) are sent to the individual classrooms. At mealtime, the tickets are collected from the participants as each participant receives his/her reimbursable meal. The tickets are distributed and taken by the participants to the dining area where these are collected after the meal is served. The coded daily tickets are counted by category to arrive at an accurate daily point of service count. The following schools/centers/institutions use Method 1:

ATTACHMENT B
(Cont.)

METHOD 2

Participants pay for their meals in the office or classroom at the beginning of the school day. The meal payments are collected in such a manner that other participants are unable to detect those who pay reduced prices. As the participants receive their reimbursable meals, a coded check off list (roster) containing the names of all participants and identifying those who have paid (full and reduced price) and participants eligible for free meals is clearly marked by an individual familiar with the participants. At the end of the meal service period names on the roster are counted by category (free, reduced, paid) and an accurate count is recorded on the daily record of program operation. The following schools/centers/ institutions use Method 2:

METHOD 3

Participants I.D. cards, with coded participant number, are issued to each participant. When a reimbursable meal has been served to the participant, the I.D. card is scanned electronically or the I.D. number is manually entered into the computer. A computer generated meal count by category, (free, reduced priced, and fully paid participants and non participants) provides information for the claim for reimbursement. Participants may pay in advance, weekly or monthly or be billed weekly or monthly. The following schools/centers/institutions use Method 3:

METHOD 4

At or near the beginning of the term each participant is assigned a coded identification number indicating whether the participant is entitled to free, reduced price or fully paid meal service. As participants receive a reimbursable meal, they report this number to a responsible person who records the identification number on an adding machine tape or some other device. At the end of the serving period, a count of free, reduced price and fully paid meals is constructed from the coded list. Households pay for the meals in advance or are billed for meals consumed during a specific billing period. The following schools/centers/institutions use Method 4:

**PUBLIC RELEASE OF COUNTY OR NONPUBLIC SCHOOL OR
CHILD AND ADULT CARE SPONSOR
ON FREE AND REDUCED PRICE MEALS AND FREE MILK**

The _____ County Board of Education (or the Institution, Center, Home or Nonpublic School) today announced its policy for (free and reduced price meals) (free milk) for participants who are unable to pay the full price for meals or milk served in schools, centers, institutions or homes which participate in the National School Lunch or Breakfast Programs the Child and Adult Care Food Program or in the Special Milk Program only.

The County Board of Education (or the Nonpublic School, Institution, Center or Home) has adopted the following family size income criteria for use in determining the eligibility of participants for free and reduced price meals and free milk:

**GUIDELINES TO DETERMINE PARTICIPANT ELIGIBILITY
FOR FREE AND REDUCED PRICE MEALS
School Year 1991-92**

ANNUAL FAMILY INCOME BEFORE DEDUCTIONS

FAMILY SIZE	ELIGIBLE FOR FREE MEALS OR FREE MILK	ELIGIBLE FOR REDUCED PRICE MEALS
ONE	\$ 8,606	\$12,247
TWO	11,544	16,428
THREE	14,482	20,609
FOUR	17,420	24,790
FIVE	20,358	28,971
SIX	23,296	33,152
SEVEN	26,234	37,333
EIGHT	29,172	41,514
FOR EACH ADDITIONAL FAMILY MEMBER, ADD	2,938	4,181

Participants from households whose income is at or below the levels shown are eligible for free and reduced price meals (or for free milk).

Application forms are being sent to some homes with a letter to parents, guardians or adult household members. All parents, guardians or adult household members wishing to apply for free or reduced price meals or free milk may fill out the application form sent home by the school, center, institution or home. Additional copies of the application are available at all sites and county offices. The information provided on the application is confidential information to be used only for the purposes of determining eligibility of the participant. An application may be submitted at any time during the school year, but must be submitted annually for continued eligibility. Information given on the application may be verified at any time during the school year by school or program officials.

ATTACHMENT C
(Cont.)

So that the school or program officials can determine eligibility for free or reduced price benefits, the household applying for a child must provide all of the following information listed on the application: Names of all household members; social security number of either the primary wage earner or the household member who signs the application or a statement that the household member does not possess one; amount and source of income received by each household member; and the signature of an adult household member certifying that the information provided is correct. To determine eligibility for free or reduced price benefits for adult participants, the household or adult participant must provide the following information on the application: name of adult participant and adult participant's dependent(s) and spouse residing with the participant; social security number of either the primary wage earner, adult household member who signs the application, the participant or a statement that the person does not possess one; participants income and dependent(s) and spouse's income, if residing with the participant; and the signature of participant or adult household member. Households including the participant applying, currently receiving food stamps, AFDC, SSI or Medicaid benefits for participants may submit their Food Stamp, AFDC Program Case Number, SSI or Medicaid number instead of income information. Households are required to report increases in household income of over \$50 per month or \$600 per year and decreases in household size.

Food stamp, AFDC, SSI and Medicaid households only have to provide the participant's name and current and correct food stamp, AFDC case number, SSI and Medicaid number and an adult household member's signature. In certain cases, foster children are also eligible for these benefits. If a family has foster children living with them and wishes to apply for free or reduced price meals and milk for them the school principal or program director should be contacted.

Under the provision of the free and reduced price meal and free milk policy the school principal or program director will review applications and determine eligibility. If a parent, guardian, or adult household member is dissatisfied with the decision, he/she may wish to discuss the decision with the principal or director on an informal basis. If the parent, guardian or adult household member wishes to make a formal complaint, he/she may make a request either orally or in writing to:

Name _____ Telephone _____

Address _____

for a hearing to appeal the decision. The county (or private school, institution, center or home) policy contains an outline of the hearing procedures.

If during the school year a family member becomes unemployed or if family size changes, the family should contact the school, institution, center or home to file an application.

ATTACHMENT C
(Cont.)

In the operation of USDA feeding programs, no participant will be discriminated against because of race, color, national origin, age, sex or handicap. If any member of a household believes he/she has been discriminated against, he/she should write to the Secretary of Agriculture, Washington D.C. 20250.

Each school, child and adult care center, institution or home and the office of the county board of education has a copy of the complete policy which may be reviewed by any interested party.

This is the public release we will send to:

(Enter names of news media outlets, unemployment offices and major employers contemplating or experiencing layoffs.

on _____ (Date).

These groups must be advised of program availability, new programs or changes in existing programs.

OFFER VERSUS SERVE POLICY REPORT

The _____ adheres to child nutrition
(Name of Sponsoring Agency)
program regulations concerning the provisions for "Offer versus Serve" as
indicated below.

7CFR, Part 210.10 (e) Offer versus Serve. Each school shall offer its students all five
required food items as set forth in . . . [the school lunch pattern]. Senior high students shall
be permitted to decline up to two food items. Students below the senior high level may be
permitted to decline up to two food items, or only one food item, at the discretion of the
school food authority. The price of a reimbursable lunch shall not be affected if a student
declines food items or accepts smaller portions.

- _____ 1. All senior high school students are offered five complete food
items, but have the option to take three of the five food items.
- _____ 2. Junior high and middle school students are offered five
complete food items daily and have the option to take:
 - _____ a. three of the five food items.
 - _____ b. four of the five food items.
- _____ 3. Elementary school students are offered five complete food items
daily and have the option to take:
 - _____ a. three of the five food items.
 - _____ b. four of the five food items.

7CFR, Part 220.8 (3) Offer versus Serve. Each school shall offer its students all four
required food items as set forth under . . . [the school breakfast pattern]. At the option of
the school food authority, each school may allow students to refuse one food item from any
component that the student does not intend to consume. The . . . [offer versus serve option]
shall not affect the charge for breakfast.

The following schools allow the offer versus serve option at breakfast:

The following schools do not allow offer versus serve at breakfast:

PART I - ENROLLED CHILDREN'S INFORMATION - TO BE COMPLETED BY ALL APPLICANTS

CHILD'S NAME	AGE	SCHOOL, CENTER or CAMP	GRADE	HOMEROOM
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

PARTS II, III AND IV: COMPLETE THE PART THAT APPLIES TO YOUR FAMILY

PART II - FOOD STAMPS/AFDC HOUSEHOLDS NOW RECEIVING BENEFITS - If you receive food stamps/AFDC, complete this part and sign the application.

____ Yes, I receive Food Stamps for the children listed in Part I. My case number is: _____
 ____ Yes, I receive AFDC for the children listed in Part I. _____

PART III - FOSTER CHILD - If you have a foster child, complete this part and sign the application.

Child's Name _____ Child's Monthly Income _____

PART IV - ALL OTHER HOUSEHOLDS. If you do not receive Food Stamps or AFDC, complete this part and sign the application.

- List all household members living in your household. Include parents, children, grandparents and all people related or unrelated who live in your household.
- List monthly income by category. List income (BEFORE TAXES) each person received last month and its source. Example: Wages, Social Security, Pension, Retirement, Welfare, Child Support, or Alimony.

NAMES OF ALL OTHER HOUSEHOLD MEMBERS (Oldest to Youngest)	AGE	MONTHLY EARNINGS FROM WORK (Before Deductions)	MONTHLY WELFARE, PENSIONS, PAYMENTS RETIREMENT, CHILD SUPPORT, SOCIAL SECURITY, ALIMONY	ALL OTHER INCOME RECEIVED
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

TOTAL NUMBER OF PERSONS IN HOUSEHOLD _____ MONTHLY INCOME (Before Deductions) \$ _____

PART V - RACE/ETHNIC IDENTITY: You are not required to answer this question.

____ WHITE non Hispanic ____ BLACK non Hispanic ____ HISPANIC
 ____ ASIAN or PACIFIC ISLANDER ____ AMERICAN INDIAN or ALASKAN NATIVE

NO CHILD WILL BE DISCRIMINATED AGAINST BECAUSE OF RACE, SEX, COLOR, NATIONAL ORIGIN, AGE OR HANDICAP.

PART VI - SIGNATURE - An adult household member must sign this application before it can be approved.

PENALTIES FOR MISREPRESENTATION - I certify that the information provided is correct and that all income was reported. I understand that this information is being given for the receipt of federal funds and that deliberate misrepresentation of the information may subject me to prosecution under applicable state and federal law.

If you did not give a FOOD STAMP or AFDC case number, Federal Law (PL 97 35) requires you to list social security number of either the primary wage earner or the household member who signs the application before your child may receive free or reduced price meals. You do not have to give social security numbers; but if you refuse, unless you indicate you have none, your child cannot receive free or reduced price meals. The social security numbers may be used to identify you for verifying the information you report on this application. Verification may include audits, investigations, contacting the State employment security office, food stamp or welfare office, and employers, and checking the written information provided by the household to confirm the information received. If incorrect information is discovered, a loss of benefits or legal action may occur.

SIGNATURE OF ADULT:

X _____

Social Security Number of Signer or Primary Wage Earner: _____

DATE: _____

NAME: _____
 ADDRESS: _____
 _____ WV _____
 PHONE: (Home) _____ (Work) _____

Your application cannot be approved without a Social Security Number.

FOR INSTITUTION USE ONLY: Approved for Free Textbooks, Workbooks, School Supplies _____
 Approved: Free Meals _____ Temporary Free _____ Reduced Meals _____ Temporary Reduced _____
 Application Denied: _____ Reason for Denial _____

Signature/Stamp of Approving Official: _____ Date _____

This letter is sent to you each year by your child's school, center or camp. It explains how your family can apply for free or reduced meals, free workbooks, free textbooks and school supplies.

PRICE OF REDUCED MEALS: Reduced Breakfast = 30 cents Reduced Lunch = 40 cents

Look at the chart. Find your household size. HOUSEHOLD is: All persons, including parents, children, grandparents and all people related or unrelated who live in your home. Find your total household income. TOTAL HOUSEHOLD INCOME is: The income each household member receives before taxes. This includes wages, social security, pension, retirement, welfare, child support, or alimony.

INCOME GUIDELINES FOR REDUCED PRICE MEALS
July 1, 1991 - June 30, 1992

HOUSEHOLD SIZE:	TOTAL HOUSEHOLD INCOME BEFORE DEDUCTIONS:	
	YEARLY	MONTHLY
ONE	\$12,247	\$1,021
TWO	16,428	1,369
THREE	20,609	1,718
FOUR	24,790	2,066
FIVE	28,971	2,415
SIX	33,152	2,763
SEVEN	37,333	3,112
EIGHT	41,514	3,460
For Each Additional Household Member, ADD	4,181	349

If your total income is the SAME or LESS, fill out the application and return it to the school, center or camp. You will be notified if the application is approved or denied.

WHAT IS A COMPLETE APPLICATION?

1. For a family receiving food stamps/AFDC, a complete application includes: child's name, case number and adult signature.
2. For a family keeping a foster child, a complete application includes: child's name, income and adult signature.
3. For all other households, a complete application includes: child's name, household members, monthly income, social security number of the primary wage earner or adult signing the application or the word "NONE" if you do not have one, and adult signature.

PRIVACY

The information that you send will be used to determine or prove your child's eligibility for free or reduced meals.

PROOF OF INCOME

The information you provide may be checked by the school, camp, or center's staff at any time during the school year. You may be asked to send information to prove your child is eligible to receive free and reduced meals.

REPORTING CHANGES

You must report to your child's school, center or camp:

1. Any change in your income of \$50 per month or \$600 per year;
2. Any changes in your household size; and
3. When you no longer receive food stamps or AFDC for your child.

FAIR HEARING

If you do not agree with the decision on your child's application or the process used to prove income eligibility, you may talk with school, center or camp officials. You have the right to a fair hearing which may be arranged with the county superintendent, or center or camp director.

REAPPLICATION

You may apply for benefits any time during the school year. If you should have a decrease in household income, an increase in household size, or become unemployed, fill out an application at that time.

NONDISCRIMINATION

Children who receive free or reduced price meals are treated the same as children who pay for meals. No child will be discriminated against because of race, sex, color, national origin, age, or handicap in the operation of the child feeding programs. If you believe you have been discriminated against, write to the Secretary of Agriculture, Washington, D.C. 20250.

SECTION B
SCHOOL BREAKFAST

Background	B - 1
Meal Requirements and Recommendations	B - 2
Sugar Content of Breakfast Items	B - 3
Offer Versus Serve	B - 4
A La Carte	B - 5
Dietary Exceptions	B - 6
Reimbursable Breakfasts	B - 7
Severe Need Rates of Reimbursement	B - 8
Production Records	B - 9
Bus Schedule	B - 10
Waiver	B - 11
Termination Provision	B - 12
Exhibits	
Criteria for Determination of Eligibility for Severe Need	B - 30.1
Breakfast Production Worksheet	B - 30.2

BACKGROUND

School breakfasts provide a good start toward meeting a student's daily nutritional needs of food energy, protein, vitamins and minerals.

The value of this program is that it provides a breakfast to students who do not eat breakfast at home. A student who has eaten breakfast is more alert and less fatigued, and is thought to have a better chance of doing well in school. Many educators feel there are fewer discipline problems among some students who start the day with a good breakfast.

The school breakfast is a meal which meets the federal and state nutritional requirements and is served to students at or near the beginning of the school day. Schools may serve breakfast for an extended period of time or at different times during the morning hours. In secondary schools with continuous or multi-session service the serving/eating time can be reduced by serving prepackaged or portioned menu items.

In an effort to improve the nutritional quality of the school breakfast, Congress directed the United States Department of Agriculture to revise the nutritional requirements and extend the "offer versus serve" option to school breakfasts (P.L. 99-591). To facilitate the improvement, the P.L. 100-435 mandated an additional three cents for each breakfast served under the program beginning July, 1989.

An amendment to the Code of West Virginia, effective July 10, 1981, requires each county board of education to establish and operate school breakfast programs in accordance with WVDE standards:

Article 18-5-37

"Beginning the school year of 1981-82 and continuing there-after, each county board of education shall establish and operate a school breakfast program under which a nutritious breakfast shall be made available to all pupils enrolled in the schools of the county in accord with standards of the state department of education."

**SCHOOL BREAKFAST PROGRAM
MEAL REQUIREMENTS AND RECOMMENDATIONS**

The USDA Breakfast requirements are designed to provide a simple framework for planning nutritious breakfasts. They also provide for menu flexibility that can include student preferences or special food needs at the local level.

FOOD COMPONENTS/ITEMS	AGES 1 AND 2	AGES 3, 4, & 5	GRADES K-12
MILK (Fluid) (As a beverage, on cereal, or both)	1/2 cup	3/4 cup	1/2 pint
JUICE/FRUIT/VEGETABLE* Fruit and/or vegetable: or Full-Strength: Fruit Juice or Vegetable Juice	1/4 cup	1/2 cup	1/2 cup
Select <u>one</u> serving from each of the following components/items or <u>two</u> servings from one component/item			
BREAD/BREAD ALTERNATES**			
One of the following or an equivalent combination:			
■ Bread (whole-grain or enriched)	1/2 slice	1/2 slice	1 slice
■ Biscuit, roll, muffin or equal serving of cornbread, etc. (whole-grain or enriched meal or flour)	1/2 serving	1/2 serving	1 serving
■ Cereal (whole-grain or enriched or fortified)	1/4 cup or 1/3 ounce	1/3 cup or 1/2 ounce	3/4 cup or 1 ounce
MEAT/MEAT ALTERNATES			
One of the following or an equivalent combination:			
■ Lean meat, poultry, or fish	1/2 ounce	1/2 ounce	1 ounce
■ Cheese	1/2 ounce	1/2 ounce	1 ounce
■ Large Egg	1/2	1/2	1/2
■ Peanut Butter or other nut or seed butters	1 Tbsp	1 Tbsp	2 Tbsp
■ Cooked dry beans and peas	2 Tbsp	2 Tbsp	4 Tbsp
■ Nuts and/or Seeds (as listed in program guidance)***	1/2 ounce	1/2 ounce	1 ounce

* Recommended daily: A citrus juice or fruit or a fruit or vegetable that is a good source of vitamin C (See Menu Planning Guide for School Food Service, PA-1260).

** For serving sizes of bread alternates, see Food Buying Guide for Child Nutrition Programs, PA-1331 (1984, Revised May 1990).

***No more than one ounce of nuts and/or seeds may be served in any one meal.

Schools are encouraged to offer larger portions of food items to meet the needs of older students.

SUGAR CONTENT OF BREAKFAST ITEMS

All such menu items shall contain less than 40 percent sugar (in crystalline form or in solution as syrup, both monosaccharides and disaccharides) and/or other sweetening agents. The following foods are not recommended since they may contain a high percentage of sugar: frosted or filled doughnuts, iced pastries and sweet rolls, frosted toaster products and most presweetened cereals. Schools are encouraged to prepare appropriate school-baked items.

It is the responsibility of the SFA or school to obtain sugar content statements which indicate percentage of total sweetening agents in questionable food and beverage items.

OFFER VS SERVE

BREAKFAST

Beginning July 1, 1989, the "offer versus serve" provision is extended to the school breakfast program. The provision was included to help reduce plate waste.

The "offer versus serve" provision is a program regulation which requires four food components to be offered (made available) for breakfast but allows students to choose (or be served) only three of the required food components.

The school breakfast must contain, at a minimum, four food items. The required food items are listed below.

1. A serving of fluid milk
and
2. A serving of fruit or vegetable, or full-strength fruit or vegetable juice
and
- 3-4. Two servings of bread/bread alternate
or
- 3-4. Two servings of meat/meat alternate
or
- 3-4. One serving of bread/bread alternate and one serving of meat/meat alternate

The third and fourth food components may be met by offering two servings of bread or two servings of meat or one of each. The amounts of the four food components served must be consistent with the minimum quantities specified in the Chart, School Breakfast Meal Pattern, on Page B --2.

In a school authorized by the SFA to carry out "offer versus serve", students are allowed to refuse one food item (from any component that the student does not intend to consume.) The student must take three food items and one of them must be milk or vegetable/fruit/juice. A student's decision to decline a food item shall not affect the charge for breakfast.

The school food authority has the option of implementing offer vs serve for breakfast, either school by school basis or for the entire county.

In schools not implementing offer versus serve, a student must take full portions of all four food items offered for breakfast.

A LA CARTE

To encourage students to develop good food habits and to provide for the nutritional needs of all students in attendance, sales of certain specific items of food may be made in the dining area at the same time as the breakfast service. With the approval of the SFA, schools are authorized to sell, as separately priced menu items, the specific food and beverage items listed below:

- full strength (100%) fruit or vegetable juice;
- fresh fruit, such as apples or bananas;
- milk;
- bread items prepared from whole-grain or enriched flour, including toast, biscuits, muffins, English muffins, quick breads, bagels, rolls, or whole-grain enriched or fortified cereal; and/or
- meat/meat alternates such as lean meat, poultry, fish, cheese, egg, peanut butter or other nut or seed butters, cooked dry beans or peas nuts.*

*No more than one ounce of nuts and/or seeds may be served in any one meal.

The funds received from the sale of all a la carte breakfast foods and beverages shall accrue to the school's child nutrition account.

DIETARY EXCEPTIONS

Regulations require substitutions in the food components of the basic meal requirements if individual students are unable to consume the required food because of medical or other special dietary needs. An example would be a nutritious substitute for milk in the case of a student with lactose intolerance. Such an exception must be supported by a statement from a recognized medical authority and must include recommended nutritious substitute foods. The statement must be maintained on file in the school and available for audit.

Regulations allow for certain other variations in the food components of the basic meal requirements on an experimental or continuing basis in schools where there is specific evidence that such variations are nutritionally sound and are necessary to meet ethnic, religious, economic or physical needs. However, these exceptions must be granted by the Food and Nutrition Service, USDA, Washington, D.C.

Any deviation from the required meal pattern other than those described above must be approved in writing by the WVDE or WVDE Coordinator.

REIMBURSABLE BREAKFASTS

In order for a breakfast to be considered a reimbursable meal, 1) the four required food items must be offered to all students and 2) the serving sizes offered must be consistent with the minimum quantities identified on page B - 2.

Reimbursement for only one breakfast per day may be claimed for a student who is:

- enrolled in the educational program of the School Food Authority (SFA);
- in attendance at the time of meal service; and
- claimed by eligibility category established by currently approved free or reduced meal application.

Second breakfasts consumed by students must be converted to non-reimbursable lunches using the formula, one breakfast equals three-fourths of a lunch. At the end of each month, multiply the total number of second breakfasts served by .75 and record this figure in column 11 on Form WVDE 43-10-30S [G - 30.1].

Returned unopened milk, juice, or other foods served to children may not be served as a part of another reimbursable meal.

SEVERE NEED RATES OF REIMBURSEMENT

A school will be eligible for severe need reimbursement rates for school breakfast only if the school served 40 percent or more of its lunches free or at a reduced price during the second preceding year.

Any eligible school must annually complete and submit an application for severe need breakfast classification [B - 30.1] for approval to the Child Nutrition Division of the WVDE.

USDA regulations require that schools receiving the severe need rate of breakfast reimbursement must document SFAs costs to equal the total breakfast reimbursement or repayment must be made.

PRODUCTION RECORDS

Production records for breakfast are required in every child nutrition program in West Virginia. Booklets containing these record sheets [B - 30.2] will be furnished by the WVDE and, after completion, will be kept on file in the school child nutrition department for three years.

A production record documents the menu and the quantities of foods served. Therefore, it is an excellent management tool. Basic information for a production record should contain:

- menu;
- serving size planned;
- quantity/number of food/food items prepared;
- number and size container (#10 can, pounds, count, etc.);
- quantity of food left over;
- disposal of leftovers;
- number students not yet served when food supply ran out;
- number of meals served by category (children and adults);
- date and day of the week; and
- name of person completing report.

When production records are used to full advantage in child nutrition service programs, food production costs and food waste are kept to a minimum. Advantages of production records in specific school programs are:

- in single choice situations, production records help forecast the amount of food to prepare; and
- when choices of menus or menu items are offered, production records help forecast the number of servings to prepare for each menu item thus reducing the possibility of running out of a choice.

BUS SCHEDULE

The school and transportation schedules must provide time for school breakfast prior to the start of the student's instructional day.

A minimum of ten minutes eating time (after going through the serving line) is to be provided for the school breakfast.

WAIVER

If, at the beginning of the school year, a particular school finds it impossible to operate a school breakfast program the school shall notify the SFA of its intention to request a waiver from the state superintendent of schools.

Article 18-5-37

"A particular school, which because of compelling circumstances is not able to provide a satisfactory school breakfast program may apply to the state superintendent of schools for a waiver. Upon application, the state superintendent of schools shall give notice and the opportunity to be heard to the parents and the school and shall review the specific reasons for the waiver request and if the state superintendent determines that a particular school, because of compelling circumstances, is not able to provide a satisfactory school breakfast program, it may be granted a waiver, not to exceed two years except upon reapplication."

If, after review of the request the county superintendent concurs that the school has compelling circumstances which prevent the operation of the school breakfast program, the request for the waiver shall be approved by the county superintendent.

Each request for a waiver due to compelling circumstances shall be submitted in writing by the county superintendent and the county board to the state superintendent of schools. The request shall set forth the circumstances leading to the waiver request and shall be accompanied by appropriate documentation, together with a proposed date and location for the required hearing.

Each request for a waiver shall be reviewed by the WVDE. Public announcement of the dates and places for the hearings shall be made by the state superintendent of schools. The required hearing shall be conducted by local school officials. Roll call and minutes of the proceedings shall be taken and a summary of the minutes shall be transmitted to the WVDE.

The state superintendent of schools shall notify the county superintendent of schools in writing concerning the approval or denial of the waiver request. Notification shall be given within 15 working days after the receipt of the record of the public hearing. The notification shall state whether the duration of the waiver approval is for one or two years.

The state superintendent shall annually report to the West Virginia Legislature on the first day of the regular session the schools exempt for that school term under the waiver provision and shall state the reasons for such exemptions.

TERMINATION PROVISION

If at any time, all USDA appropriations to the WVDE for the school breakfast program are terminated, SFAs are authorized but not required to continue operation of the school breakfast program.

WEST VIRGINIA DEPARTMENT OF EDUCATION
Charleston, West Virginia 25305

CRITERIA FOR DETERMINATION
OF
SEVERE NEED SCHOOLS OR INSTITUTIONS
SCHOOL BREAKFAST PROGRAM

Name and Address of Sponsor: _____ Name and Address of School or Institution: _____

New Breakfast Program _____ Existing Breakfast Program _____

Breakfast Program will begin _____ and end _____

1. Percent of Needy Lunches Served

A school may qualify if 40% or more of the school lunches served to students in the second preceeding year were served free or at reduced price.

- a. Data From School Year _____
- b. Number Lunches Served Free & Reduced Price _____
- c. Total No. Lunches Served _____
- d. Percent Needy Lunches _____ %

AND

2. Unusual Costs Per Meal

Schools must document costs which exceed the normal breakfast program reimbursement despite good management.
(Identify cause) _____

- a. Estimated higher costs based on previous year _____ \$/meal
- b. Need for additional labor or supervision _____ /day
- c. Unique or additional delivery costs _____ /day
- d. Need for new equipment or special supplies \$ _____
- e. Need for special menus or foods (Specify) _____

Signature _____ Date _____

Title _____

Approved _____ Date _____

Meal Production Records

Lunch only: Do you practice offer vs. serve? Yes ___ No ___ Left-overs: S-seconds W-waste F-freezer R-refrigerator

Day _____ Date _____	Menus	Serv. Size	Leftovers Amt. Disp.	Meat/Meat Alternate	Amt. Used	Size Cont.
Breakfast - Lunch						
_____ Planned						
Age/Grp. Served						
Group 3 _____						
Group 4 _____						
Group 5 _____						
Adults _____						
Total _____						

Day _____ Date _____

Day _____ Date _____	Menus	Serv. Size	Leftovers Amt. Disp.	Meat/Meat Alternate	Amt. Used	Size Cont.
Breakfast - Lunch						
_____ Planned						
Age/Grp. Served						
Group 3 _____						
Group 4 _____						
Group 5 _____						
Adults _____						
Total _____						

Day _____ Date _____

Day _____ Date _____	Menus	Serv. Size	Leftovers Amt. Disp.	Meat/Meat Alternate	Amt. Used	Size Cont.
Breakfast - Lunch						
_____ Planned						
Age/Grp. Served						
Group 3 _____						
Group 4 _____						
Group 5 _____						
Adults _____						
Total _____						

Day _____ Date _____

Day _____ Date _____	Menus	Serv. Size	Leftovers Amt. Disp.	Meat/Meat Alternate	Amt. Used	Size Cont.
Breakfast - Lunch						
_____ Planned						
Age/Grp. Served						
Group 3 _____						
Group 4 _____						
Group 5 _____						
Adults _____						
Total _____						

Day _____ Date _____

Day _____ Date _____	Menus	Serv. Size	Leftovers Amt. Disp.	Meat/Meat Alternate	Amt. Used	Size Cont.
Breakfast - Lunch						
_____ Planned						
Age/Grp. Served						
Group 3 _____						
Group 4 _____						
Group 5 _____						
Adults _____						
Total _____						

Completed by _____
 Indicate amount of food used and container size.

Vegetable/Fruit	Amt. Used	Size Cont.	Bread/ Bread Alt.	Amt. Used	Size Cont.	Other Foods	Amt. Used	Size Cont.	Remarks
									Milk
									With meals _____
									Sold extra _____

									Milk
									With meals _____
									Sold extra _____

									Milk
									With meals _____
									Sold extra _____

									Milk
									With meals _____
									Sold extra _____

									Milk
									With meals _____
									Sold extra _____

PRODUCTION WORKSHEET

Day _____ Date _____

Left-overs: S-seconds W-waste F-freezer R-refrigerator
 Lunch only: Do you practice offer vs serve? Yes ___ No ___
 Indicate number and size containers of food used. Completed by _____

Breakfast	Menu	Serv. Size	Left-over Amt.	Disp.	Meal/M/A	Amt. Used	Size Cont.	Fruits/Vegetables	Amt. Used	Size Cont.	Bread	Amt. Used	Remarks
Planned Age/Grp. Served													
Children Adults Total													
Lunch Planned Age/Grp. Served													
Alternate Lunch Supper - Snack Planned Age/Grp. Served													
Adults Total													

SECTION C
SCHOOL LUNCH

Background	C - 1
Meal Requirements and Recommendations	C - 2
Food Quantities	C - 3
Meat or Meat Alternate Component	C - 4
Vegetable/ <u>Fruit</u> Component	C - 5
Bread/ <u>Bread</u> Alternate Component	C - 6
Milk Component	C - 7
Product Analysis Sheet and CN Labels	C - 8
Offer Vers <u>us</u> Serve	C - 9
Kindergarten Snacks	C - 10
A La Carte	C - 11
Special Dietary, Cultural or Religious Exceptions to Basic Meal Requirements	C - 12
Reimbursable Lunches	C - 13
Higher Reimbursement Rates	C - 14
Production Records	C - 15

BACKGROUND

The nutritional goal for school lunches is to provide approximately one-third of the Recommended Dietary Allowances (RDA) as specified by the National Research Council/National Academy of Sciences. It is not expected that each lunch each day will provide one-third of the RDA for all nutrients, but that, when averaged over a period of time - in which a wide variety of foods are served - the goal will be met.

In developing the USDA meal requirements, amounts of food energy (calories) and all nutrients for which adequate reliable food composition data are available were considered. Additionally, since the meal requirements allow for a variety of foods, it is assumed that other nutrients for which no RDA have been established or for which inadequate food composition data are available will also be supplied.

MEAL REQUIREMENTS AND RECOMMENDATIONS

The United States Department of Agriculture (USDA) lunch requirements are designed to provide a simple and easy-to-follow framework for planning nutritious and well-balanced lunches. They provide for broad food choices that can include local food preferences, cultural, ethnic and religious food practices.

The USDA meal requirements are specific to the kinds and amounts of food for each of the four food components. However, a minimum of five food items must be served, as shown below:

Components:	Food Items:
1. Meat/Meat Alternate	1. Meat/Meat Alternate
2. Vegetable/Fruit	2. Vegetable/Fruit
3. Bread/Bread Alternate	3. Vegetable/Fruit
4. Milk	4. Bread/Bread Alternate
	5. Milk

Other foods may be added as needed to complete the lunch and will provide additional food energy (calories) and other nutrients. These foods are served in addition to foods which meet the component requirements of a reimbursable lunch. They do not contribute to the USDA meal pattern requirements.

"Such menu items should always contain less than 40 percent sugar (in crystalline form or in solution as syrup, both monosaccharides and disaccharides) and/or other sweetening agents. (Page J - 13-14.)

Schools are encouraged to serve school-baked items from recipes using limited amounts of sugar. It is the responsibility of the School Food Authority (SFA) or school to obtain sugar content statements which indicate percentage of total sweetening agents in questionable food and beverage items."

FOOD QUANTITIES

As specified in the National School Lunch Program regulations, a school lunch must contain a specified quantity of each of the food components. The following chart specifies quantities by age/grade group.

		MINIMUM QUANTITIES				RECOMMENDED QUANTITIES
		PRESCHOOL Ages 1-2 (Group I)	PRESCHOOL Ages 3-4 (Group II)	GRADES K-3 Ages 5-8 (Group III)	GRADES 4-12 Age 9 & over (Group IV)	GRADES 7-12 age 12 & over (Group V)
MEAT OR MEAT ALTERNATE	A serving of one of the following or a combination to give an equivalent quantity: Lean meat, poultry, or fish (edible portion as served) Cheese Large egg(s) Cooked dry beans or peas Peanut butter Nuts or seeds	1 oz	1 1/2 oz	1 1/2 oz	2 oz	3 oz.
		1 oz	1 1/2 oz	1 1/2 oz	2 oz	3 oz.
		1/2	3/4	3/4	1	1 1/2
		1/4 cup	3/8 cup	3/8 cup	1/2 cup	3/4 cup
		2 Tbsp	3 Tbsp	3 Tbsp	4 Tbsp	6 Tbsp
		1/2 oz = 50%	3/4 oz = 50%	3/4 oz = 50%	1 oz = 50%	1 1/2 oz = 50%
VEGETABLE AND/OR FRUIT	Must serve at least two	1/2 cup	1/2 cup	1/2 cup	3/4 cup	3/4 cup
BREAD OR BREAD ALTERNATE	Servings of bread or bread alternate. A serving is • 1 slice of whole-grain or enriched bread • A whole-grain or enriched biscuit, roll, muffin, etc. • 1/2 cup of cooked whole-grain or enriched rice, macaroni, noodles, whole-grain or enriched pasta products, or other cereal grains such as bulgur or corn grits • A combination of any of the above	5 per week	8 per week	8 per week	8 per week	10 per week
MILK	A serving of fluid milk	3/4 cup (6 fl oz)	3/4 cup (6 fl oz)	1/2 pint (8 fl oz)	1/2 pint (8 fl oz)	1/2 pint (8 fl oz)

Note that Groups I through IV are minimum requirements, but the quantities specified in Group V are recommendations. Schools are encouraged, not required, to vary portion sizes to better meet the food and nutritional needs of students by age. If a school chooses not to vary portion sizes, it is important to assure that the oldest group of students being served is receiving the minimum requirements for that age group. In other words, for a given age group of students, more than the minimum quantity may be served, but not less.

The quantities specified in Group V for students age 12 and over are recommendations, not requirements, and the minimum requirements for that group are the quantities specified in Group IV for students age 9 and over.

MEAT/MEAT ALTERNATE COMPONENT

Minimum Quantities for students, grades K-12:

One of the following or a combination to give an equivalent quantity:	Grades K-3 ages 5-8 (Group III)	Grades 4-12 age 9 and over (Group IV)	Grades 7-12 age 12 and over (Group V)
Lean meat, poultry, or fish	1 1/2 oz.	2 oz.	3 oz.
Cheese	1 1/2 oz.	2 oz.	3 oz.
Large eggs	3/4	1	1 1/2
Cooked dry beans or peas	3/8 cup	1/2 cup	3/4 cup
Peanut butter or soynut butter or other nut or seed butters	3 Tbsp.	4 Tbsp.	6 Tbsp.
Peanuts or soynuts or tree nuts or seeds	3/4 oz. = 50%	1 oz. = 50%	1 1/2 oz. = 50%

The meat/meat alternate must be served in the main dish or the main dish and one other menu item. This means that two menu items are the maximum number which may be used to meet the meat/meat alternate requirement.

Textured vegetable protein products, cheese alternate products, and enriched macaroni with fortified protein may be used to meet part of the meat/meat alternate requirement. Fact sheets on each of these alternate foods give detailed instructions for use.

No more than 50% of the meat/meat alternate requirement shall be met with nuts or seeds. Nuts or seeds shall be combined with another meat/meat alternate to fulfill the requirement.

If the required serving for a meat alternate seems too large for a particular age group being served, a smaller portion should be served to meet part of the requirement while combined with another meat or meat alternate to meet the full requirement.

It is recommended that schools offer students a choice of meat/meat alternate each day or that a particular meat alternate or form of meat (ground, diced, pieces, etc.) not be served more than three times in a single week.

Further information on the meat/meat alternate component is found in the United States Department of Agriculture (USDA) Menu Planning Guide, pages 12-14.

VEGETABLE/FRUIT COMPONENT

Minimum quantities for students, grades K-12:

	Grades K-3 ages 5-8 (Group III)	Grades 4-12 age 9 and over (Group IV)
Two or more servings of vegetables or fruits or both to total	1/2 cup	3/4 cup

The required servings must consist of two or more fruits or vegetables. Menu items such as fruit cocktail and mixed vegetables are counted as one item. Chef's salad or a fruit plate with cottage cheese, are considered as two or more servings and will meet the full requirement if being served as the entrée.

In order for juice to meet the fruit/vegetable requirement at least 100% full strength juice must be used to equal only one-half the requirement or 3/8 cup. If 50% juice is used, the amount must be doubled (one cup) to equal the 3/8 cup.

Cooked dry beans or peas may be used to meet the meat/meat alternate requirement or the vegetable/fruit requirement, but not both in the same meal.

Include a vegetable or fruit rich in vitamin A at least twice a week and a vegetable or fruit rich in vitamin C at least two or three times a week. Refer to the United States Department of Agriculture (USDA) Menu Planning Guide for suggestions.

BREAD/BREAD ALTERNATE COMPONENT

Minimum quantities for students, grades K-12:

	Grades K-3 ages 5-8 (Group III)	Grades 4-12 age 9 and over (Group IV)	Grades 7-12 age 12 and over (Group V)
Servings of bread or bread alternate	8 per week	8 per week	10 per week

A serving is:

- . one slice of whole-grain or enriched bread;
 - . a biscuit, roll, muffin, etc., whole-grain or enriched;
 - . 1/2 cup of cooked whole-grain or enriched rice;
 - . 1/2 cup of macaroni, noodles, other whole-grain or enriched pasta products, or other cereal grains such as bulgur or corn grits; or
 - . a combination of any of the above.
-

At least one serving of bread or bread alternate must be served daily.

Only bread/bread alternates that are served as an accompaniment to the main dish may be used to meet the bread requirement. Dessert and snack-type foods, such as cakes, cookies, dessert pie crust, hard thin pretzels and corn chips may not be counted to meet the bread requirement because they do not accompany any known main dish.

Enriched macaroni products with fortified protein may be used to meet a part of the meat/meat alternate requirement or to meet the bread/bread alternate requirement, but not both in the same meal.

Refer to the United States Department of Agriculture (USDA) Food Buying Guide for Child Nutrition Programs (1990), Bread and Bread Alternates Section, for weights of servings and a detailed list of breads and bread alternates.

MILK COMPONENT

Minimum quantities for students, grades K-12:

	Grades K-3 ages 5-8 (Group III)	Grades 4-12 age 9 and over (Group IV)	Grades 7-12 age 12 and over (Group V)
Fluid Milk	1/2 pint (8 fl. oz.)	1/2 pint (8 fl. oz.)	1/2 pint (8 fl. oz.)

Both whole milk and unflavored lowfat milk are required. The whole milk may be flavored or unflavored. The lowfat milk may be 2% white, skim milk or buttermilk.

This requirement does not prohibit offering other milks, such as whole flavored milk or flavored lowfat milk, along with two or more of the above.

Milk must be offered as a beverage for lunch.

Milkshakes containing 1/2 pint of fluid milk meeting state or local standards for fluid milk may be served as a choice to meet the milk requirement.

Further information on the milk component is found in the USDA Menu Planning Guide, page 18.

PRODUCT ANALYSIS SHEETS AND CN LABELS

When commercially prepared food items, especially breaded, frozen, protein items, are purchased for use in the school lunch program, a product analysis sheet or CN label must be on file in the school kitchen. For example, in the case of pizza, the product analysis sheet should specify the exact amount of meat and cheese per portion. A CN label, on commercially prepared individual portions, clearly identifies the contribution of a product toward the meal pattern requirement. [C - 30.1] If this information is not available, the prepared item may not be counted to meet the component requirements since the item's contribution to the meal pattern is unknown.

A CN label will always contain the following:

- The CN logo which is a distinct border.
- The meal pattern contribution statement.
- A 6 digit product identification number.
- USDA/FNS authorization.
- The month and year of approval.

SAMPLE LABEL STATEMENT

-----CN-----	
CN	CN
This 5.00 oz. -- Pizza with Ground Beef and Vegetable Protein Pro- duct provides 2.00 oz. equivalent meat/meat alternate, 1/2 cup serv- ing of vegetable, and 1 1/2 servings of bread alternate for the Child Nutrition Meal Pattern Require- ment (Use of this logo and state- ment authorized by the Food and Nutrition Service, USDA 05-84.)	
-----CN-----	

OFFER VERSUS SERVE

"Offer vs serve" is a serving method designed to reduce food waste and food costs in the National School Lunch Program without jeopardizing the nutritional integrity of the lunches served. It allows senior high school students and when approved by the local School Food Authority (SFA), students in other grades to decline food they do not intend to eat. To be considered a reimbursable lunch under the "offer vs serve" provision, the lunch selected must contain at least three of the five required food items specified in the quantity requirements.

Senior high schools are required to implement the offer versus serve provision for their students. Senior high school students are students (1) of a high school grade level as determined by state and local educational agencies and (2) enrolled in a senior high school which is recognized as a part of the education system within a state.

The implementation of the offer versus serve provision in junior high, middle and/or elementary schools is left to the discretion of local SFAs. In schools not implementing offer vs serve a student must take the entire five food items lunch in the full portion offered.

KINDERGARTEN SNACKS

Since children of kindergarten age can only manage small quantities of food at one time, a suggestion is to offer lunch at two serving periods which, meets the total minimum quantities. For example, at midmorning, juice and toast could be served and the meat, vegetable and milk at noon.

This method will provide a snack for children in this age group. If kindergarten children are served in two service periods, the total food served to them must still meet requirements. If any other method of providing snacks is used, the cost must not be reflected in the per meal cost.

A LA CARTE

A la carte meal service for students and/or adults at lunch is not permitted. Each meal must be priced and served as a unit. With this West Virginia Department of Education (WVDE) regulation, individual food items such as extra sandwiches, breads or any other menu items may not be priced and sold separately.

Alternatives to a la carte are:

- Super Lunches can be sold at an increased charge. Super lunches include larger portions and/or extra food items. Students may purchase these meals.
- Second meals must be counted as non-reimbursable meals.

**SPECIAL DIETARY, CULTURAL OR RELIGIOUS
EXCEPTIONS TO BASIC MEAL REQUIREMENTS**

If students have medical or special dietary needs, food substitutions are allowed. For example, a student with lactose intolerance could substitute juice for milk. Such an exception must be supported by a statement from a medical authority which includes recommended substitute foods. The statement should be maintained on file in the school.

United States Department of Agriculture (USDA) regulations allow for other variations in the food components on a continuing basis in schools where there is evidence that such variations are nutritionally sound and are necessary to meet ethnic, religious, economic or physical needs. However, these exceptions must be granted by the Food and Nutrition Service (FNS), USDA, Washington, D.C.

Any deviation from the required meal pattern other than those described above must be approved by West Virginia Department of Education (WVDE).

REIMBURSABLE LUNCHES

Lunches that meet United States Department of Agriculture (USDA) requirements are eligible for reimbursement. Only one lunch per day may be claimed for a student who is:

- enrolled in the educational program of the School Food Authority (SFA);
- in attendance at the time of meal service; and
- claimed by eligibility category established by currently approved free or reduced price meal application.

Second lunches consumed by students should be listed as non-reimbursable lunches and recorded in column 11 on Form WVDE 43-10-30S [G - 30.1].

HIGHER REIMBURSEMENT RATES

SFAs which served 60 percent or more free or reduced price meals during the second preceding year are entitled to a higher rate of reimbursement. These SFAs are named on the back of the page listing the current reimbursement rates [G - 30.6].

PRODUCTION RECORDS

Production records for lunch are required in every child nutrition program in West Virginia. Booklets containing these production sheets as well as salad bar production sheets will be furnished by the West Virginia Department of Education (WVDE). After completion, should be kept on file in the school's child nutrition department for three years.

A production record documents the menu and the quantities of foods served. Therefore, it is an excellent management tool. Basic information for a production record should contain:

- menu (recipe number if one is used, brand name of prepared entree);
- serving size planned;
- quantity/number of food/food items prepared;
- number and size container (#10 can, pounds, count, etc.);
- quantity of food left over;
- disposal of leftovers;
- number students not yet served when food supply ran out;
- offer vs serve;
- date and day of the week;
- number of meals served by category (children and adults);
- milk served with meals; and
- name of person completing report.

When production records are successfully used, production costs and food waste are kept to a minimum. Advantages of production records in specific school programs are:

- in single choice situations, production records help forecast the amount of food to prepare;
- when choices of menus or menu items are offered, production records help forecast the number of servings to prepare for each menu item thus reducing the possibility of running out of a choice before all students are served;
- in situations where offer versus serve is used, production records ensure that enough food is prepared to offer the menu items throughout the serving period and to avoid over-production, which increases cost; and
- salad bar production sheets are useful when a large variety of vegetables are being prepared daily.

SECTION D
DONATED FOODS

Background	D - 1
Allocation of Donated Foods	D - 2
Procedure for Requesting Donated Foods	D - 3
Inventory	D - 4
Loss or Damage to Donated Foods	D - 5
Commodity Processing	D - 6
Exhibits ---	
ES-DF-02 (Agreement)	D - 30.1
ES-DF-05 (Request For Donated Foods)	D - 30.2
ES-DF-01 (Administrative Review Report)	D - 30.3
Report of Loss of Donated Foods	D - 30.4
Instructions Report of Loss of Donated Foods	D - 30.4a
Guides For Summer Storage of Perishable Foods	D - 30.5
National Commodity Processing (NCP) System Post Card	D - 30.6

BACKGROUND

Donated foods are agricultural commodities which the United States Department of Agriculture (USDA) makes available to various food program outlets including public and private schools and summer camps.

The amount spent for donated foods is determined by the United States Congress and is based on a certain money value per lunch served. Each state is notified of its dollar entitlement based on the rate per meal.

In West Virginia, the West Virginia Department of Health and Human Resources is the distribution agency for USDA donated foods. Each School Food Authority (SFA) must sign an agreement [D - 30.1] with the Distributing Agency (DA) in order to receive donated foods. The agreement assures the West Virginia Department of Health and Human Resources that donated foods will be distributed properly to schools and upon receipt by the schools, the food will be properly stored, inventoried and utilized by child nutrition programs.

There are two types of USDA foods which are available:

1. those which are purchased by USDA for use in specific programs such as the child nutrition program; and
2. those which are made available to schools and institutions as a result of price support of agricultural commodities.

The three groups of foods within the two types of USDA foods are:

1. Group A - fruits, meats and vegetables;
2. Group B - grains and oil products; and
3. Bonus items - butter, cheese and milk, and also some Group A bonus items.

The SFA is billed for transportation and storage costs. This cost may be passed on to the local school.

ALLOCATION OF DONATED FOODS

Criteria that may be used in determining the quantity of USDA donated foods to be allocated to each school are as follows:

- the number of lunches served;
- past rate of utilization of the food;
- amount on hand from previous allocations;
- relative economic need; and/or
- availability of proper storage facilities.

PROCEDURE FOR REQUESTING DONATED FOODS

The School Food Authority (SFA) food service supervisor distributes to individual schools the West Virginia Department of Health and Human Resources request Form ES-DF-05 [D - 30.2] which includes instructions for completion and a date to be returned to the SFA. Based on the schools' requests, the SFA then orders United States Department of Agriculture (USDA) donated foods on or by the 15th of each month. Request forms must be returned to the Department of Health and Human Resources (DHHR) even though food items are not requested. Copies of the request form will not be accepted; the original form must be returned. Any request forms which are not received by DHHR on the due date will not be honored. Any USDA donated food item included on the request Form ES-DF-05 may also be used for training (home economics classes, vocational foods classes, school food service training and Nutrition Education and Training (NET)).

INVENTORY

The West Virginia Department of Health and Human Resources requires that a perpetual inventory be kept at each school for all United States Department of Agriculture (USDA) donated foods. Donated foods inventories shall not be removed from the premises. These records must be current and available for review by a field representative from the Department of Health and Human Resources. Reviews by the Department of Health and Human Resources are made annually with follow-up reviews on negative findings. [D - 30.3]

LOSS OR DAMAGE TO DONATED FOODS

Loss or damage to United States Department of Agriculture (USDA) donated foods, from any cause whatever, shall be reported immediately to the Department of Health and Human Resources [D - 30.4 and D - 30.4a]. Full restitution shall be made to the Department of Health and Human Resources for any loss or damage to donated foods resulting from failure to provide facilities for proper care or from any acts of negligence on the part of the School Food Authority (SFA) or local school. =

Donated foods which are found to be damaged or out of condition and are determined to be unfit for human consumption by federal, state or local health officers shall be disposed of only in accordance with instructions received from the Department of Health and Human Resources.

Special care must be taken during the summer months and school vacations to ensure that storage practices do not allow loss or damage of foods [D - 30.5].

COMMODITY PROCESSING

Federal regulations permit SDAs and/or SFAs to enter into agreements with commercial companies to process any of the donated foods available.— The SDA usually enters into a single state agreement under which all SFAs may participate. This eliminates the need for multiple SFAs to have identical agreements with the same processor for the same products.

In addition to state and local agreements the USDA also enters into processing agreements through its National Commodity (NCD) Program. The NCP is limited to producing end-products using designated bonus foods, such as dairy products, honey and flour. The SFA or school purchases the approved end-product directly from the processor or from a distributor at the full (gross) agreed upon price. The SFA or school applies for a refund for the value of donated foods contained in the end product as identified in the processing agreements.

Refund applications must be submitted within 60 days from the date of purchase for SDA processing agreements and within 30 days for FNS-NCP agreements. Date of purchase is considered to be the last day of the month in which purchase/delivery occurred.

Processors are required to make refunds promptly upon receipt of applications. Funds received by SFA's or schools from the processors must be deposited into the food service account, and reported as income on form 43-10-31.

To participate in the NCP, a SFA must not only be approved by the State but also be registered with USDA. To register for the NCP, a SFA need only complete a registration card [D - 30.6] and send it to USDA. These cards may be obtained from the SDA.

The SDA will provide to the SFA at the beginning of the school year any relevant information concerning processing agreements by both the SDA and USDA.

7. Donated foods received shall be used only in the manner prescribed by the United States Department of Agriculture. Donated foods not so used shall not be sold, exchanged or otherwise disposed of without the approval of the Distributing Agency.
8. Donated foods received shall not be used as a means of furthering the political interest of any individual or party. There shall be no discrimination because of race, creed, color, national origin, sex, age, or handicap.
9. Recipient Agencies may be required to pay part or all of the within-state costs of distribution through a system of charges assessed by the Distributing Agency. The charges assessed shall be reasonable in relation to the services provided and any funds collected shall be used by the Distributing Agency only for program purposes.
10. Donated foods shall not be distributed to any Recipient Agency or recipient whose normal food expenditures are reduced because of the receipt of donated foods, except that this provision shall not apply to the distribution of Section 6 donated foods.
11. Recipient Agencies may employ commercial or institutional facilities to process donated foods by converting them into different end products or by repackaging them. When this is done, Recipient Agencies shall enter into a written agreement with the processing facility under such terms and conditions as required by the United States Department of Agriculture and subject to approval of the State Distributing Agency.

Loss or Damage to Donated Foods

12. Loss or damage to donated foods from any cause whatever shall be immediately reported to the Distributing Agency.
13. Facilities will be provided for the proper care, handling, storing and distribution of the donated foods requested and accepted. Full restitution shall be made to the Distributing Agency for any loss or damage to donated foods resulting from failure to provide such facilities or from any acts of negligence on the part of the Recipient Agency.
14. Upon the happening of any event creating a claim in favor of the Recipient Agency from loss or damage to donated foods caused by a warehouseman, carrier or other person, the Recipient Agency shall take all necessary action to obtain restitution. All amounts collected by such action shall be reported to the Distributing Agency and used only in accordance with instructions.
15. Donated foods which are found to be damaged or out of condition and are determined to be unfit for human consumption by Federal or State officials or local health officers shall be disposed of only in accordance with instructions received from the Distributing Agency.

Other Provisions

16. The State Distributing Agency shall to the extent possible notify the Recipient Agency at least 24 hours prior to delivery. Adequate personnel shall be provided by the Recipient Agency to effect distribution of donated foods in accordance with instructions of the Distributing Agency. Storage facilities (dry, cooler and freezer) shall be monitored at least once every 72 hours.
17. Proceeds from sale of containers received with donated foods shall be used only in accordance with instructions of the Distributing Agency.
18. Representatives of the Distributing Agency and the United States Department of Agriculture may at all times inspect the operations of the Recipient Agency, including all records and reports pertaining to the distribution of donated foods.
19. The Recipient Agency agrees to abide by any further requirements contained in the General Regulations and Policies pertaining to the distribution of donated foods as issued by the United States Department of Agriculture.
20. Either agency may terminate this agreement by giving 30 days' written notice. However, the Distributing Agency, upon receipt of evidence that the Recipient Agency has not complied with the terms hereof, may terminate the agreement immediately. Upon termination, the Recipient Agency agrees to distribute or return all donated foods in its possession in accordance with the instructions of the Distributing Agency.

"Except that any termination of this agreement for noncompliance with Title VI of the Civil Rights Act of 1964 shall be in accordance with applicable laws and regulations."

DEPARTMENT OF HUMAN SERVICES

RECIPIENT AGENCY

By Charles L. Stewart
(Print or Type)

By _____
(Print or Type)

Signature _____

Signature _____

Title Chief, Donated Foods Program

Title _____

Date _____

Date _____

WEST VIRGINIA DEPARTMENT OF HUMAN SERVICES
DONATED FOODS PROGRAM
ADMINISTRATIVE REVIEW REPORT

Date _____ County _____

1. Name of Recipient Agency _____
2. Address _____ Telephone No. _____
3. Name of person contacted _____ Title _____
4. Do you have a contract for processing USDA Donated Foods? Yes ___ No ___
5. Do you employ a food service company for feeding operations? Yes ___ No ___
6. Date, signature and title on Agreement (ES-DF-02) _____

7. Are receipts of USDA donated foods on file? Yes ___ No ___
Where are records maintained? _____
8. Number of schools/sites participating in feeding operation _____
Number of schools/sites where meals are prepared _____ Feeding sites
only _____
9. Total enrollment _____ ADP for noon meal _____ ADP for
breakfast _____ Price for noon meal _____
10. If this is a charitable institution, what is the number of eligible
participants _____? Which category most nearly describes 50% of
the number of eligible participants? Age 19 years and under _____ Age
60 years and over _____ Mixed Ages _____
11. Does this agency have central storage on the premises? Yes ___ No ___
What is the temperature in dry _____, cooler _____, freezer _____
12. Was any food found unfit for human consumption? Yes ___ No ___
13. Is food properly stored? Yes ___ No ___ Is first-in, first-out
procedures being followed? Yes ___ No ___
14. Does the perpetual inventory balance with the floor count? Yes ___ No ___
15. Has the Recipient Agency informed all appropriate employees of the proper
handling and utilization of USDA Donated Food items? Yes ___ No ___

REMARKS:

Item & Package	Amt. on Hand	Date of Pkg.	Use Per Month	Month's Supply
Almonds, Natural 25#				
Applesauce, Cnd. 6/#10				
Beans, Lima 6/#10				
Beans, Pinto 6/#10				
Beans, Cnd. Green 6/#10				
Beans, Dry 25#				
Beans, Grt. N. Cnd. 6/#10				
Beans, Kidney, Cnd. 6/#10				
Beans, Veg. Cnd. 6/#10				
Beef, Cnd. 24/29 Oz.				
Beef, Frz. Grn. 55#				
Beef, Patties Frz. 36#				
Butter, Print 32/1#				
Butter, Print 36/1#				
Cherries 30#				
Cheese, Process 6/5#				
Cheese, Mozz.				
Chicken, Frz. C/U 40#				
Chicken, Frz. Dr. & Th. 40#				
Chicken Nuggets 4/10#				
Corn, Cnd. 6/#10				
Corrmeal 5/10#				
Egg Mix 4/10#				
Figs, Dried 30#				
Flour, A.P. 5/10#				
Grape Juice 12/46 Oz.				
Honey, Proc. 6/5#				

State Representative

Item & Package	Amt. on Hand	Date of Pkg.	Use Per Month	Month's Supply
Macaroni 20#				
Mayonnaise 4/1 Gal.				
Milk, Nonfat Dry 50#				
Oats, Rolled 12/3#				
Oil, Veg. 6/1 Gal.				
Peaches, Cnd. 6/#10				
Peanut Butter 6/#10				
Pears, Cnd. 6/#10				
Peas, Cnd. 6/#10				
Pork, Cnd. N/J 24/29 Oz.				
Potatoes, Dehyd. 6/5#				
Potatoes, Frz. Fr. Fr. 6/5#				
Potato Rds., Frz. 6/5#				
Poultry, Cnd. 24/29 Oz.				
Prunes, Dried Pitted 25#				
Pork, Frz. 55#				
Raisins 30#				
Rice, Milled 25#				
Salmon 48/15.5 Oz.				
Shortening, Veg. 12/3#				
Spaghetti, Enriched 20#				
Sweet Potatoes, Cnd. 6/#10				
Tomatoes, Cnd. 6/#10				
Tomato Paste, Cnd. 6/#10				
Tuna 6/66.5 Oz.				
Turkey, Frz. Whole 12#-24#				
Turkey Roasts, Frz. 4/8-12#				
Vegetables, Mixed 30#				
Walnuts, Eng. Pcs. 30#				

Recipient Agency Official

(11) GIVE THE NAME AND TITLE OF THE STATE DISTRIBUTING AGENCY REPRESENTATIVE WHO AUTHORIZED THE DISPOSAL _____
NAME TITLE

(12) WHAT METHOD OF DISPOSAL WAS USED? _____

(13) DISPOSAL WAS MADE BY _____
NAME TITLE

AND WITNESSED BY _____
NAME TITLE

(14) IF THE LOSS WAS THE RESULT OF A POWER FAILURE OR OUTAGE, EXPLAIN BRIEFLY WHAT CAUSED THE POWER INTERRUPTION _____

(15) IF THE LOSS WAS DUE TO A FREEZER MALFUNCTION, ARE THE DONATED FOODS COVERED BY A VENDOR GUARANTEE? YES ___ NO ___

(16) EXPLAIN THE MALFUNCTION _____

(17) WAS THE LOSS OF DONATED FOODS COVERED BY INSURANCE? YES ___ NO ___

(18) THIS LOSS WAS DUE TO INFESTATION ____, SPOILAGE ____, OR CONTAMINATION _____ OF DONATED FOOD RECEIVED ON _____ AND THE CONTRACT NUMBER ON THE CONTAINER IS _____
MONTH DAY YEAR

(19) WHAT WAS THE TEMPERATURE OF THE DRY STORAGE AREA ON THE DATE THE LOSS WAS DISCOVERED? _____

(20) WAS FIRST-IN, FIRST-OUT PROCEDURES FOLLOWED? YES ___ NO ___

(21) WAS THE FOOD STORED OFF THE FLOOR? YES ___ NO ___

(22) THIS LOSS DUE TO A BREAKING AND ENTERING WAS INVESTIGATED BY _____ NAME
_____ OF _____
RANK LAW ENFORCEMENT AGENCY

(23) EXPLAIN HOW ENTRANCE WAS MADE _____

(24) EXPLAIN WHAT PRECAUTIONARY MEASURES WILL BE USED TO PREVENT ANY FURTHER LOSS OF DONATED FOODS _____

(25) SIGNATURE OF SCHOOL PRINCIPAL OR AGENCY ADMINISTRATOR _____ PREPARED BY _____ SIGNATURE
DATE _____ TITLE _____
DATE _____

INSTRUCTIONS FOR COMPLETION OF FORM
"REPORT OF LOSS OF DONATED FOODS"

Any loss of donated foods regardless of the cause is to be reported immediately to the state distributing agency. Donated foods determined to be unfit for human consumption are not to be disposed of without prior approval and instructions from the state distributing agency. Any unauthorized disposal is subject to restitution in cash of the total dollar value of the donated food items.

Following are instructions for the completion of the form "Report of Loss of Donated Foods." The state distributing agency supplies each recipient agency a form from which copies are made by the recipient agency as needed.

- (1) Enter the county in which the recipient agency is located and the date the report is prepared.
- (2) Enter the name of the recipient agency as it appears on the agreement (Form ES-DF-02).
- (3) Enter the complete address of the recipient agency.
- (4) Enter the telephone number of the recipient agency as named on the agreement form. Public schools should show the telephone number of the county board of education.
- (5) Self-explanatory.
- (6) This should be the exact date the loss was discovered.
- (7) Enter the name and title of the person who first discovered the loss and reported it to appropriate officials.
- (8) Enter the date the storage facility was last checked and the name and title of the person who checked it on that date.
- (9) Under the column "Name of Item Lost" enter the complete name of the item.

Under the column "Packing Date" enter the packing date shown on the container (case, bag, baler, etc.).

Under the column "Size of Packages" show the item lost in whole cases if in fact whole cases were lost, or in units such as #6 cans, 29 oz. cans, 3# bags, 5# bags, etc.

Under the column "Quantity of Packages Lost" show the number of cases or units lost as defined under "Size of Packages."

Under the column "Type of Storage - Dry, Cooler or Freezer" write the appropriate word to define the type of storage being used at the time the loss was discovered.

- (10) This question must be answered.
- (11) Enter the name and title of the individual contacted who authorized the disposal.

- (12) Explain the method of disposal. Any item found unfit for human consumption and authorized for disposal is to be disposed of by taking to a landfill and buried, incinerated, or put in a garbage disposal.

Spoiled items are to be removed from the original container or wrapper prior to disposal. The container and the contents are to be disposed of separately.

- (13) Give the names and titles of the persons who are involved in the actual disposal.
- (14) Explain what caused the interruption; for example, breaker was thrown, fuse blown, unplugged from outlets, equipment quit running.
- (15) Answer "yes" or "no."
- (16) Describe briefly what happened to the freezer or cooler.
- (17) Answer "yes" or "no."
- (18) Check the appropriate space to show the type of loss, the date recipient agency received the food and the contract number, if possible.
- (19) This question must be answered if the loss of the food occurred while in dry storage.
- (20) Answer "yes" or "no."
- (21) Answer "yes" or "no."
- (22) If the loss was due to a breaking and entering, the name and rank of the investigating officer and the name of the law enforcement agency he represents must be shown.
- (23) Briefly describe how entrance was gained to the building and/or storage facility.
- (24) The recipient agency must explain what steps will be taken to prevent further losses of donated food due to similiar circumstances.
- (25) The report is to be signed by both the person who prepared the report and the school principal or agency administrator.

GUIDES FOR SUMMER STORAGE OF PERISHABLE FOODS

Improper storage practices and malfunctioning refrigeration equipment usually results in spoilage, infestation, contamination and deterioration of foods.

The following is a listing of good storage practices to follow when perishable foods are being stored during the summer:

- (1) Store foods only in properly operating refrigerators and freezers. Do not store food in equipment that is in need of repair.
- (2) Be certain the refrigeration equipment is thoroughly cleaned and dried before any food is placed in it.
- (3) Never place food directly on the floor; walk-in refrigerators and freezers should have dunnage racks on which food can be placed or shelving which allows a circulation of air. Foods should be stacked in an orderly manner in a walk-in refrigerator or freezer.
- (4) Temperatures within the freezers and refrigerators should be taken and recorded daily, if possible.
- (5) Refrigeration equipment should be checked at least every seventy-two hours to insure that it is operating properly. Any needed repairs should be taken care of immediately.
- (6) Refrigeration equipment should be checked immediately following a power failure (e.g. electrical storm) to make sure that it is operating properly.
- (7) All areas in which frozen food is stored should be secured by locks during the summer months. Only authorized personnel should have access to the keys and be allowed to check the equipment and take temperatures.
- (8) Any grain product left on hand should be placed in refrigeration during the summer months and utilized immediately following the re-opening of school.

Dry storage areas should be adequately ventilated and secured by locks. The temperature should never exceed 70° Fahrenheit. An effective rodent control program should be maintained.

ACCORDING TO USDA REGULATIONS THE STATE DISTRIBUTING AGENCY HAS NO ALTERNATIVE EXCEPT TO ASK RESTITUTION FOR ANY LOSS OF DONATED FOODS DETERMINED TO BE THE RESULT OF NEGLIGENCE ON PART OF THE RECIPIENT AGENCY.

FOR FNS USE ONLY

U.S. DEPARTMENT OF AGRICULTURE
FOOD AND NUTRITION SERVICE

PARTICIPATION DATA
(Complete A or B)

1 2 3 4 5 6 7 8 9

10

NATIONAL COMMODITY PROCESSING
(NCP) SYSTEM POST CARD

RECIPIENT AGENCY NAME, PLEASE PRINT

ADDRESS:

11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37
38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64

10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36
CITY STATE ZIP CODE

10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33

TELEPHONE NUMBER
34 35 36 AREA CODE
37 38 39 40 41 42 43 EXTENSION
44 45 46 47 Agreement Date of Last State Agency
48 49 50 51 MO YR

I certify that this information is correct to the best of my knowledge. I understand that a deliberate misrepresentation may subject me to prosecution under applicable State and Federal criminal statutes.

Signature of Authorized Agency Representative Title

A. SFA-CCFP-NPE SITES
-SFSP-INDEPENDENT PUBLIC SCHOOLS.
PRIVATE SCHOOLS.
Average Daily Participation (Number of reimbursable meals including breakfasts, lunches, and snacks)

65 66 67 68 69 70 71
Total Number of Meals Per Day (Includes A LA CARTE SALES)

37 38 39 40 41 42 43

Number of Schools in SFA

52 53 54 55 56

TYPE OF RECIPIENT AGENCY ("X" ONE)

- 57 Charitable Institution
 - 58 Nutrition Program for the Elderly (NPE)
 - 59 Summer Food Svc. Program (SFSP)
 - 60 Private School
 - 66 School Food Service Authority (SFA)
 - 67 Independent Public School
 - 68 Camps
 - 69 Other-Federal Bureau of Prisons-V.A. Hospitals
 - 75 Child Care Food Program (CCFP)
 - 76 Correctional Facility
- The information contained herein will be furnished to all interested parties

B. CHARITABLE INSTITUTIONS-CAMPS-CORRECTIONAL FACILITIES-OTHER

Number of Needy (Charitable Institutions Only)

51 52 53 54 55

Total Population (All Outlets)

70 71 72 73 74

Meals Services per Day (All Outlets includes 1, 2, or 3)

77

Number of Days of Operation per Week (All Outlets)

78

FORM FNS-516 (12-85)

U.S. DEPARTMENT OF AGRICULTURE
FOOD AND NUTRITION SERVICE
SPECIAL OPERATIONS BRANCH
NUTRITION AND TECHNICAL SERVICES DIVISION
ALEXANDRIA, VA 22302



OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE \$300
FORM FNS-516 (12-85)



POSTAGE & FEES PAID
U.S. DEPARTMENT OF AGRICULTURE
AGR 104

FOOD AND NUTRITION SERVICE USDA
SPECIAL OPERATIONS BRANCH
NUTRITION AND TECHNICAL SERVICES DIVISION
3101 PARK CENTER DRIVE
ALEXANDRIA VA 22302

PLACE
STAMP
HERE

FROM:

THIS IS TO ALERT ALL INTERESTED PARTIES THAT ANY FALSE INFORMATION CONTAINED ON THIS CARD MAY
SUBJECT THE AFFECTED PARTY TO CRIMINAL PROSECUTION.

THE FOOD AND NUTRITION SERVICE

Sincerely,

Thank you for your cooperation.

arrangements.

A school food authority may complete one card for purchases it will make for all schools under
its jurisdiction or the school food authority may have each school register on a card. If consistent
with normal purchasing practices. Schools may participate in NCP under only one of these

agency. Your agency's name will be added to the list given to processors.

9-digit recipient agency code number. The processor will use this number to report sales to your
receive a letter authorizing you to participate in the NCP System. The letter will contain your
Once your card has been accepted into the Automated Data Processing (ADP) System, you will

attached post card and return it to FNS as soon as possible.

to receive donated foods under the direct distribution program. Also, you must register on the ar-
items. To participate, you must have an approved agreement with the State Distributing Agency
FNS will supply each processor with a list of recipient agencies eligible to purchase processed

to supplement the State's processing program.

Under NCP, FNS enters into agreements directly with processors so that USDA surplus food can
be processed into more desirable and usable end products. Processors in turn, sell these end prod-
ucts at a price reduced/discounnted by the value of the surplus foods contained in them. Surplus
foods in NCP are currently limited to bonus dairy products and honey. The program is intended
to supplement the State's processing program.

This card will serve to introduce you to the National Commodity Processing (NCP) System
operated by the U.S. Department of Agriculture (USDA) Food and Nutrition Service (FNS).

SECTION E
SPECIAL MILK PROGRAM

Purpose	E - 1
Charges and Reimbursement	E - 2
Milk Shakes	E - 3
Reporting Procedures	E - 4

PURPOSE

United States Department of Agriculture (USDA) reimbursement enables schools without other food service programs to sell milk to students at a rate lower than cost. In participating schools, students determined eligible may receive milk free if the School Food Authority (SFA) elects to serve it. The SFA may or may not choose to provide free milk to students determined eligible by applications used for free or reduced price meals.

Current USDA regulations permit only schools and institutions without other food service programs to participate in the special milk program and to serve an unlimited number of half pints of milk to a student at any time during the school's established milk breaks or meal periods.

Effective with the passage of P.L. 99-661, split session pre-kindergarten and kindergarten children may participate in the Special Milk Program if they do not have access to any school meal (school lunch or school breakfast). Whenever possible all children attending a school shall have access to either the school lunch or the school breakfast program.

"Split Session" is defined as an educational program which operates for approximately one-half of the normal school day.

CHARGES AND REIMBURSEMENT

The charge to students for milk shall not exceed the difference between the current rate of reimbursement and the cost of the milk plus an established distribution cost of no more than two cents per half pint.

Schools without food programs participating in the Special Milk Program are required by United States Department of Agriculture (USDA) regulations to document the actual cost of serving milk to students. Operating balances in excess of two months must be reduced by serving milk free to students or by reducing the cost to the students.

Schools serving/selling special milk to Kindergarten and/or pre-primary students should report any income from milk sold on 43-10-30S.

The charge to adults shall not be less than the cost of the milk. Reimbursement for milk served to adults is not permitted.

In non-pricing programs, all milk served through the Special Milk Program is reimbursed at the current rate of reimbursement per half pint.

MILK SHAKES

If milk shakes are sold or given free under the Special Milk Program in schools having no other food service program, the milk shake formula must be approved by the WVDE Child Nutrition Division.

REPORTING PROCEDURES

A daily record of the actual number of half pints of milk served students and adults shall be maintained on Form WVDE 43-10-30S [G - 30.1], according to instructions. The report must be detailed daily at each participating school by a responsible person. The monthly claim for reimbursement is based on information recorded on this report. The completed form is submitted to the SFA on or before the fifth day of the succeeding calendar month. A copy will also be filed at the school.

At the end of each month during which milk was served to students, a monthly financial report, Form WVDE 43-10-31 [G - 30.3] is completed by each participating school according to instructions. Financial data provided on this report is the basis for justifying reimbursement payments. The completed report is submitted to the SFA on or before the fifth day of the succeeding calendar month. A copy will also be filed at the school.

The school or SFA is responsible for sending a copy of Form WVDE 43-10-30 [G - 30.5] to the WVDE for reimbursement.

SECTION F

FREE AND REDUCED PRICE MEAL AND FREE MILK POLICIES

Introduction	F - 1
Applications for Free or Reduced Price Meals	F - 2
Approving Applications for Households Eligible for AFDC/FS Benefits	F - 3
Approving Applications for Households Not Eligible for AFDC/FS Benefits	F - 3
Income	F - 4
Determining Household Size	F - 5
Reviewing Official's Responsibilities	F - 7
Reviewing Official's Completing an Application	F - 8
Feeding Prior to Application Approval	F - 9
Application Files and Working List	F - 10
Collection Procedure	F - 11
Daily Meal Count (Point of Service Count)	F - 12
Nondiscrimination	F - 13
Civil Rights Information	F - 14
Student Help	F - 15
Verification (USDA)	F - 16
Application Selection	F - 17
Verification Procedures	F - 18
Exhibits	
Income Eligibility Guidelines	F - 30.1
Application for Free or Reduced Price Meals	F - 30.2
Letter to Parents	F - 30.3
Notice of Approval, Change or Termination of Benefits	F - 30.4
Eligibility Guidance for School Meal Programs	F - 30.5
Food Stamp Information	F - 30.6

Exhibits (Cont.)

Information Up-Date	F - 30.7
Civil Rights Information	F - 30.8
Non Discrimination Poster	F - 30.9
Procedures for Selecting a Random Sample	F - 30.10
Documentation of Random Selection	F - 30.11
Procedures for Selecting a Focused Sample	F - 30.12
Documentation of Focused Selection	F - 30.13
Prototype Letter to Parents	F - 30.14
Parent Information-Proof of Income	F - 30.15
Procedures for Developing a Consistency Check	F - 30.16
Parent Letter - Difference Between Documentation and Application	F - 30.17
Summary Report to County Office (School)	F - 30.18
Sponsor's Summary Report	F - 30.19

INTRODUCTION

Schools participating in the National School Lunch and/or Breakfast Program are required to serve free and reduced price meals to students determined eligible by the current USDA Income Eligibility Guidelines [F - 30.1].

To make it possible for a student to receive a free or reduced price meal, USDA regulations require that certain steps be taken. A policy statement which delineates the policies and procedures used in providing free and reduced price meals for students is approved each year.

APPLICATIONS FOR FREE OR REDUCED PRICE MEALS

NON-COMPUTERIZED PROGRAM

Applications [F - 30.2] and the Letter to Parents [F - 30.3] shall be sent to parents or guardians of each student as early as possible in the school year to allow time for the return of applications by the end of the first full week of school. The school principal, or a designated person, shall review all applications received and determine eligibility according to information given on the application. Parents or guardians shall be notified of the status of approval, change or termination of benefits (WVDE 43-10-20) [F - 30.4].

COMPUTERIZED PROGRAMS

County school systems or individual schools may choose to approve free and reduced price meal applications by computer. A computer-generated application may be sent to the parents to update annually for continued program benefits.

Throughout the school year, applications may be received for students transferring from another school or from parents whose financial status has changed.

If a student has received free and/or reduced price meals and transfers to another school, a record of eligibility shall be maintained at the original school. Either a copy of the application may be made or a new one submitted to the receiving school.

MEDICAID AND EDUCATIONAL BENEFITS

The United States Department of Agriculture has granted West Virginia permission to pilot a multi-use application. The application has been expanded to allow parents or guardians to express an interest in receiving Medicaid benefits. Additionally, the privacy act statement on the reverse side of the application has been expanded to accommodate Medicaid and educational benefits.

When an interest in Medicaid benefits has been expressed in Part VII of the application, and Part VII has been signed by a parent or guardian, the following procedures are to be used to transmit the information to the appropriate authorities:

Each child's name, address, county of residence, and a Social Security number of an adult family member should be sent to John A. Boles, Jr., Administrator, Office of Income Maintenance, Building 6, Room 817, 1900 Kanawha Boulevard East, Charleston, West Virginia 25305.

**APPROVING APPLICATIONS FOR HOUSEHOLDS ELIGIBLE FOR
AID TO FAMILIES WITH DEPENDENT CHILDREN (AFDC)
FOOD STAMP (FS) BENEFITS**

Applications returned for review and approval which have AFDC or FS numbers [F - 30.6] must include the following information:

- student's name;
- AFDC or FS number; and
- parent signature

**APPROVING APPLICATIONS FOR HOUSEHOLDS NOT ELIGIBLE FOR
AFDC/FS BENEFITS**

Applications returned for review which do not have AFDC or FS numbers must include the following information:

- student's name;
- list of household members;
- social security number of one adult 21 or older either the head of the household/primary wage earner or the adult signing the application;
- total household income; and
- parent or guardian's signature

All approved applications must show:

- eligibility category (free or reduced price);
- reviewing official's signature; and
- date of approval or denial.

Applications must be filed by category with corresponding master list.

INCOME

Income to be reported on the household's free and reduced price meal application form is a gross figure and generally is considered to be any monies received on a recurring basis. Specifically, gross income means money earned before deductions for income taxes, employee's social security taxes, insurance premiums, charitable contributions, bonds and the like. Income includes the following:

- payments of money for services, including wages, salary, commission or fees;
- social security;
- dividends or interest on savings or bonds;
- income from estates or trusts;
- supplemental security income;
- public assistance or welfare payments;
- unemployment compensations;
- government civilian employee or military retirement or pensions;
- veterans' payments;
- private pensions or annuities;
- alimony or child support payments;
- regular contributions from persons not living in the household;
- net income for self-employed farmers and business-persons, rental income and royalties;
- students regular part time earnings; and
- other cash income.

Other cash income would include cash amounts received or withdrawn from investments, trust accounts and other resources, which would be available to pay the price of a child's meal.

Certain items of income are not to be reported on the application. Such income includes the following:

- food stamps;
- benefits received under the National School Lunch and Child Nutrition Acts;
- monies received by volunteers for services performed under such programs authorized by the Domestic Volunteer Services Act of 1973, as amended;
- military base housing or other subsidized housing, medical and dental services;
- student financial (cash) assistance, such as grants and scholarships;
- loans; and
- student earnings such as paper routes or babysitting that are not a regular part time job.

If the family is unemployed a figure must be given even if this figure is zero (0). The word "none" is not accepted by United States Department of Agriculture (USDA).

When there is a temporary reduction of income, eligibility should be determined on the present rate of income rather than on regular annual income. The approving official should issue temporary approval of the application. The temporary approval should cover no more than three pay periods after income has been restored.

DETERMINING HOUSEHOLD SIZE

Basically, household size is determined by counting the number of related or unrelated individuals who live in a dwelling and who share living expenses or meals.

Students who are temporarily away at school and who receive their primary support from the family i.e., students attending boarding schools or colleges should be counted as members of the household.

Military personnel not actually living with the household are not considered a member of the household for purposes of determining eligibility, but the money he/she sends to the household is included in the household's income.

A foster child is a child who is living with a family but who remains the legal responsibility of the welfare agency or court. For purposes of determining eligibility, a foster child is considered a household of one. [F -- 30.5 page 14]

In cases where no specific welfare agency or court is legally responsible for the child; or where the child is living with at least one natural parent, other relatives or friends of the family, the child shall be considered to be a member of the family with whom he/she resides, and the size and total income of the household shall be used to determine the child's eligibility.

An adopted child is a child for whom a family has accepted legal responsibility and is considered to be a member of the household in which the child resides.

An institutionalized child is a child who resides in a residential-type facility which the state has determined is not a boarding school. A child who is institutionalized is considered to be a household of one and, in most cases, has no income. Only income a child earns from full time employment and/or personally receives while in residence at the institution, may be considered as income.

An older child, totally responsible for himself/herself, who does not reside as a member of a household (but rather as a single economic unit) is considered a household of one. Earned income and money from all other sources are considered income for such a child.

A student who attends but does not reside in an institution is considered a member of the household in which he/she resides. Eligibility must be determined by the household size and income of that household.

Foreign exchange students, refugees, aliens and citizens of other countries and/or their dependent children are considered to be members of the household in which they reside. The total household size and income are used in determining eligibility.

Whether or not the stepparent supports a stepchild, the child in this situation falls within the definition of a household. Therefore, the total household income, including ADC or child support payments to the parent, must be included in determining eligibility.

REVIEWING OFFICIAL'S RESPONSIBILITIES

The reviewing official is responsible for ensuring that applications have been classified correctly by category of eligibility. If the reviewing official is authorized by the SFA to delegate the responsibility for reviewing applications, then the person so designated shall be informed about program requirements and policy. Since the SFA official who signed the policy statement agreement with the State agency ultimately is responsible for the integrity of the approval process, the principal's signature stamp may be used. A suggested alternative would be to place a statement in the school's files as to the name and/or title of the designee, who would then be permitted to sign the applications without having to use the principal's signature stamp.

The reviewing official may request verification of information submitted on any application under the following circumstances:

- a written, signed complaint;
- illegible, incomplete or questionable information on the application; and/or
- the USDA required verification sampling.

Indication of approval or denial shall be sent to parents or guardians within ten working days after receipt of the completed application.

Reviewing officials cannot sign the parent's/guardian's name to an application completed by the parents or guardians but must return the application for the proper signature.

A fair hearing procedure shall be established for parent's appeals concerning eligibility determination and for school official's challenges. During an appeal or hearing, the student shall continue to receive free or reduced price meals. Standard hearing procedures are outlined in the Policy Statement [A - 30.2].

Other questions pertaining to free/reduced price meal policies are answered in the (Eligibility Guidance for School Meal Programs [F - 30.5].)

REVIEWING OFFICIAL'S COMPLETING AN APPLICATION

A reviewing official may complete an application for a student known to be needy if the household fails to apply.

When exercising this option, the school official must complete an application on behalf of the student based on the best household size and income information available and make an eligibility determination. The source of the information must be noted. Social security numbers of household members need not be secured and these applications may be excluded from verification. The household must be notified that the student has been certified and is receiving free or reduced price benefits.

This option is intended for use in individual situations and does not allow eligibility determinations for categories or groups of children.

FEEDING PRIOR TO APPLICATION APPROVAL

During the opening week of school, before applications for the current school year are received and approved, school officials shall serve free and reduced price meals or free milk to eligible students. To assist with eligibility determination during the first days of school, officials may use:

- applications on file from the previous school year;
- self-certification of secondary students under special circumstances;
- new students in a school with older siblings that were approved for benefits the previous year; and/or
- students that transfer within the county.

If students are provided free or reduced price meals or free milk in eligible schools (based on the previous year's application approval) during the period prior to the current year's application approval and are later determined to be ineligible, reimbursement may be claimed at the free or reduced price rate for those meals already served.

If students are provided free or reduced price meals or free milk in eligible schools (not based on the previous year's application approval) during the period prior to the current year's application approval and are later determined to be ineligible, reimbursement may not be claimed at the free and reduced price rate. These meals may be reimbursed at the paid rate.

APPLICATION FILES AND WORKING LIST

Following the review and approval or denial of applications, a file and working list of all applications shall be established and maintained in a current fashion according to:

1. Active free students whose current household income definitely indicates free status according to USDA Income Eligibility Guidelines [F - 30.1]
2. Active reduced students whose current household income definitely qualifies them for reduced status according to USDA Income Eligibility Guidelines
3. Temporary free
Temporary reduced students whose current household income indicates eligibility according to USDA Income Eligibility Guidelines determined temporary based on: unemployment or income from unemployment compensation; seasonal unemployment; temporary lay offs; strikes; temporary use of public assistance; pending approval for public assistance; zero (0) income; or anticipated change in income
4. Inactive free
Inactive reduced students who have withdrawn or transferred
5. Denied students whose current household income does not meet the USDA Income Eligibility Guidelines

The temporary file of approved free and reduced price meal application must be reviewed every two months through parent or guardian contact. The dates of such reviews, contacts and the current status shall be noted on the application or the suggested form for updating information [F - 30.7] by the reviewing official. The working list shall be corrected, if needed, to agree with the application classification.

A working list of students shall be maintained in the same order as the filed applications and should indicate any status change and effective date.

All applications and documentation of action taken shall be maintained for three years not including the current school year.

COLLECTION PROCEDURE

A procedure to collect payments from students for meals must be established. The procedure must prevent the overt identification of students receiving free or reduced price meals and enable schools to obtain an accurate daily count of the number of free, reduced price, fully paid and adult meals served under the school lunch and breakfast programs. The collection procedure shall be approved by WVDE. The procedure is reviewed along with the county application for program benefits. [A - 30.2] Suggested methods of collection may be found in the Policy Statement [A - 30.2].

DAILY MEAL COUNT (POINT OF SERVICE COUNT)

During the period of school breakfast and/or school lunch service, schools are required to follow a system for counting, recording and reporting the number of meals served adults and students. The system shall provide an accurate daily record of the actual number of student meals at the point of service which were served free and at the reduced price or fully paid rate. The system shall prevent overt identification of students served free or reduced price meals. Suggested methods of obtaining point of service meal counts may be found in the Policy Statement. [A - 30.2] Any additional methods anticipated must be submitted in detail to WVDE for approval prior to implementation.

Systems which are accepted include:

- computerized point of service;
- coded tickets collected on the line, counted by category;
- coded tickets which are punched or marked on the line used with a counter to determine number of meals served by category;
- coded roster checked at point of service; and
- calculator tapes used with other source documents such as coded ticket or student number.

Systems which are not acceptable include:

- tallies (slash marks /////);
- memory (categorizing free and reduced meals by remembering student's eligibility);
- different color tickets/tokens;
- updated morning counts;
- tray count; and
- deduction (cash received divided by cost per meal, total meals minus free and reduced equal paid, total meals minus paid and reduced equal free).

Schools must maintain, for a period of one year, source documents (tickets, roster, etc.) to verify number of meals claimed for reimbursement.

In instances when second meals are served or sold accurate identification of the student receiving the meal is required. All second meals must be recorded as nonreimbursable meals.

NONDISCRIMINATION

No discrimination shall be made against any student because of inability to pay, nor shall the student's name be published nor identification made in any other way. Students eligible for free or reduced price meals shall not be required to:

- work for their meals;
- use a separate lunchroom;
- go through a separate serving line;
- enter the lunchroom through a separate entrance;
- eat meals at a different time; nor
- eat a different meal from the one sold to students paying the full price.

It is not considered discrimination to serve meals to students in a separate location and/or at a different time if the students are being disciplined for violation of school policies. However, there must be no difference in treatment of students based on eligibility to pay for meals. In no case shall a student be denied a meal or served a different type of meal as a means of discipline or as a result of discipline for violation of school policies.

It is not considered discrimination to serve a different meal to the student who requires special consideration due to a handicap.

CIVIL RIGHTS INFORMATION

USDA requires each school to keep on file the number of enrolled students by race, the number approved for free and reduced priced meals, and the number denied.

This information should be collected and on file in the school office by October 31 of each year. (F--30-8)

The racial-ethnic categories for which this information must be collected are:

- American Indian or Alaskan native;
- Asian or Pacific Islander;
- Black (not of Hispanic origin); and or
- Hispanic
- White

In the event that a household does not complete the voluntary self-determination on the free and reduced price meal application form, this information must be obtained by other methods. Other methods may include determination of the information by a school official through observation or personal knowledge.

A non-discrimination poster (F--30-9) must be displayed in the food service dining area. These posters are available at the SFA or WUDE offices.

STUDENT HELP

USDA regulations state that recipients of free or reduced price meals shall not be required to work for those benefits. However, they are not prohibited from working voluntarily in the lunchroom. Some schools employ student helpers in the lunchroom for monetary or other compensation. In these cases, parents of all workers should be informed in writing that their children have volunteered to work. The letter should state that for students who have been certified, continued eligible is in no way dependent upon the student's working status. Additionally, the letter should not be a part of, nor attached to, the free and reduced price letter to parents, application or notice of approval/denial.

Students who work in the food service program can be given a free lunch. However, free or reduced price meal reimbursement may not be claimed unless the students' application has been approved in accordance with their eligibility, either full price, reduced price or free.

VERIFICATION (USDA)

The USDA income verification pilot project was authorized by P.L. 97-35 because of evidence which suggested that applicant misreporting was a widespread problem which was resulting in a substantial misuse of program funds. A major study conducted by USDA Office of Inspector General in 1980 estimated \$200 million in meal benefits were granted erroneously each year due to applicant misreporting and 28.8 percent of the students receiving free and reduced price lunches were ineligible for such benefits.

Each school food authority must verify a sample of the total number of applications approved for benefits by selecting a sample through either random or focused sample as described on page F - 17. The sample must be taken from approved free and reduced price applications on file as of October 31. Confirmation of eligibility must be completed by December 15, and the Sponsors Summary Report [F - 30.19] submitted to WVDE by January 10.

APPLICATION SELECTION

SFAs shall satisfy the verification requirement by using either random sampling or focused sampling.

Option 1 Random Sampling consists of selecting and verifying three percent of applications on file. Procedures have been developed [F - 30.10] to provide a method for the random selection of free/reduced applications. Documentation of the random selection [F - 30.11] will be kept on file at the school.

Option 2 Focused Sampling consists of (1) selecting and verifying a minimum of one percent of 1,000 of total applications selected from non-food stamp households claiming monthly income within \$100 or yearly incomes within \$1,200 of the income eligibility limit for free or reduced price meals plus (2) the lesser of one-half percent or 500 applications of food stamp households that provide food stamp case numbers in lieu of income information. Procedures have been developed [F - 30.12] to provide a method for the focused sampling selection of free/reduced applications. Documentation of the focused sampling [F - 30.13] will be kept on file at the school. Selection of Option 2 for verification purposes shall be the responsibility of the WVDE or the SFA and not the individual schools.

VERIFICATION PROCEDURES

To provide a uniform method for obtaining information for verification, forms will be sent to the household. The suggested letter [F - 30.14] should be duplicated on each school's letterhead. The letter is to be accompanied by the parent information form, Proof of Income [F - 30.15].

Procedures for developing a consistency check for verification [F - 30.16] will provide a uniform method for verifying information on free/reduced meal applications.

Notations should be made on all applications reviewed indicating date and findings.

Following the consistency check, if there is a difference between documentation and application, the household must be informed of the findings [F - 30.17]. This must be accompanied by a new free/reduced price meal application. When the revised application has been approved or denied the household is notified.

When the verification procedure has been completed, a School Summary Report [F - 30.18] shall be sent to the SFA and a copy filed at the school.

The SFA shall compile all School Summary Sheets [F - 30.18] and send a copy of Sponsor's Summary Report [F - 30.19] to WVDE.

**GUIDELINES TO DETERMINE PARTICIPANT ELIGIBILITY
FOR FREE AND REDUCED PRICE MEALS**

School Year 1991-92

ANNUAL FAMILY INCOME BEFORE DEDUCTIONS

FAMILY SIZE	ELIGIBLE FOR FREE MEALS OR FREE MILK			ELIGIBLE FOR REDUCED PRICE MEALS		
	YEARLY	MONTHLY	WEEKLY	YEARLY	MONTHLY	WEEKLY
ONE	\$ 8,606	\$ 718	\$166	\$12,247	\$1,021	\$236
TWO	11,544	962	222	16,428	1,369	316
THREE	14,482	1,207	279	20,609	1,718	397
FOUR	17,420	1,452	335	24,790	2,066	477
FIVE	20,358	1,697	392	28,971	2,415	558
SIX	23,296	1,942	448	33,152	2,763	638
SEVEN	26,234	2,187	505	37,333	3,112	718
EIGHT	29,172	2,431	561	41,514	3,460	798
FOR EACH ADDITIONAL FAMILY MEMBER, ADD						
	2,938	245	57	4,181	349	81

INCOME CONVERSION FACTORS:

Use 4.33 to obtain monthly total if income is received weekly.
Use 2.15 to obtain monthly total if income is received every two weeks.

WEST VIRGINIA DEPARTMENT OF EDUCATION
 Charleston, West Virginia 25305
 Application for Free or Reduced Meals, and Free
 Textbooks, Workbooks, and Educational Supplies

PART I - ENROLLED CHILDREN'S INFORMATION - TO BE COMPLETED BY ALL APPLICANTS

CHILD'S NAME	AGE	SCHOOL, CENTER or CAMP	GRADE	HOMEROOM
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

PARTS II, III AND IV: COMPLETE THE PART THAT APPLIES TO YOUR FAMILY

PART II - FOOD STAMPS/AFDC HOUSEHOLDS NOW RECEIVING BENEFITS - If you receive food stamps/AFDC, complete this part and sign the application.

____ Yes, I receive Food Stamps for the children listed in Part I. My case number is: _____
 ____ Yes, I receive AFDC for the children listed in Part I. _____

PART III - FOSTER CHILD - If you have a foster child, complete this part and sign the application.

Child's Name _____ Child's Monthly Income _____

PART IV - ALL OTHER HOUSEHOLDS. If you do not receive Food Stamps or AFDC, complete this part and sign the application.

- List all household members living in your household. Include parents, children, grandparents and all people related or unrelated who live in your household.
- List monthly income by category. List income (BEFORE TAXES) each person received last month and its source. Example: Wages, Social Security, Pension, Retirement, Welfare, Child Support, or Alimony.

NAMES OF ALL OTHER HOUSEHOLD MEMBERS (Oldest to Youngest)	AGE	MONTHLY EARNINGS FROM WORK (Before Deductions)	MONTHLY WELFARE, PENSIONS, PAYMENTS RETIREMENT, CHILD SUPPORT, SOCIAL SECURITY, ALIMONY	ALL OTHER INCOME RECEIVED
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

TOTAL NUMBER OF PERSONS IN HOUSEHOLD _____ MONTHLY INCOME (Before Deductions) \$ _____

PART V - RACE/ETHNIC IDENTITY: You are not required to answer this question.

____ WHITE non Hispanic ____ BLACK non Hispanic ____ HISPANIC
 ____ ASIAN or PACIFIC ISLANDER ____ AMERICAN INDIAN or ALASKAN NATIVE

NO CHILD WILL BE DISCRIMINATED AGAINST BECAUSE OF RACE, SEX, COLOR, NATIONAL ORIGIN, AGE OR HANDICAP.

PART VI - SIGNATURE - An adult household member must sign this application before it can be approved.

PENALTIES FOR MISREPRESENTATION - I certify that the information provided is correct and that all income was reported. I understand that this information is being given for the receipt of federal funds and that deliberate misrepresentation of the information may subject me to prosecution under applicable state and federal law.

If you did not give a FOOD STAMP or AFDC case number, Federal Law (PL 97 35) requires you to list social security number of either the primary wage earner or the household member who signs the application before your child may receive free or reduced price meals. You do not have to give social security numbers; but if you refuse, unless you indicate you have none, your child cannot receive free or reduced price meals. The social security numbers may be used to identify you for verifying the information you report on this application. Verification may include audits, investigations, contacting the State employment security office, food stamp or welfare office, and employers, and checking the written information provided by the household to confirm the information received. If incorrect information is discovered, a loss of benefits or legal action may occur.

Please Print

SIGNATURE OF ADULT:

X _____
 Social Security Number of Signer or Primary Wage Earner: _____

NAME: _____

ADDRESS: _____

WV _____

DATE: _____

PHONE: (Home) _____ (Work) _____

Your application cannot be approved without a Social Security Number.

FOR INSTITUTION USE ONLY: Approved for Free Textbooks, Workbooks, School Supplies _____
 Approved: Free Meals _____ Temporary Free _____ Reduced Meals _____ Temporary Reduced _____
 Application Denied: _____ Reason for Denial _____

Signature/Stamp of Approving Official: _____ Date _____

DEAR PARENT OR GUARDIAN:

This letter is sent to you each year by your child's school, center or camp. It explains how your family can apply for free or reduced meals, free workbooks, free textbooks and school supplies.

PRICE OF REDUCED MEALS: Reduced Breakfast - 30 cents Reduced Lunch - 40 cents

Look at the chart. Find your household size. HOUSEHOLD is: All persons, including parents, children, grandparents and all people related or unrelated who live in your home. Find your total household income. TOTAL HOUSEHOLD INCOME is: The income each household member receives before taxes. This includes wages, social security, pension, retirement, welfare, child support, or alimony.

INCOME GUIDELINES FOR REDUCED PRICE MEALS
July 1, 1991 - June 30, 1992

<u>HOUSEHOLD SIZE:</u>	<u>TOTAL HOUSEHOLD INCOME BEFORE DEDUCTIONS:</u>	
	<u>YEARLY</u>	<u>MONTHLY</u>
ONE	\$12,247	\$1,021
TWO	16,428	1,369
THREE	20,609	1,718
FOUR	24,790	2,066
FIVE	28,971	2,415
SIX	33,152	2,763
SEVEN	37,333	3,112
EIGHT	41,514	3,460
For Each Additional Household Member, ADD	4,181	349

If your total income is the SAME or LESS, fill out the application and return it to the school, center or camp. You will be notified if the application is approved or denied.

WHAT IS A COMPLETE APPLICATION?

1. For a family receiving food stamps/AFDC, a complete application includes: child's name, case number and adult signature.
2. For a family keeping a foster child, a complete application includes: child's name, income and adult signature.
3. For all other households, a complete application includes: child's name, household members, monthly income, social security number of the primary wage earner or adult signing the application or the word "NONE" if you do not have one, and adult signature.

PRIVACY

The information that you send will be used to determine or prove your child's eligibility for free or reduced meals.

PROOF OF INCOME

The information you provide may be checked by the school, camp, or center's staff at any time during the school year. You may be asked to send information to prove your child is eligible to receive free and reduced meals.

REPORTING CHANGES

You must report to your child's school, center or camp:

1. Any change in your income of \$50 per month or \$600 per year;
2. Any changes in your household size; and
3. When you no longer receive food stamps or AFDC for your child.

FAIR HEARING

If you do not agree with the decision on your child's application or the process used to prove income eligibility, you may talk with school, center or camp officials. You have the right to a fair hearing which may be arranged with the county superintendent, or center or camp director.

REAPPLICATION

You may apply for benefits any time during the school year. If you should have a decrease in household income, an increase in household size, or become unemployed, fill out an application at that time.

NONDISCRIMINATION

Children who receive free or reduced price meals are treated the same as children who pay for meals. No child will be discriminated against because of race, sex, color, national origin, age, or handicap in the operation of the child feeding programs. If you believe you have been discriminated against, write to the Secretary of Agriculture, Washington, D.C. 20250.

WEST VIRGINIA DEPARTMENT OF EDUCATION
Charleston, West Virginia 25305
APPLICATION FOR FREE MEALS OR REDUCED PRICE MEALS
NOTICE OF APPROVAL, CHANGE OR TERMINATION OF BENEFITS

TO:

(Name of Parent, Guardian or Adult Household Member)

(Address)

FROM:

(Name of School or Institution or Center)

Your Application for Free Meals or Reduced Price Meals for (name(s))

has been reviewed on the basis of the current Income Guidelines set by the
United States Department of Agriculture.

EFFECTIVE ON _____

_____ Your 1991-92 application for free or reduced price meals has
been denied.

_____ Your application has been approved for free meals, and (in
public schools) free textbooks, workbooks, and instructional
supplies, pending a request for verification.

_____ Your application has been approved for reduced price meals,
and (in public schools) free textbooks, workbooks, and
instructional supplies, pending a request for verification.

_____ Your application has been temporarily approved for free
meals, pending a request for verification.

_____ Your application has been temporarily approved for reduced
price meals, pending a request for verification.

_____ Applicant(s) is/are no longer eligible for free meals but
eligible for reduced price meals.

_____ Applicant(s) is/are eligible for free meals rather than
reduced price meals.

_____ Applicant(s) is/are no longer eligible for either free or
reduced price meals.

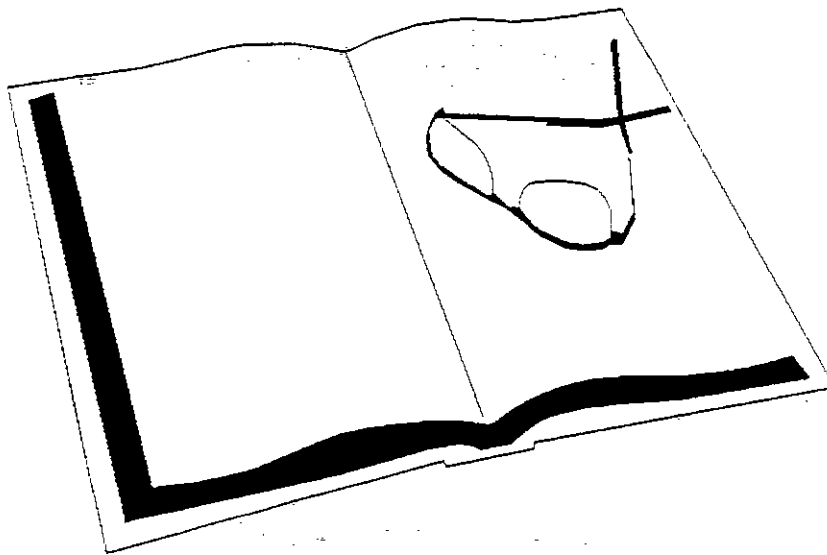
REASON FOR DENIAL OR CHANGE IN BENEFITS

If you have any question, please contact your school or center.

You may apply or reapply for free or reduced meal benefits at any time during the
school year. Applications are available at the school, institution or center.

F - 30.4

**ELIGIBILITY GUIDANCE
FOR
SCHOOL MEALS**



**Food and Nutrition Service
United States Department of Agriculture
August 1990**

INTRODUCTION

The Food and Nutrition Service of the U.S. Department of Agriculture (USDA) is responsible at the Federal level for the administration of the National School Lunch Program, School Breakfast Program, Commodity School Program and Special Milk Program. State agencies, usually State educational agencies, through agreements with USDA, administer the programs within their respective States. Within each State, local school food authorities enter into agreements with their State agency to operate one or more of the programs in the school(s) under their jurisdiction. In agreeing to operate the programs, State agencies and school food authorities agree to comply with the applicable regulations and instructions.

In addition to the regulations for operating the National School Lunch Program and Commodity School Program, 7 CFR Part 210, the School Breakfast Program, 7 CFR Part 220, and the Special Milk Program, 7 CFR Part 215, the USDA has established regulations (7 CFR Part 245) to carry out the intent of Congress that nutritious meals or milk be available to all schoolchildren regardless of the household's ability to pay. This guidance sets forth guidelines to assist school officials in determining a child's eligibility for free and reduced price meals in schools that participate in the National School Lunch Program or the Commodity School Program, and/or the School Breakfast Program and for free milk in schools that participate in the Special Milk Program and elect to serve free milk to eligible children.

This guidance is primarily directed to State agencies and school food authorities that operate pricing programs in which free, reduced price and paid reimbursement is claimed for meals served to eligible children under the National School Lunch Program and/or School Breakfast Program and to the few schools that serve lunches under the Commodity School Program. School food authorities that participate in the Special Milk Program and that have elected to serve free milk to eligible children, MUST do so under the same terms and conditions as set forth for free meals, except where noted.

All Programs of the U.S. Department of Agriculture are available to everyone without regard to race, color, national origin, age, sex or handicap. If anyone believes that they have been discriminated against, they should write immediately to the Secretary of Agriculture, Washington, D.C. 20250.

CONTENTS

INTRODUCTION.....	i
OVERVIEW.....	1
PUBLIC ANNOUNCEMENT ABOUT BENEFITS	
Public (Media) Release.....	2
Letter/Notice to Households.....	2
Application Form Requirements.....	4
Foreign Language Translations.....	6
PROCESSING OF APPLICATIONS	
Free and Reduced Price Reimbursement.....	24
Benefits Prior to Processing Applications.....	24
Application Processing Timeframe.....	24
Eligibility Criteria.....	25
Complete Application.....	25
Computation of Current Income.....	26
Application Approval or Denial.....	27
Temporary Approval.....	28
Households that Fail to Apply.....	29
Notification of the Eligibility Determination.....	29
Changes in Household Circumstances.....	29
Appeals.....	30
Recordkeeping.....	30
INCOME ELIGIBILITY	
General.....	37
General Guidelines for Determining Household Size	
Household.....	37
Economic Unit.....	37
Household of One.....	37
Special Situations	
Adopted Child	37
Child Attending an Institution	37
Child Away at School	37
Child Living with One Parent, Relative	
or Friends	37
Emancipated Child	38
Foreign Exchange Student	38
Foster Child.....	38

Institutionalized Child.....	38
Joint Custody.....	38
Family Members Living Apart.....	38
General Guidelines for Determining Household Income	
Reportable Income.....	38
Current Income.....	39
Special Situations	
Projected Income for Seasonal Workers and Others.....	39
Income for the Self-employed.....	40
Income from Wages and Self-employment.....	40
Income Exclusions.....	41
Special Situations	
Military Benefits.....	41
Foster Child's Income.....	41
Institutionalized Child's Income.....	42
Child's Income.....	42
Alimony and Child Support.....	42
Lump Sum Payments.....	42
Garnished Wages and Bankruptcy.....	42

CATEGORICAL ELIGIBILITY

Application Requirement.....	47
Direct Certification.....	47

VERIFICATION OF ELIGIBILITY FOR SCHOOL MEALS

Definition.....	49
Exemptions from Verification.....	49
Verification Requirements.....	49
Implementation.....	50
Random Sampling.....	51
Focused Sampling.....	52
Verification at the Time of Application.....	54
Household Notification of Selection.....	54
Verification Methods	
Written Evidence.....	56
Collateral Contacts.....	56
Agency Records.....	56
Verification of Income Eligibility	
Request for Written Evidence.....	57
Verification Using Collateral Contacts.....	58
Verification Using Agency Records.....	58
Advance Notice of Adverse Action.....	58
Verification of Categorical Eligibility	
Request for Written Evidence.....	59
Agency Records.....	59
Advance Notice of Adverse Action.....	60
Completion of Verification.....	60
Verification Results.....	61
Notification of Adverse Action.....	61
Benefits During Appeal of Verification Results.....	62
Hearing Procedure.....	62

Households that Reapply for Program Benefits.....62
Recordkeeping.....63

OVERVIEW

- o All schools participating in the federally-assisted NSLP, SBP, SMP or Commodity School Program MUST make meals or milk available to all children in attendance that wish to participate in the program(s).
- o All schools participating in the NSLP, SBP or Commodity School Program MUST make free and reduced price meals available to eligible children, and all schools participating in the free milk option of the SMP MUST make free milk available to eligible children.
- o SAs and SFAs MUST provide free and reduced price benefits in accordance with the provisions under 7 CFR Part 245 and applicable FNS and Departmental regulations.
- o SAs MUST issue free and reduced price policy guidance, including prototype free and reduced price policy statements, to SFAs and any other instructions necessary to ensure that SFAs are aware of Federal and State requirements pertaining to free and reduced price meals and free milk.
- o Each SFA may adopt all or parts of the free and reduced price policy statement issued by the SA or develop its own in accordance with current program regulations (7 CFR Part 245). If the SFA intends to develop its own policy statement, the SA should be contacted for specific instructions. To be eligible to receive reimbursement for meals and milk served, each SFA MUST have an approved policy statement on file at the SA by October 15.
- o Once a SFA's policy statement is approved, the policy statement is considered part of its SA-SFA agreement to operate the programs.
- o The specific policy statement requirements and a sample policy statement are on pages 82-89.

PUBLIC ANNOUNCEMENT ABOUT BENEFITS

PUBLIC ANNOUNCEMENT ABOUT BENEFITS

Public (Media) Release

- o At or near the start of school, an announcement to notify the public of the availability of the NSLP, SBP, SMP, and Commodity School Program and the eligibility criteria for free and reduced price meals and/or free milk MUST be provided to the local news media, the employment office, and any major employers who are contemplating large layoffs in the attendance area of the school.
- o The public release MUST contain the same information supplied in the Letter/Notice to Households (see page 3), except that the public release MUST contain both the free and reduced price IEGs.
- o Any SA may assume responsibility for the public release for any or all of its SFAs. Such a provision MUST be included in the free and reduced price policy statement which is attendant to the SA-SFA agreement. The free and reduced price policy statement MUST specify the precise responsibilities the SA will assume, such as the dissemination of the public release to the local media, employment office, etc. and the names of the schools affected by the policy.
- o Copies of the public release MUST be made available upon request to any interested person.
- o A sample public release for free and reduced price meals is included on page 10.

Letter/Notice to Households

- o A letter or notice notifying households about the availability of the school nutrition programs and about free and reduced price benefits and an application form MUST be distributed at or near the beginning of each school year to the households of children in attendance at the school.
- o The letter/notice should be sent to households of all schoolchildren as early as possible in the school year so that eligibility determinations may be made and free and reduced price benefits provided as soon as possible.
- o New students enrolling in the SFA after the start of school should be provided a letter/notice and application form when they enroll.

- o The letter/notice MUST contain the following information:
 - In schools participating in the NSLP, SBP or Commodity School Program, the notice to households MUST contain only the reduced price guidelines with an explanation that households with incomes at or below the reduced price limits are eligible for either free or reduced price meals.
 - In schools participating in the SMP with the free milk option, the free guidelines MUST be provided with the application.
 - In schools participating in the NSLP, SBP or Commodity School Program and also participating in the SMP with the free milk option for their split-session kindergarten students, the notice to households with children in the split-session kindergarten MUST contain the free milk guidelines and the households of the other students MUST contain the reduced price limits with the explanation that households with incomes at or below the guidelines are eligible for free or reduced price meals. When a multi-child application is used in such school, both guidelines MUST be included in the notice to households.
 - Instructions on how a household may apply for free or reduced price meals or for free milk for its children.
 - An explanation that an application for free or reduced price benefits cannot be approved unless it contains complete eligibility information as specified on page 25.
 - An explanation that households with children who are members of currently certified food stamp households or AFDC assistance units may submit applications for these children with the abbreviated information described on page 5.
 - An explanation that the information on the application may be verified at any time during the school year.
 - An explanation that (a) households receiving free or reduced price benefits based on income and household size information, MUST notify school officials during the school year of any decreases in household size and any increases in income of over \$50 per month or \$600 per year (or a lesser amount if established by the SA); and (b) households that provide a food stamp or AFDC case number, in lieu of income information, MUST notify the SFA of any termination of certification for receipt of benefits for such children under the Food Stamp or AFDC Programs and may complete another application listing income information.

- A statement that a household may apply for benefits at any time during the school year, as circumstances change.
- A statement that children of parents or guardians who become unemployed may be eligible for free or reduced price meals or for free milk during the period of unemployment.
- A statement that foster children may be eligible for free or reduced price meals or free milk regardless of the income of the households with whom they reside. The SFA may wish to include instructions on how to complete the application for a foster child.
- The following statements: "In the operation of child feeding programs, no child will be discriminated against because of race, sex, color, national origin, age or handicap;" and "If you believe you have been discriminated against, you should write immediately to the Secretary of Agriculture, Washington, D.C. 20250."
- An explanation that a household may appeal the decision of the SFA with respect to the application under the hearing procedure described on page 85.
- o The SFA should include a confidentiality statement informing the households that the information they provide will be used only for determining eligibility for meal or milk benefits and verification of eligibility.
- o Sample "Notice to Households" and application forms are on pages 13-23.

Application Form Requirements

- o An application form MUST accompany the letter/notice to households. In general, unless the SA or SFA is obtaining information directly from the food stamp/AFDC office that children are categorically eligible for benefits (see Direct Certification on page 47) households MUST apply for benefits for their children. The application forms provided to households MUST meet the following requirements:
 - (1) The application MUST be clear and simple in design;
 - (2) The application MUST include clear instructions for submission of a completed application.
 - (3) The application MUST request that the household provide the following:

FOR FOOD STAMP/AFDC HOUSEHOLDS:

- a. Name of the child for whom application is made;
- b. Food Stamp or AFDC case number for the child for whom application is made;
- c. Signature of an adult household member.

FOR OTHER HOUSEHOLDS (INCOME HOUSEHOLDS)

- a. Names of all household members;
- b. Amount of income received by each member, the source of the income and how often the member receives the income;
- c. Social security number of either the parent or guardian who is the primary wage earner responsible for the care of the child(ren) or the adult household member who signs the application or an indication that the household member does not have one;
- d. Signature of an adult household member.

(4) The application form MUST contain:

- a. The Privacy Act statement. The Privacy Act of 1974 requires any Federal, State, or local agency which requests individuals to disclose their social security numbers to inform those individuals (1) whether that disclosure is mandatory or voluntary, (2) by what statutory or other authority the number is solicited and (3) what uses will be made of it. Additionally, Office of Management and Budget guidelines require that the Privacy Act statement include an explanation about the consequences of not providing the number.
- b. The foster child statement: "In certain cases foster children are eligible for free or reduced price meals or free milk regardless of your household income. If you have such children living with you and wish to apply for such meals or milk for them, please contact us." In lieu of this statement, the SFA may include on the form the instructions on how to apply for a foster child.
- c. A statement above the signature block to certify (1) that the person signing is furnishing true information and to advise that person that the application is being made in connection with the receipt of Federal funds, (2) that school officials may verify the information on the application and (3) that deliberate misrepresentation of the

information may subject the applicant to prosecution under State and Federal statutes.

- d. Additionally, the SFA may wish to include a racial/ethnic identification question if the application is the only source of this data.
- o When SAs and SFAs develop their own application to accommodate more than one child in the household, a multi-child application, the application MUST provide space for identifying each child separately as a member of a food stamp household or AFDC assistance unit. This is necessary because of the possibility of "mixed" households in which some children may be part of a food stamp household or AFDC assistance unit and some may not. Those children who are part of the food stamp household or AFDC assistance unit MUST be given the opportunity to apply under categorical eligibility criteria. However, to establish eligibility for those children in the household who are not categorically eligible, all household names and household income information, including the amount of any AFDC assistance that is received, MUST also be provided on the application.
 - o Schools using the multi-child application should require the household to submit a separate application for each foster child.
 - o This guidance includes two prototype applications for meal benefits: one is designed for one child per application; the other is for more than one child per application. A sample application for free milk is also included. By substituting the appropriate reference to free milk for free and reduced price meals, the multi-child application for meal benefits may be used in SFAs participating in the SMP and wishing to use a multi-child application.

PROCESSING OF APPLICATIONS

PROCESSING OF APPLICATIONS

Free and Reduced Price Reimbursement

- o The SFA or school MUST have a valid application on file for each child served a meal or milk meeting program requirements and which is claimed for Federal reimbursement at the free or reduced price rate. A valid application is one which is complete and has been correctly approved for free or reduced price benefits.
- o The only exception is for RCCIs which may document eligibility by other means. For more information on this process, SFAs should contact their SA.

Benefits Prior to Processing Applications

- o Prior to processing applications for the school year, the SFA may claim and be reimbursed for free and reduced price meals or free milk served to (a) children from households with approved applications on file from the previous year; (b) new children in a SFA from households with children who were approved for benefits the previous year; and (c) previously approved children who transfer from one school to another under the jurisdiction of the same SFA. If the applications are not centrally maintained, both the sending and the receiving school MUST maintain a copy of the transfer student's application. Applications from the prior year may only be used for the children represented by these applications. A child's categorical eligibility may not be extended to a sibling.
- o Prior to processing applications for the school year, SFAs cannot claim or be reimbursed for free and reduced price meals or free milk served to new children who are not part of households approved the previous year or to children who transfer between schools under the jurisdiction of different SFAs unless the receiving school obtains a copy of the prior year's application. Therefore, local school officials are encouraged to expedite eligibility determinations for all such new enrollees.
- o Prior year's applications are not valid after October 15, or as otherwise specified by the SA.

Application Processing Timeframe

- o Applications should be reviewed and an eligibility determination made within 10 working days of the receipt of the application. Whenever possible, applications should be

processed immediately, particularly for new students who do not have approved applications on file from the previous year.

Eligibility Criteria

- o For a child to be eligible for free or reduced price benefits, the household MUST submit a complete application and be either categorically eligible or income eligible.
 - Complete Application - An application that contains all required information for making an eligibility determination as discussed below.
 - Categorical Eligibility - A child for whom food stamps/AFDC is received is automatically eligible for free meals or milk when the household submits a complete application as indicated below.
 - Income Eligibility - A child from a household that submits a complete application and the sum of the reported income for the household is at or below the eligibility limits stated in the IEGs is eligible for either free or reduced price benefits, as applicable.
- o The determining official MUST review each incoming application to ensure that the household submitted a complete application. If the application is complete, the official MUST then determine whether the household is categorically eligible or income eligible for benefits.
- o U.S. citizenship is not a condition of eligibility for free and reduced price benefits. SFAs MUST apply the same eligibility criteria for citizens and non-citizens.

Complete Application

- o A complete application MUST include all the following required information before the determining official can make an eligibility determination:
 - o For food stamp/AFDC households - Required information to determine categorical eligibility:
 1. Name of the child,
 2. The child's food stamp or AFDC case number, and
 3. Signature of an adult household member.
 - o For non-food stamp/non-AFDC households - Required information to determine income eligibility:
 1. Names of all household members including the child for whom application is made;

2. Social Security number of either the adult who signs the application or the primary wage earner or an indication that the household member does not have a social security number;
3. The current amount of income received by each household member identified by the individual who receives it, the source of the income, such as wages, welfare, alimony, and how often the individual receives it, such as weekly, every two weeks, monthly, etc; and
4. Signature of an adult household member.

o For foster children - Required information to determine income eligibility:

1. Name of the child,
2. Child's personal income, and
3. Signature of an adult household member.

o For children from mixed households:

If a child is not a member of a food stamp household or an AFDC assistance unit, but resides in a larger household with other children who are food stamp or AFDC recipients, the application for that child MUST include all information to establish income eligibility for that child; i.e., the names of all household members, the social security number of either the adult who signs the application or the parent or guardian who is the primary wage earner responsible for the care of the child or an indication that the household member does not have a social security number, the amount of income received by each household member identified by the individual who receives it, the source (including the amount of any AFDC or other welfare grant), how often it is received, and the signature of an adult household member. Food stamp benefits are not counted as income. When the SFA uses a multi-child application, the application would include both the food stamp/AFDC case number(s) for the child(ren) who are categorically eligible and the household size/income information for the income eligible child(ren).

- o The SFA MUST not delay approval of the application if the household fails to provide any nonrequired information, for example, the household does not complete the racial/ethnic identity question.

Computation of Current Income

- o Households MUST provide the amount of income received, identified by the individual who received it, where it comes from, such as wages, welfare, etc, and how often it is received. It is the responsibility of the determining

official to compute the household's total current income and compare the total amount to the IEGs.

- o When households report incomes for different time periods (e.g., one monthly, one biweekly, one weekly), the determining official should convert all listed income amounts to a common equivalent, such as a monthly equivalent, and total the sums to determine total household income. The official MUST then compare this figure and the household size to the IEGs and determine the eligibility of the household.
- o To compute monthly income:
 - Every Week: Multiply the total gross income by 4.33.
 - Every Two Weeks: Multiply the total gross income by 2.15.
 - Twice a Month: Multiply the total gross income by 2.
- o To compute annual income:
 - Every Week: Multiply the total gross income by 52.
 - Every Two Weeks: Multiply the total gross income by 26.
 - Twice a Month: Multiply the total gross income by 24.

Application Approval or Denial

- o Households that submit a complete application which includes a valid food stamp or AFDC case number for the child for whom application is made MUST be approved for free benefits.
 - School officials should contact local Food Stamp and AFDC officials if there is any doubt concerning the validity of a case number.
- o Households that submit a complete application indicating that total household income is at or below the income limits for free or reduced price benefits MUST be approved for free or reduced price benefits, as appropriate.
- o Households that submit an incomplete application cannot be approved. If any required information is missing, the information MUST be obtained before an eligibility determination can be made.
 - To get the required information, the school may return the application to the household or contact the household either by phone or in writing. The determining official should document the details of the contact, and date and initial the entry. Exception: if the application is missing the

signature of an adult household member, the application MUST be returned to the household. In signing the application, the household member is certifying that the information on the application is true and correct.

- Every reasonable effort should be made to obtain the missing required information prior to denying the application.
- o Households that are not categorically eligible or income eligible cannot be approved for benefits.
- o If there are inconsistencies or any questions concerning the required eligibility information provided, the household's application MUST be denied, unless the inconsistencies or questions are resolved (for instance, if it is unclear whether the household provided weekly or biweekly income). The official may contact the household prior to denial, document the details of the contact, and date and initial the entry.

Temporary Approval

- o When a household reports zero income or a temporary reduction in income, eligibility MUST be determined based on the present rate of income rather than on regular annual income. However, the approving official should issue temporary approval of the application.
- o The timeframe for a temporary approval may vary depending on the household's circumstances. For example, the primary wage earner expects to return to work in 2 weeks. In general, a suggested time limit for temporary approval is 45 calendar days, unless otherwise stipulated by the SA. At the end of the approval period, the school should contact the household to determine if the household circumstances have changed. If there has been no change, the school should document the contact and extend the temporary approval. If the household circumstances have changed, the school should send a new application to the household so that they may reapply for benefits. Exception: Zero income on an application for a foster child or institutionalized child is acceptable and may be approved for the school year.
- o Eligible children should receive temporary approval in the following types of economic situations:
 - Temporary layoffs,
 - Strikes (voluntary work stoppage),
 - Temporary receipt of public assistance (in cases where the application specifies receipt of public assistance for a limited time),
 - Zero income, for whatever reason (except foster children and institutionalized children),
 - Temporary disability.

Households That Fail to Apply

- o Local officials may complete an application for a student known to be eligible if the household fails to apply.
- o When exercising this option, the school official **MUST** complete an application on behalf of the student based on the best household size and income information available and make an eligibility determination. **The source of the information MUST be noted on the application.** A household social security number, household names, and signature of an adult household member need not be secured. These applications should be excluded from verification. However, the household **MUST** be notified that the student has been certified and is receiving free or reduced price benefits.
- o This option is intended for limited use in individual situations and **MUST** not be used to make eligibility determinations for categories or groups of children.

Notification of the Eligibility Determination

- o All households **MUST** be notified of their eligibility status.
- o Households denied benefits **MUST** be given written notification of the denial. The notification **MUST** advise the household of:
 - The reason for the denial of benefits;
 - The right to appeal;
 - Instructions on how to appeal; and
 - A statement that households may reapply for free and reduced price benefits at any time during the school year.
- o A sample notification letter is on page 36.

Changes in Household Circumstances

- o If approval for benefits was based on income and household size, the household **MUST** report increases in income of over \$50 per month or \$600 per year and any decreases in household size. When a household reports such changes, the SFA **MUST** review the information, make any appropriate change in eligibility and notify the household.
- o If approval was based on receipt of food stamp or AFDC benefits, the household **MUST** report when it no longer receives benefits for the child. A household reporting such a change and wishing to continue benefits for the child **MUST** complete a new application and provide household size/income eligibility information, as well as a social security number for either the adult household member who signs the application or that

of the primary wage earner responsible for the care of the child. The determining official MUST review the information, make an eligibility determination and notify the household of the determination.

Appeals

- o A household may appeal the denial of benefits or the level of benefits for which they have been approved. When a household requests an appeal, the hearing procedures outlined in the SFA's free and reduced price policy statement MUST be followed. Hearing requirements are described in the prototype policy statement on page 85.

Recordkeeping

- o All free and reduced price applications, including applications from households denied benefits and inactive applications, MUST be kept on file for a minimum of 3 years after the end of the fiscal year to which they pertain, except that if audit findings have not been resolved, the applications MUST be maintained as long as required for resolution of the issues raised by the audit.
- o For applications from households approved for benefits, the determining official should indicate the date each application is approved, and the level of benefit for which each child is approved, and sign or initial the application.
- o For applications from households denied benefits, the determining official MUST identify and retain on file the reasons for the denial. Records should also include the date of the denial, the date the denial notice is sent and the name of the determining official. These may be noted directly on the application.
- o For changes in application status, determining officials should note the change and the date of the change on the application and on any rosters used. When a child transfers to another school within the same school food authority, a copy of the application MUST be retained at both the sending and receiving schools and the date of the transfer noted.

INCOME ELIGIBILITY

INCOME ELIGIBILITY

General

To determine income eligibility for benefits, school officials MUST compare the household size and the total household income to the IEGs. School officials may be asked by households for guidance on who to include as a household member or what to include as income on the application for benefits. Although school officials may have to use their own discretion in some instances, the following guidelines are intended to provide assistance in answering questions from households and in making income eligibility determinations.

General Guidelines for Determining Household Size

- o Household (Family) - A group of related or unrelated individuals who are not residents of an institution or boarding house, but who are living as one economic unit.
- o Economic Unit - A group of related or unrelated people who share housing and/or all significant income and expenses of its members. Generally, individuals residing in the same house are an economic unit. However, more than one economic unit may reside together in the same house. Separate economic units in the same house are characterized by prorating of expenses and economic independence from one another.
- o Household of One - A one-person household. This term applies to an emancipated student living alone or as a separate economic unit, a foster child, and an institutionalized child.

Special Situations

- o Adopted Child - An adopted child for whom a household has accepted legal responsibility is considered to be a member of that household.
- o Child Attending an Institution - A child who attends but does not reside in an institution is considered a member of the household in which he/she resides.
- o Child Away at School - A child who is temporarily away at school (e.g., attending boarding school or college) should be counted as a member of the household.
- o Child Living with One Parent, Relative, or Friends - In cases where no specific welfare agency or court is legally

responsible for the child, or where the child is living with one parent; other relatives or friends of the family, the child is considered to be a member of the household with whom he/she resides. Children of divorced or separated parents are generally part of the household which has custody.

- o Emancipated Child - A child determined to be emancipated by the State and living alone or as a separate economic unit is considered a household of one. In some cases, an emancipated child may be living with relatives or friends, none of which are adults. If the household is one economic unit, all income and household members MUST be included to determine eligibility. Age is not a factor in defining an emancipated child.
- o Foreign Exchange Student - A foreign exchange student is considered a member of the household in which he/she resides, i.e., the household hosting the student.
- o Foster Child - A foster child is a child who is living with a household but who remains the legal responsibility of the welfare agency or court. Such a child is considered a household of one.
- o Institutionalized Child - An institutionalized child is a child who resides in a residential-type facility which the State has determined is not a boarding school. Such a child is considered a household of one.
- o Joint Custody - In cases where joint custody has been awarded and the child physically changes residence, the child is part of the household where he/she resides. Therefore, the child's eligibility could change monthly, weekly or even daily depending on the rotating time periods at each household. The SFA must develop a mechanism to ensure that the child receives the benefits to which the child is entitled during periods of eligibility.
- o Family Members Living Apart - Family members living apart on a temporary basis are considered household members. Family members living overseas or not living with the household for an extended period of time are not considered members of the household for purposes of determining eligibility, but any money made available by them or on their behalf for the household is included as income to the household.

General Guidelines for Determining Household Income

- o Reportable Income - Income is any money received on a recurring basis, including gross earned income, unless specifically excluded by legislation. Specifically, gross

earned income means all money earned before such deductions as income taxes, employee's social security taxes, insurance premiums, and bonds. Income includes the following:

- Earnings from work:
Wages, salaries, tips, commissions, net income from self-owned businesses and farms, strike benefits, unemployment compensation, workers' compensation.
- Welfare/Child Support/Alimony:
Public assistance payments/welfare payments (AFDC, Aid to Dependent Children (ADC), General Assistance, General Relief, etc.); alimony or child support payments; BUT NOT FOOD STAMP BENEFITS.
- Payments from Pensions, Retirements, Social Security:
Pensions, retirement income, social security, supplemental security income, and veteran's payments.
- Any Other Income:
Rental income; annuities; royalties; disability benefits; interest; dividend income; cash withdrawn from savings; income from estates, trusts, investments; regular contributions from persons not living in the household; and any other money that may be available to pay for the child(ren)'s meals.

Current Income

- o Household's MUST report current income on a free and reduced price application.
- o Current income means income received by the household during the month prior to application. If this income is higher or lower than usual and does not fairly or accurately represent the household's actual circumstances, the household may project its annual income based on the guidelines identified below.

Special Situations

- o Projected Income for Seasonal Workers and Others - Seasonal workers, such as migrants, and others whose incomes fluctuate usually earn more money in some months than in other months. Consequently, the previous month's income will commonly distort the household's actual circumstances. In these situations, the household may project its annual rate of income and report this amount as its current income. If the prior year's income provides an accurate reflection of the household's current annual rate of income, the prior year may be used as a basis for the projected annual rate of income.

- o Income for the Self-Employed - Self-employed persons may use last year's income as a basis to project their current year's net income, unless their current net income provides a more accurate measure.
 - Self-employed persons are credited with net income rather than gross income as described here. Net income for self-employment is determined by subtracting business expenses from gross receipts.
 - Gross receipts include the total income from goods sold or services rendered by the business.
 - Deductible business expenses include the cost of goods purchased, rent, utilities, depreciation charges, wages and salaries paid, and business taxes (not personal Federal, State or local income taxes).
 - Non-deductible business expenses include the value of saleable merchandise used by the proprietors of retail businesses.
 - Net income for self-employed farmers is figured by subtracting the farmer's operating expenses from the gross receipts.
 - Gross receipts include the value of all products sold, money received from the rental of farm land, buildings or equipment to others, and incidental receipts from the sale of items such as wood, sand, or gravel.
 - Operating expenses include cost of feed, fertilizer, seed and other farming supplies; cash wages paid to farmhands; depreciation charges; cash rent; interest on farm mortgages; farm building repairs; and farm taxes (but not local, State and Federal income taxes).
- o Income from Wages and Self-Employment - For a household with income from wages and self-employment, each amount MUST be listed separately. When there is a business loss, income from wages may not be reduced by the amount of the business loss. If income from self-employment is negative, it should be listed as zero income.

o Income Exclusions - Income not to be reported or counted as income in the determination of a household's eligibility for free and reduced price benefits includes:

- Any cash income or value of benefits a household receives from any Federal program that excludes such income by legislative prohibition, such as the value of food stamps provided under the Food Stamp Program; (See page 43 for a complete list)
- Student financial assistance provided for the costs of attendance at an educational institution, such as grants and scholarships, awarded to meet educational expenses and not available to pay for meals;
- Loans, such as bank loans, since these funds are only temporarily available and MUST be repaid;
- The value of in-kind compensation, such as military on-base housing or any other non-cash benefit; and
- Occasional earnings received on an irregular basis; i.e., not recurring, such as payment for occasional babysitting or mowing lawns.

Special Situations

- o Military Benefits - Military benefits received in cash, such as housing allowances for military households living off-base and food or clothing allowances, MUST be considered as income. An in-kind benefit, such as on-base housing, is not counted.
- o Foster Child's Income - Only the child's income is considered for eligibility purposes. The child's income includes:
 - Funds provided by the welfare agency which are specifically identified by category for the personal use of the child, such as for clothing, school fees and allowances. Welfare funds paid to the foster parents identified by category for shelter and care, and those identified as special needs funds, such as those for medical and therapeutic needs are not considered as income. Where welfare funds cannot be identified by category, no portion of the provided funds is considered as income.
 - Other funds received by the child, including any income the child earns for full-time or regular part-time

employment, and money provided by the child's family for personal use.

- Institutionalized Child's Income - Payments from any source directly received by the institution on a child's behalf are not considered as income to the child. Only the income a child earns from full-time or regular part-time employment and/or personally receives while in residence at the institution is considered as income.
- Child's Income - The earnings of a child who is a full-time or regular part-time employee MUST be listed on the application as income. However, occasional earnings, such as income from occasional babysitting or mowing lawns, should not be listed on the application as income.
- Alimony and Child Support - Any money received by a household in the form of alimony or child support is considered as income to the receiving household. However, any money paid out for alimony or child support may not be deducted from that household's reported gross income.
- Lump Sum Payments - Lump sum payments or large cash settlements are not counted as income since they are not received on a regular basis. These funds may be provided as compensation for a loss that MUST be replaced, such as payment from an insurance company for fire damage to a house, or they may be payments from lottery or other winnings. When lump sum payments are put into a savings account and the household regularly draws from that account for living expenses, the amount withdrawn is counted as income.
- Garnished Wages and Bankruptcy - Income is the gross income received by a household before deductions. In the case of garnished wages and income ordered to be used in a specified manner, the total gross income MUST be considered regardless of whatever portions are garnished or used to pay creditors.

CATEGORICAL ELIGIBILITY

CATEGORICAL ELIGIBILITY

Application Requirement

- o A child from a household currently certified to receive food stamps or from an AFDC assistance unit is categorically eligible for free benefits.
- o SFAs MUST provide a household applying for free and reduced price meals for their child the opportunity to indicate on the application that the child is categorically eligible for free benefits.
- o When a household submits a complete application that contains the name of the child, a current food stamp/AFDC case number and the application contains an adult signature, the determining official MUST approve the child for free meals or free milk, as applicable. No further application information is required.

Direct Certification

- o A recent legislative provision now allows the SFA to determine a child as eligible for free meals or free milk based on information obtained directly from the State or local agency responsible for the administration of the Food Stamp Program or AFDC Program that a child is a member of a household currently certified to receive food stamps or an assistance unit currently certified to receive AFDC benefits.
- o School food authorities MUST have State agency approval, and State agencies MUST ensure that school food authorities' plans include the following:
 - (1) Documentation for those children certified as eligible by direct certification which includes a list of names of children from households currently certified to receive food stamps or AFDC; specific identifying information, such as the children's birth dates, addresses, parents' names, social security numbers or other appropriate personal identifiers, which will match the names on the list with the names of the children attending schools in the school food authority; the signature of the responsible official certifying that the children are members of households currently certified to receive food stamps or AFDC; and the date.

- (2) A notice to households advising them that their children are eligible for free meals or free milk, as appropriate and that no further application is required; that the household should notify the school if they do not want their children to receive free benefits; and that the household MUST notify the school when they are no longer certified to receive food stamps or AFDC.
 - (3) The distribution of letters/notices and applications to households of all children at the beginning of the school year to prevent overt identification and to ensure that no child is inadvertently excluded from participation. The letter/notice MUST advise that households currently certified to receive food stamps or AFDC for their children will be notified of their eligibility and their children will be provided free benefits, unless households notify the school that they decline benefits; and that food stamp and AFDC households should not submit an application unless they are not notified of their eligibility by a specified date, as determined by the school.
- o State agencies and school food authorities should be aware that while compliance with the above requirements is sufficient for School Year 1990-1991, procedures for School Year 1991-1992 may change as a result of the regulation comment process.

VERIFICATION OF ELIGIBILITY

VERIFICATION OF ELIGIBILITY FOR SCHOOL MEALS

Definition

Verification is confirmation of eligibility for free and reduced price meals under the National School Lunch Program or School Breakfast Program. Verification MUST include either confirmation of income eligibility or confirmation that the child is included in a currently certified food stamp household or AFDC assistance unit. At State or local discretion, verification may also include confirmation of any other information on the application which is required as a condition of eligibility.

Exemptions from Verification

- o Verification efforts are not required in:
 - RCCIs, except for applications for any day students attending the institution;
 - schools in which FNS has approved special cash assistance claims based on economic statistics regarding per capita income, i.e., Puerto Rico and the Virgin Islands;
 - schools in which all children are served with no separate charge for food service and no special cash assistance is claimed, i.e., nonpricing programs claiming only the paid rate of reimbursement; and
 - schools participating in the Special Milk Program. (Note: Schools may choose not to count applications for children in split-session kindergarten programs participating in the Special Milk Program in meal program schools when determining the verification sample size.)
 - SFAs in which all schools participate in the Special Assistance Certification and Reimbursement Alternatives except in those years in which applications are taken for all children in attendance.

General Requirements

- o Annually, each SFA MUST select and verify a sample of applications approved for benefits, unless the SA assumes responsibility for verification or the SFA is otherwise exempt from the verification requirement.
- o SFAs MUST use either a "random" sampling method or "focused" sampling method to select applications to be verified. (The SA may require all its SFAs to do either random or focused sampling.)
- o The required sample size is based on (1) the total number of approved applications on file on October 31 and on (2) whether

the SFA employs random or focused sampling for selecting the applications to be verified.

- Under random sampling the SFA MUST verify a minimum of the lesser of 3 percent or 3000 of the total number of approved applications, selected randomly.
- Under focused sampling, the SFA MUST verify a minimum of (1) the lesser of 1 percent or 1,000 of the total number of approved applications, selected from applications with total household income within \$100 monthly or \$1200 annually of the IEGs for free and reduced price meals; PLUS (2) the lesser of .5 percent (one half of 1 percent) or 500 of the total number of applications that were approved based on categorical eligibility, selected from applications with a food stamp or AFDC number.
- o The SFA MUST complete verification of the minimum required sample size by December 15. Completion of verification is discussed further on page 60.
- o Verification MUST take place after the application has been approved even when the SFA requires households to submit documentation of eligibility with the application.

Implementation

- o Although the required sample size under both random and focused sampling is based on the number of approved applications on file on October 31, SFAs may begin verification prior to this date. SFAs may, based on experience, project the number of approved applications that they anticipate will be on file on October 31. However, the SFA MUST compare this estimate with the actual number of applications on file on October 31 and increase the sample size if the total number of approved applications on file exceeds the estimate.
- o SFAs may verify more than the required minimum sample, up to 100 percent of all approved applications, as long as the selection of applications does not involve discrimination against anyone on the basis of race, color, national origin, age, sex or handicap. The SFA has an obligation to verify all questionable applications.
- o The SFA MUST complete the verification process for all households that have been notified of their selection for verification and have been asked to submit verification information. For example, the SFA cannot select 5 percent of the applications on file and notify those households of their selection with the hopes of getting 3 percent to respond to

fulfill the verification requirement. The SFA MUST followup with any household notified of their selection.

- o SAs that are assuming the verification responsibility for any or all of its SFAs may use a method other than random or focused selection.
- o When calculating sample sizes, round all fractions or decimals upward to the nearest whole number.

Random Sampling

- o Under the random sampling method, each application MUST have an equal chance of being selected.
- o **Required Random Sample Size and Selection**
 - The minimum required sample size is 3 percent or 3000, whichever is less, of all approved applications on file on October 31.
- o Calculation and selection of the minimum required number of applications in the SFA to verify under random sampling:

Step 1. Count the total number of approved applications on file on October 31. Multiply the total by .03. Round decimals upward. At least one application MUST be verified.

e.g. 300 applications x .03 = 9 applications.

Step 2. Compare the result in Step 1 to 3,000. The sample size is the lesser number.

e.g. In this example, 9 applications MUST be verified to meet the required sample size.

Step 3. Randomly select the required number of applications.

(1) A selection interval may be used. This can be accomplished by dividing the total number of approved applications on file in the SFA by the sample size to determine the selection interval (if there are 300 applications on file and 9 are required to be verified, divide 300 by 9 = 33.3. In this case, the selection interval is 33. Number all the applications. Randomly select an application from the total approved, and then choose every 33rd application until 9 applications have been selected.

(2) Another random method of selection would be to put all the applications in a container and draw the required number of applications.

Focused Sampling

o A minimum required percentage or number of applications approved based on income eligibility MUST be selected for verification AND a minimum required percentage or number of applications approved based on categorical eligibility MUST be selected for verification.

o **Required Focused Sample Size and Selection of Applications**

- For applications approved based on income information:

1 percent of the total number of all approved applications in the SFA or 1000 applications, whichever is less (the calculation includes applications approved based on income eligibility and those approved based on categorical eligibility);

Select the 1 percent from applications that were approved based on household size/income information and that indicate total household income within \$100 (\$1200 yearly) of the income eligibility guidelines;

AND

- For applications approved based on categorical eligibility:

.5 percent of the total number of applications in the SFA approved based on categorical eligibility or 500 applications, whichever is less;

Select the .5 percent from the applications approved based on categorical eligibility

o The calculation of the minimum required number of applications with income information and the minimum number of applications with AFDC/food stamp case numbers that MUST be verified in the SFA under focused sampling follows:

Step 1. To determine the number of applications with income information that MUST be verified, count the total number of approved applications on file on October 31. Multiply this number by 1 percent, round any decimals up.

e.g., 50 applications with income information plus 250 applications with food stamp/AFDC case numbers = 300 total applications x .01 = 3 applications.

Step 2. Compare the result in Step 1 to 1,000. The required number of applications with income information to verify is the lesser number. In this case, 3 applications approved based on income eligibility MUST be verified;

Step 3. To determine the number of applications with food stamp/AFDC case numbers that MUST be verified, count the number that were approved based on categorical eligibility. Multiply this number by .005, round any decimals up;

e.g., 250 applications with Food stamp/AFDC case numbers
 $x .005 = 1.25 = 2$ applications.

Step 4. Compare the result in Step 3 to 500. The required number of applications with a food stamp/AFDC case number to verify is the lesser number. In this example, 2 applications approved based on categorical eligibility MUST be verified.

Step 5. Separate the applications into two groups: (1) the categorically eligible applicants that provided an AFDC or food stamp case number; and (2) the applicants that were approved on the basis of income information.

Step 6. From the group that reported income information, select the required sample size (as determined in Step 2) from applications with monthly incomes within \$100 or annual income within \$1,200 of the income eligibility limits.

If there are more applications with monthly income within these limits than needed to meet the minimum sample size, select the sample using any method that is equitable and ensures that the same households will not be selected year after year.

If there are not enough applications within the limits to meet the required minimum sample size, complete the sample using those applications with monthly income closest to the eligibility levels.

If the total number of applications containing income information is smaller than the required minimum sample size, verify all applications approved on the basis of income information.

Step 7. From the categorically eligible group, select the sample using any method that is equitable and ensures that the same household is not selected each year.

o A minimum of one categorically eligible application and one income application MUST be verified.

Verification at the Time of Application

- o SFAs may require households to provide information to verify eligibility for free and reduced price benefits at the time of application. Schools electing this option are cautioned that they **MUST NOT** allow verification efforts to delay the approval of applications; nor can schools disapprove applications based on information submitted for verification. If an application is complete and indicates that the child is eligible for free or reduced price benefits, the application **MUST** be approved. Only after the determination of eligibility has been made can the school begin the verification process. Schools electing this option **MUST** observe the following procedures:

1. Notice to Household - Include in the notice to the household a statement that, although the initial eligibility determination will be based solely on the application, households are required to submit verification of eligibility information with the application.

2. Determination of Eligibility - As applications are returned, review each application to determine household eligibility based on the submission of a complete application. Households **MUST** be informed of this initial determination of eligibility. **Lack of verification information or submission of verification information that does not support the content of the application MUST NOT affect the initial determination of eligibility.**

3. Review of Verification Documentation and Notice of Adverse Action - Any household which fails to submit requested verification information by the date specified by the SFA or which submits verification information which does not support the initial determination of eligibility, **MUST** be sent a notice of adverse action. This notice **MUST** include all the required items in the standard termination/reduction notice, including giving the household 10 days advance notice of the termination or reduction of their benefits. (Note: This step may be combined with Step 2 so that the notice of initial approval and notice of adverse action are combined in a single letter.)

- o Once households have been notified of selection and requested to provide income documentation, the SFA **MUST** complete the verification process for such households. Verification efforts should be completed within a reasonable time.

Household Notification of Selection for Verification

- o When a household is selected for verification and is required by the SFA to submit documents or other forms of evidence to

document eligibility, the household MUST be sent a notice/letter informing them of their selection and of the types of information acceptable to the SFA (see pages 69-71). The letter/notice MUST include the following:

1. That the household has been selected for verification;
 2. That the household MUST provide the social security number for each adult household member or indicate that a household member does not possess one;
 3. A Privacy Act statement (See page 5 for the Privacy Act requirements);
 4. The types of acceptable information that may be provided to confirm current income, including pay stubs, award letters from welfare departments, social security, and support payment decrees from courts (See page 71 for an example);
 5. That the household MUST submit documentation of income received during the most recent month that is available. If this amount is not representative, the household should contact the SFA for assistance in determining acceptable documentation;
 6. That the household may provide proof that the child is a member of a currently certified food stamp/AFDC household instead of providing income information and social security numbers of adult household members;
 7. That information MUST be provided by a date as specified by the SFA and that failure to do so will result in termination of benefits; and
 8. The name and telephone number of a school official who can answer questions and provide assistance.
- o When the SFA uses agency records (see page 56 "Agency Records") to verify eligibility, the letter/notice of selection is NOT required, since the household will not have to provide documents and household cooperation will not be necessary.

Verification Methods

- Written Evidence - Written evidence is the primary source of eligibility confirmation for all households including food stamp and AFDC households.
 - Written Evidence is most often pay stubs from employers or award letters from welfare departments or other government agencies submitted by the household to the verifying officials as confirmation of eligibility.
 - Acceptable written evidence contains the name of the household member, amount of income received, frequency received and the date.
- Collateral Contacts - A collateral contact is a person outside of the household who is knowledgeable about the household's circumstances and can give confirmation of a household's income or food stamp/AFDC status.
 - Collateral contacts include employers, social service agencies, migrant workers' agencies, and religious or civic organizations.
 - The verifying official should request a collateral contact only in cases when the household has not been able to provide adequate written evidence.
 - The verifying official MUST give the household the opportunity to designate the collateral contact. However, the verifying official may select a collateral contact if the household fails to designate one or designates one which is unacceptable to the verifying official. In either case, no contact may be made without first notifying the household and obtaining their permission.
 - All collateral contacts are to be documented, dated and initialed.
- Agency Records - A household's eligibility may be confirmed through the use of information maintained by other government agencies to which the SA, SFA or school has legal access. Although USDA regulations do not require that households be notified of selection when verification is made through agency records, such agencies may have their own notification requirements.
 - One source of agency records is the wage and benefit information maintained by the State employment agency, if

that information is available to the verifying official. Such records are State records, and the release of information maintained by State employment offices is governed by State law.

- The SFA may also submit the names and case numbers of categorically eligible households to the local food stamp or AFDC office. Food stamp/AFDC offices are permitted by law to release eligibility information from their files to other Federal assistance programs and federally-assisted State programs.
- When using agency records, the SFA should request information for the most recent month available. Households which dispute the validity of income information acquired through systems of records MUST be given the opportunity to send more recent income information during the 10-day period of advance notice of adverse action. (See page 77)

Verification of Income Eligibility

o Request for Written Evidence

- o The notification of selection for verification (sample on page 69) MUST include a request for the household to submit written evidence of current income for all household members and the social security number of each adult household member 21 years of age or older.
- o One of the following three situations will result:
 - 1) The household submits the required social security numbers and written evidence of current income that confirms the eligibility determination previously made. Verification is considered complete.
 - 2) The household submits the required social security numbers and written evidence of current income that shows that the household's eligibility should be for either a higher or lower level of benefits than the eligibility determination previously made. Verification is considered complete when the letter of adverse action is sent or the household is notified that its benefits will be increased.
 - 3) The household does not respond to the request for income information and/or social security numbers or submits insufficient or obsolete written evidence. When either situation occurs, the SFA can do one of two things:
 - School officials may contact the household to request the missing written evidence and inform the household

that failure to comply or to designate a collateral contact will result in termination. If the household subsequently cooperates, then either # 1 or # 2 above would apply;

- or -

- School officials may terminate the household for failure to respond to the request for written evidence. Verification is considered completed when the advance notice of adverse action is sent to the household.

o Verification Using Collateral Contacts

- o When the household has been unable to provide adequate written evidence, the household may identify a collateral contact from which the SFA could obtain the requested information, either orally or in writing.
- o A collateral contact would not be expected to provide social security numbers of the adult household members. These still MUST be provided by the household.
- o The SFA will examine any written information provided by the collateral contact or evaluate any oral information. Based on this, either situation # 1 or # 2 discussed above would apply.
- o If the collateral contact is unwilling or unable to provide the requested information, then the household is to be terminated for failure to respond as discussed in # 3 above.

o Verification Using Agency Records

- o A household's eligibility may be confirmed through the use of information maintained by other government agencies to which the SFA has legal access. See page 56 for more details.
- o The SFA will examine the information received from the agency. Based on this review, either situation # 1 or # 2 would apply. Except that, households which dispute the validity of the information MUST be given the opportunity to provide more recent income information during the 10-day advance notice period of adverse action.

o Advance Notice of Adverse Action

- o All households with children for whom benefits are to be reduced or terminated MUST be given 10 days written advance notice of the change.

- o The first day of the 10 day advance notice period is the day the notice is sent.
- o A sample notification of adverse action is on page 77.

Verification of Categorical Eligibility

o Request for Written Evidence

- o A school can place the responsibility for verifying receipt of food stamps/AFDC benefits on the household. The notification of selection (sample on page 69) MUST include a request for the household to submit written evidence of current certification to receive food stamp/AFDC benefits. Every time a household is approved for food stamps/AFDC, they are furnished with a written letter of certification or notice of eligibility. The verifying official should examine this notice of eligibility to ensure that the child for whom application was made is part of a household currently participating in the Food Stamp/AFDC Program. If a food stamp household has misplaced the notice of eligibility or notice of certification, a current "Authorization to Participate" (ATP) card is adequate proof of current certification. ATP cards are usually issued once a month and are immediately redeemable by the household at a bank or elsewhere for the actual food stamps.
- o A food stamp/AFDC document that does not specify the certification period is not adequate for documentation. For example, the food stamp identification card is not acceptable because it usually does not have an expiration date.
- o A household which does not have satisfactory food stamp/AFDC documentation may request a signed, dated letter from the food stamp/AFDC office certifying that the child is part of a household currently receiving benefits.
- o Verification is complete when the household submits adequate documentation of current participation in either the Food Stamp or AFDC Program or a letter of adverse action is sent.

o Agency Records

- o Verification of eligibility for households that provided a food stamp/AFDC case number on the application may be accomplished by submitting a list of names and food stamp/AFDC case numbers to the local food stamp or welfare office for confirmation of receipt of benefits (Agency records).

- o To facilitate the verification process, contact should be made with the local food stamp/welfare office prior to submitting such lists to discuss the methods by which verification requests should be handled. SFAs that verify eligibility through the local food stamp/AFDC office should do so as early as possible. This will ensure that there is sufficient time for that office to respond to the request, and sufficient time to acquire other verification if households are identified as not currently receiving food stamps/AFDC or if the food stamp/AFDC office does not respond in a timely manner. If circumstances beyond the control of the SFA delay verification, the SFA may request that the SA allow an extension of the verification deadline. Any extension of the deadline MUST be approved by FNSRO.
- o A sample letter and a form for SFAs to use in requesting assistance from a food stamp/AFDC office are included on pages 74-75.
- o Verification is complete when the local food stamp/AFDC office certifies that the household is currently receiving food stamps or AFDC or a notice of adverse action is sent.
- o Advance Notice of Adverse Action
 - o When it is determined that the child is not part of a household currently receiving food stamps/AFDC, the household MUST be given 10 days written advance notice of termination and MUST be informed that to continue school meal benefits they MUST:
 - (1) submit an application providing income information;
 - (2) submit names and social security numbers for each adult household member; and
 - (3) submit written evidence which confirms current household income
 - o The first day of the 10 day advance notice period is the day the notice is sent.
 - o A sample notification of adverse action for food stamp/AFDC households is on page 78.

Completion of Verification

- o Verification of the required sample size MUST be completed by December 15 of each year. If the SFA believes that it will not meet this deadline, a written request for an extension MUST be submitted to the SA prior to December 15. This request MUST then be submitted to FNS for approval.

- o Verification of an individual application is completed when a household's eligibility for the level of benefits for which it was approved is:
 - (1) confirmed,
 - (2) changed to a higher level of benefit, or
 - (3) a letter of adverse action has been sent informing the household that benefits will be reduced
 - (4) a letter of adverse action has been sent informing the household that benefits will be terminated.

Verification Results

- o Verification of a household's income eligibility for free or reduced price meals MUST result in one of the following:
 - No change in benefit level - The household's current documentation supports the level of benefits for which the household has been approved.
 - Reduction in benefit level - The household's current documentation identifies income too high for the level of benefits for which the child has been approved. Therefore, the household's eligibility MUST be changed from free to reduced price or from reduced price to paid.
 - Increase in benefit level - The household's current documentation qualifies the household for free meals rather than reduced price meals. Therefore, the household's eligibility MUST be changed from reduced price to free meals.
 - Termination of benefits - Free and reduced price benefits MUST be terminated for households that do not respond to verification efforts or whose current documentation does not support eligibility for either free or reduced price meals.
- o If verification results in a change in benefit level or termination, the change MUST be extended to all children in the household who were determined eligible by information which no longer supports the benefit level.
- o If verification results in higher benefits (e.g., a child who is moved from the reduced price to free category), this change is effective immediately. Parents should be notified through whatever channels the SFA uses to notify the household of approval for benefits.

Notification of Adverse Action

- o All households for whom benefits are to be reduced or terminated MUST be given 10 calendar days advance notice of

the change. The first day of the 10-day period is the day the notice is sent.

- o The first day of the advance notice period is the day the notice is sent.
- o The notice MUST advise the household of the following:
 - The change in benefits;
 - The reasons for the change;
 - That an appeal MUST be filed within the 10 day advance notice period to ensure continued benefits while awaiting a hearing and decision;
 - The instructions on how to appeal;
 - That the household may reapply for benefits at any time during the school year; and
 - That food stamp/AFDC households may submit an application containing household names and income information and provide written evidence of current household income and the social security numbers of adult household members.

Benefits During Appeal of Verification Results

- o When a household appeals a reduction or termination of benefits within the 10 calendar day advance notice period, the SFA MUST continue to provide the benefits for which the child was originally approved until a final determination is made.
- o When a household does not appeal a reduction or termination of benefits during the 10 calendar day advance notice period, the actual reduction or termination of benefits MUST take place immediately after the 10 day advance notice period.

Hearing Procedure

- o The hearing procedure in the SFA's free and reduced price policy statement MUST be followed (see page 85, "Appeal Process").
- o The hearing official MUST be an individual who was not connected with the approval or verification process.
- o The household may request a school conference prior to a formal hearing. Any such conference MUST NOT prejudice a later appeal.

Households that Reapply for Program Benefits

- o Households affected by a reduction or termination of benefits may reapply for benefits at any time during the school year. However, those households terminated for failure to respond to verification efforts that reapply in the same school year may

be required to submit income documentation or proof of participation in the food stamp/AFDC case number at the time of reapplication. The SFA may verify the households' eligibility prior to approval. These are not considered new applications, since these households did not comply with the verification requirements.

Recordkeeping

- o Documentation, as described below, is useful in demonstrating compliance with the verification requirements when SFAs are reviewed by the State and would also be needed in case of an applicant's appeal.
- o SFAs MUST maintain a description of their verification efforts. The description MUST include:
 - A summary of the verification efforts, including the selection process and the source of information used, such as the Food Stamp Office, wage stubs, and collateral contacts.
 - The total number of applications on file on October 31.
 - The percentage or number of applications that are/will be verified by December 15.
 - Reasons for any denial or change of eligibility and the date.
- o Either directly on the application or elsewhere, SFAs should keep a full record of:
 - Dates notices were sent;
 - Notes on any contacts made;
 - Results of verification and dates of any eligibility changes;
 - Signature of the verifying official.

FOOD STAMP INFORMATION

Food stamp case number will start with the letter of the alphabet. It could be:

- F - for food stamp
- C - for child assistance (there are different kinds of assistance)
- U - for unemployment or other severe need
- B - for blind
- A - for aged
- D - for disabled

The alphabet letter is followed by seven digits, a period or a dash, and two digits. The two digits are county codes. The codes are as follows:

01	Barbour	15	Hancock	29	Mingo	43	Ritchie
02	Berkeley	16	Hardy	30	Monongalia	44	Roane
03	Boone	17	Harrison	31	Monroe	45	Summers
04	Braxton	18	Jackson	32	Morgan	46	Taylor
05	Brooke	19	Jefferson	33	McDowell	47	Tucker
06	Cabell	20	Kanawha	34	Nicholas	48	Tyler
07	Calhoun	21	Lewis	35	Ohio	49	Upshur
08	Clay	22	Lincoln	36	Pendleton	50	Wayne
09	Doddridge	23	Logan	37	Pleasants	51	Webster
10	Fayette	24	Marion	38	Pocahontas	52	Wetzel
11	Gilmer	25	Marshall	39	Preston	53	Wirt
12	Grant	26	Mason	40	Putnam	54	Wood
13	Greenbrier	27	Mercer	41	Raleigh	55	Wyoming
14	Hampshire	28	Mineral	42	Randolph		

FREE OR REDUCED PRICE MEAL APPLICATION
INFORMATION UPDATE

(DATE)

Dear _____,

_____ was (were)
temporarily approved for free/reduced price meals.

The federal government requires that we make a periodic review
of all temporarily approved meal applications.

Therefore, would you please check the appropriate space and
return this form as soon as possible.

_____ My income is still the same as it was on _____ (date).
\$ _____ per month.

_____ My income has changed. At present it is \$ _____ per
month.

PARENTS SIGNATURE

SECTION G
FINANCIAL MANAGEMENT

Reporting Procedure	G - 1
Reimbursement Procedure and Policy	G - 2
Accurate (Accountable) Records: Participation	G - 3
Accurate (Accountable) Records: Income	G - 4
Accurate (Accountable) Records: Expenditures	G - 5
Allowable Costs: Food	G - 6
Allowable Costs: Milk	G - 7
Allowable Costs: Labor	G - 8
Allowable Costs: Supplies and Expendable Equipment	G - 9
Allowable Costs: Non-Expendable Equipment	G - 10
Allowable Costs: Indirect	G - 11
Non-Allowable Costs	G - 12
Shared Costs	G - 13
Procurement Standards	G - 14
Excess Balance - Net Cash Resources	G - 15
Consolidation of Schools	G - 16
Pricing of Adult Meals	G - 17
Inventory Records	G - 18
Equipment Depreciation	G - 19
USDA Food Service Equipment Assistance	G - 20
Guidelines for Purchase of Computers for Automation of School Food Service Functions	G - 21

Exhibits --

WVDE 43-10-30-S (Daily Record of Program Operations)	G - 30.1
Instructions for Completion of WVDE 43-10-30-S	G - 30.2
WVDE 43-10-31 -- Monthly Financial Report	G - 30.3
Instructions for Completion of WVDE 43-10-31	G - 30.4
WVDE 43-10-30 (Monthly Claim for Reimbursement)	G - 30.5
Current Reimbursement Rates	G - 30.6
WVDE 43-10-37a (Net Cash Resources)	G - 30.8
Perpetual Inventory of Consumable Items	G - 30.9
Equipment Record	G - 30.10
Non-Expendable Equipment Schedule	G - 30.11
Non-Expendable Equipment Depreciation Schedule	G - 30.12
Disposition Procedure	G - 30.13
Computer Use Time Record	G - 30.14

REPORTING PROCEDURE

A daily record of the actual number of meals and/or milk served students and adults shall be maintained on Form WVDE 43-10-30-S (Daily Record of Program Operations) [G - 30.1] completed according to instructions [G - 30.2]. The report must be detailed daily at each participating school by a responsible person. The monthly claim for reimbursement is based on information recorded on this report. The completed form is submitted to the SFA on or before the fifth day of the succeeding calendar month or as required by the SFA. A copy will also be filed at the school.

Computerized Entries - Schools utilizing micro-computers shall maintain daily records of meal service which provide identical information as that required on form WVDE 43-10-30-S.

At the end of each month during which meals and/or milk were served to students, a monthly financial report, Form WVDE 43-10-31 (Monthly Financial Report) [G - 30.3] is completed by each participating school according to instructions [G - 30.4]. Schools in counties with centralized purchasing and accounting do not need to complete the WVDE 43-10-31 monthly. Financial data provided on this report is the basis for justifying reimbursement payments. The completed report is submitted to the SFA on or before the fifth day of the succeeding calendar month or as required by the SFA. A copy will also be filed at the school.

The SFA is responsible for sending copies of the five following monthly or annual consolidated reports or appropriate computer printouts to the respective WVDE coordinator:

1. WVDE 43-10-30-S (Daily Record Of Program Operations) [G - 30.1]
2. WVDE 43-10-31 (Monthly Financial Report) [G - 30.3]
3. WVDE 43-10-30 (Monthly Claim for Reimbursement) [G - 30.5]
4. Sponsor's Summary Report (Verification) [F - 30.18]
5. WVDE 43-10-32 (Annual Report) [G - 30.8].

All reports, invoices and other records pertaining to the Child Nutrition Program at both the school and SFA level are to be maintained for three years plus the current year.

REIMBURSEMENT PROCEDURE AND POLICY

Each SFA prepares a Monthly Claim for Reimbursement, Form WVDE 43-10-30 [G - 30.5] from the data submitted by each participating school under its jurisdiction. Form WVDE 43-10-30 is submitted to the WVDE or before the tenth day of the succeeding month to claim reimbursement for eligible meals and/or milk. Payment of the claim for reimbursement is made to the SFA which will forward the appropriate amounts to the individual schools.

The WVDE shall make reimbursement payments to SFAs and/or schools only in connection with meals meeting the requirements of a reimbursable breakfast or lunch. Second meals and/or second helpings served to students are not eligible for reimbursement. In no case shall reimbursement be claimed for meals and/or milk served to adults.

Average and/or maximum reimbursement rates [G - 30.6] are determined by the USDA for programs operating under the National School Nutrition Act. Since these rates are subject to change, only the current rates are included and will need to be updated periodically. SFAs which served 60 percent more free or reduced price meals during the second preceding year are entitled to a higher rate of reimbursement for lunch.

In all cases, the total reimbursement paid to an SFA and/or school shall not exceed the actual allowable costs of preparing and serving the meals for which the reimbursement is claimed.

Since September, 1985, WVDE has established the 15th of each month as the "cut-off" date for monthly claims payment. Payment of county claims received after the cut-off date will not be paid until the following month. Federal regulations require all county claims for reimbursement to be submitted to WVDE no later than 60 days after the end of the month. Claims received after the 60 day cut-off cannot be paid unless authorized by the United States Department of Agriculture.

Reimbursement rates to schools within a county may be varied so long as these do not exceed the maximum rate on the list of reimbursement rates [G - 30.6]. The SFA will receive only the standard reimbursement rate per meal served. If reimbursement rates paid one (or more) school(s) are higher than standard, it will be necessary to lower the rates paid to another school or schools in order to allocate only the total amount of reimbursement received. Such schools receiving higher than standard reimbursement rates must be able to document costs for preparing and serving meals to justify the higher reimbursement.

ACCURATE (ACCOUNTABLE) RECORDS: PARTICIPATION

Since participation data is the basis for reimbursement claims, it is imperative that the Daily Record of Program Operations [G - 30.1] reflects complete and accurate information. The system used to obtain participation data (including all types of computer systems) must guarantee an accurate daily count concerning the following:

- actual number of meals served daily by category, regardless of when payment was made;
- all meals served to all adults (program and nonprogram);
- all meals served as "second meals" and/or other non-reimbursable meal service;
- a la carte breakfast sales;
- sale of extra milk; and
- catered meals.

ACCURATE (ACCOUNTABLE) RECORDS: INCOME

Records and receipts documenting income to the program shall be maintained by a responsible person in the school in accordance with the procedures listed below:

- All income to the program shall be properly receipted, reported and deposited.
- There must be separate deposit slips which list only monies deposited to the child nutrition account.
- Financial reports must reflect accurate cash balances, cash due the program, source of cash due the program and all invested funds with accruing interest.
- Bad debts are non-allowable costs to the child nutrition program. Payments for bad debts are not reported as new program income.

ACCURATE (ACCOUNTABLE) RECORDS: EXPENDITURES

The USDA instruction, FNS Instruction 796-1, Revision 2, requires that all expenditures from the child nutrition account be supported by source documents which adequately identify the use of program funds for program purposes. All source documents will identify direct allowable program costs as reported on Form WVDE 43-10-31 (Monthly Financial Report) [G - 30.3] at the school level.

USDA regulations require that the SFA maintain effective control over, and accountability for, all funds, property and other child nutrition programs' assets to assure that they are safeguarded and used solely for authorized purposes. These costs are reported in order to claim USDA funds at the SFA level and to justify individual costs at the school level. Therefore, all records, reports, itemized invoices and labor vouchers to support program expenditures shall be maintained at both the school and the SFA levels for the required length of time of three years in addition to the current year.

Income accruing from operation of the child nutrition program may be used for program purposes but not for:

- purchase of land;
- acquisition or construction of buildings; and/or
- addition(s) to existing buildings.

ALLOWABLE COSTS: FOOD

All foods purchased with school child nutrition program funds shall be supported by itemized invoices which list as a minimum:

- specific food items;
- amount purchased;
- cost per unit;
- total cost; and
- purchase date.

All invoices must be signed by the person who receives the food.

A cash register tape without a separate itemized listing of all required information is not acceptable and items purchased will not be considered allowable expenses.

Allowable food costs shall not include the value of USDA foods or the value of missing inventory items (including stolen food).

When food and non-food items are listed on the same itemized invoice, the costs shall be separated and reported in the appropriate categories on Form WVDE 43-10-31 (Monthly Financial Report) [G - 30.3].

The SFA shall ensure that the cost of food claimed for meal reimbursement includes only the cost of food used in child nutrition programs.

Coffee may be purchased with program funds to be served with adult meals. Coffee served other than with adult meals is not an allowable child nutrition program expense.

ALLOWABLE COSTS: MILK

Itemized, signed invoices must be available to support the cost of all milk used in child nutrition programs. The SFA shall ensure that the cost of milk reported on Form WVDE 43-10-31 [G - 30.3] includes only milk used for meals and the sale of extra milk in child nutrition programs.

The child nutrition program funds may not be used to pay for milk or other beverages sold in the school if the proceeds do not accrue to the child nutrition program account.

When food items, such as cottage cheese and ice cream, are included on "milk" invoices, the cost of these items shall be separated and reported as "food" on Form WVDE 43-10-31.

ALLOWABLE COSTS: LABOR

Itemized, signed documentation of labor costs must be on file at the school to support the cost of labor, which may include:

- salaries of school food service personnel including fringe benefits such as social security, retirement and workers compensation;
- salaries of students who are employed in child nutrition programs; and/or
- direct salary costs of non-cooking personnel with specific food service responsibilities as documented by function and time sheets.

The SFA shall establish controls to ensure that no labor cost be claimed for federal funds more than once. Therefore, partial salary payments to secretaries, clerks, principals, teachers, custodians, truck drivers or any other SFA employee included in data used to obtain WVE indirect cost rates, are not allowed as direct labor costs. In addition, supplemental payments to regular employees of the SFA are not allowable costs, except in instances where there is documentation that the payment is for services beyond regular responsibilities of that employee or for time spent beyond the regular working hours.

ALLOWABLE COSTS: SUPPLIES AND EXPENDABLE EQUIPMENT

Supplies and expendable equipment necessary for the operation of child nutrition programs shall be supported by itemized invoices signed by the person who received the items.

Expendable equipment is equipment with a useful life of one year or less or with an acquisition cost of less than \$500 per unit.

The SFA shall ensure that all supplies and expendable equipment purchased with school food service funds are used only for the direct operation of child nutrition programs.

Garbage bags, detergents and other supplies used for purposes other than school food service are not allowable child nutrition program expenses. —

ALLOWABLE COSTS: NON-EXPENDABLE EQUIPMENT

Non-expendable equipment includes all food service equipment with a useful life of more than one year and with an acquisition cost of \$500 or more per unit.

Depreciation is the expense associated with physical deterioration of equipment and consequent loss of value. Depreciation may be claimed as a direct cost for reimbursement purposes. All depreciation claimed as child nutrition program costs for federal reimbursement must be documented by the SFA. See G - 20 for instructions on depreciation.

ALLOWABLE COSTS: INDIRECT

In addition to direct costs of operating child nutrition programs, indirect costs are incurred. Indirect costs are those which contribute to the cost of producing a meal but are not readily identifiable to the child nutrition account, such as custodial services. USDA policy allows these to be claimed by the SFA for reimbursement purposes. The allowable indirect costs of an SFA shall be determined through the use of an indirect cost rate applied to all expenditures except food, on an annual basis.

Financial data to obtain the indirect cost rate is submitted to the WVDE Bureau of Finance and Administration by the SFA. The responsibility for the development and assignment of indirect cost rates for public schools is shared by the USDA and the WVDE.

NON-ALLOWABLE COSTS

USDA FNS Instruction 796-1, Revision 2, lists areas of costs which are not eligible for inclusion in claims for payment from USDA funds and are not allowable costs from the child nutrition account. These are:

- loan repayments;
- bad debts;
- fines and penalties;
- interest and financial costs;
- legislative expenses or executive direction;
- contingency reserve contributions;
- depreciation or use allowance for publicly owned buildings and improvements;
- direct labor costs for administrative personnel above the school food service employee level without direct program responsibility;
- USDA donated food or cash received in lieu of food;
- other donations of cash, services and goods;
- equipment depreciation costs for:
 - a. items which have been fully depreciated;
 - b. items in storage for future use or disposal; and
 - c. that portion of the equipment purchased with federal funds.
- capital expenditures for:
 - a. land or construction; and
 - b. facilities;
- occupancy by contractual agreements which are classified as rental-purchase or leased with an option-to-purchase; and
- cost associated with sales or service to adults and other a la carte sales.

SHARED COSTS

Equipment such as computers, typewriters, copy machines or calculators may be purchased for use jointly by the child nutrition and instructional programs. Cost of the equipment shall be pro-rated according to time of use by each program. Documentation of the time study must be kept on file at the school and SFA. [G - 30.14] In no case shall the child nutrition program pay more than the proportional share of the total cost of the equipment.

Only the child nutrition program's share of the cost may be included in the calculation of depreciation.

PROCUREMENT STANDARDS

USDA regulations provide standards for the use of the child nutrition program funds. These standards ensure that the procurement of supplies (including food and equipment) and services is in compliance with applicable federal law and executive orders. A complete description of the procurement standards for child nutrition programs is found in 7 CFR Part 3015.180 or Attachment O, OMB Circular A - 102.

Each SFA shall maintain a written code of conduct to govern the performance of its employees who have the authority to contract or expend program funds which shall provide for disciplinary action for violators of such standards. No person shall solicit nor accept personal gratuities, favors or anything of material monetary value from contractors and vendors or potential contractors and vendors.

All procurement transactions, regardless of method or dollar value of purchase, shall be conducted in a manner which will provide open and free competition. Positive efforts shall be made to utilize small businesses and minority owned businesses as sources of supplies and services. Cost plus a percentage of cost method of contract shall not be used. A firm-fixed-price contract or cost reimbursable contract is allowable.—

Each SFA shall also have written selection procedures for procurement. Federal regulations require agencies receiving federal funds to obtain price quotations from an adequate number of qualified sources and to purchase from a responsible vendor quoting the lowest price.

Regulations specify that formal advertising or competitive sealed bids must have complete and adequate, written specifications; such descriptions, however, shall not contain features which unduly restrict competition. If a particular brand is specified, a clear description of the specific features which must be met shall be clearly stated. The invitation to bid must be publicly advertised and all bids shall be opened publicly at the time and place stated in the invitation to bid. A firm-fixed-price contract shall be awarded to the lowest, responsible bidder. Any bid may be rejected when there is documentation of unsuccessful bidder performance.

Contracts awarded for an extended period of time or recurring contract renewals could be considered a violation of providing the opportunity for open and free competition.

Program aids to assist with purchasing are available from the WVDE or the SFA. School personnel may contact these offices for technical assistance.

CONSOLIDATION OF SCHOOLS

When schools are consolidated, child nutrition program funds may be credited to the school food service program account(s) of the school(s) which the students will attend in proportion to the number of students involved.

PRICING OF ADULT MEALS

Meals served to teachers, administrators, custodians and other adults, such as school patrons, elderly volunteers and Foster Grandparents Program participants, must be priced so that the adult payments in combination with income from other sources (such as state or local fringe benefits or payroll funds, or funding from voluntary agencies) are sufficient to cover the meal costs. The charge for adult meals is determined by the county board of education and approved by the Department of Education in the Agreement between SFA and State Agency. It is recommended that the charge(s) be established at or near the county per meal costs. Adult meals are not reimbursable nor counted in the commodity allocation entitlement.

Meals served to adults who are directly involved in the operation and administration of child nutrition programs may, at the discretion of the SFA, be furnished at no charge. As such, their cost may be fully attributed to the nonprofit child nutrition program operation and supported by revenues to the child nutrition program. These meals should be shown as program adult meals. [Column 6 or 12 on form 43-10-30S] School employees who supervise during the lunch or breakfast periods, sell tickets or perform other duties directly related to the food program should do so on a contract basis as described in State Code 18a-4-14 and 18a-4-16.

Meals served to adults not directly involved in the child nutrition program such as administrators, teachers, aides, student teachers and other persons working or visiting in the school may not be served free of charge unless the cost of the meal is covered from another source. These meals should be reported as non-program adult meals.

Student teachers and other persons working in the schools who are not enrolled in the educational program of the SFA are not eligible for free or reduced price meals. They must pay the same price as adults unless the cost is paid by another agency.

INVENTORY RECORDS

The physical or perpetual inventory is necessary to document food and supply costs as required on the Monthly Financial Report, Form WUDE 43-10-31 [G - 30.3]. USDA donated food items must be inventoried separately. (See the Donated Foods section). These inventories shall be maintained by a responsible person and copies shall be kept on file at the school for one year following the date on which they are prepared. The "cost of food used" as claimed for USDA reimbursement shall not include the value of USDA donated foods or missing inventory items, including stolen or spoiled food. A suggested perpetual inventory form is shown [G - 30.9].

A child nutrition program inventory of large equipment shall be maintained by a responsible person for each participating school. USDA regulations require a reconciliation of equipment on hand at the end of each school year. All food service equipment which has fully depreciated must be removed from active inventory. Any new or transferred equipment (\$500 or more per unit) acquired during the year shall be routinely entered in the inventory on a predetermined date, no later than August 31. Any funds received from the USDA FSEA account toward the purchase of a specific item of equipment shall be subtracted from the item's reported purchase and installation price. Suggested inventory and depreciation forms are shown [G - 30.10, G - 30.11, G - 30.12].

EQUIPMENT DEPRECIATION

Each school must maintain a complete equipment inventory file which lists all non-expendable equipment [G - 30.11]. The inventory will include: —

- an assigned inventory number for each piece of equipment;
- all equipment on hand for program use which has been purchased with an acquisition cost of \$500 or more per single unit;
- serial numbers where applicable;
- the month and year of installation;
- the month and year of initial depreciation;
- the acquisition cost;
- the amount of FSEA funds, if any, received for equipment items on the inventory;
- the adjusted cost to the child nutrition program (acquisition cost less FSEA funds received); and
- life termination date.

The method described is straight line depreciation in which non-expendable equipment is fully depreciated upon completion -- of its useful life. Once an inventory file has been established, the total value of equipment will be changed annually only when a new piece of equipment is added, traded, scraped or fully depreciated.

**GUIDELINES FOR PURCHASE OF COMPUTERS
FOR AUTOMATION OF SCHOOL FOOD SERVICE FUNCTIONS**

Computers may be utilized to assist with several tasks related to the operation of child nutrition programs at both the school and sponsor levels. Administrative functions may include, but are not limited to, approving free and reduced price meal applications, maintaining a master list of students, assisting with point-of-service count, producing daily and monthly reports and documenting revenues and expenses. Meal service functions may include maintaining inventory records, documenting food production, calculating meal costs and assisting with menu planning. Computers may be used for several other tasks at both levels, limited only by knowledge, skill and desires of the personnel.

As more schools and sponsors are investing in computers to assist with program tasks, adequate documentation must be maintained to justify expenditure of program funds for this purpose.

Sponsors should approve all purchases made by individual school programs to ensure that hardware (including printers and modems) and software purchased with program funds will be compatible with the sponsor's plan for automation of child nutrition reporting. Since the State Agency is currently using IBM hardware, schools and sponsors of child nutrition programs may wish to consider compatibility with State Agency equipment when making future purchases of hardware (including printers and modems) and software.

Child nutrition program funds may be used to purchase hardware, (including printers and modems) software and supplies at 100% of the cost or pro-rated. Adequate documentation is required for either of these.

To comply with procurement regulations, CFR 7 Part 3015, pro-rated costs must be documented by time/usage records on the equipment [G - 30.14].

If child nutrition funds purchase equipment at 100% of the cost, the hardware (including printers and modems) and software must be accessible at all times for use by personnel who are responsible for the various food service tasks.

If child nutrition funds purchase equipment on a pro-rated basis, the hardware and software must be located in a "general use" area of the school for accessibility. For example, private offices and classrooms would not be considered "general use" areas.

For pro-rated usage, records must be maintained to document usage by time (or other means) for food service functions. The records must justify the pro-rated portion of expenditures for hardware, (including printers and modems) software and other supplies paid by child nutrition funds. [G - 30.14]

DAILY RECORD OF PROGRAM OPERATIONS
PARTICIPATION

USDA CHILD NUTRITION PROGRAM

SPONSOR _____

SCHOOL OR INSTITUTION _____

MONTH _____

19 _____

DATE/SCHOOL	SCHOOL BREAKFASTS			SCHOOL LUNCHES							
	Free (1)	Number Served to Children		Free (7)	Reduced (8)	Paid (9)	TOTAL (10)	NON PROGRAM ADULTS (11)	PROGRAM ADULTS (12)	Catered Meals (13)	Nonreim-bursable Meals (13a)
			TOTAL (4)								
(14) TOTALS											
REIMBURSEMENT:											
(15) RATE											
(16) EARNED											

(4) Total Number of Children with Approved Applications on File Throughout the Month: _____ (a) Free Meals and Free Milk _____ (b) Reduced Price Meals _____ Lunch _____
 (1) Total School Enrollment for the Month _____ (22) Number of Days Children Were Fed _____ (17) Breakfast Reimbursement _____ (18) Lunch Reimbursement _____
 (19) Total Reimbursement _____
 VDE-43-10-30S

SPONSOR _____ MONTH _____ 19____

SCHOOL OR INSTITUTION _____

10. RECEIPTS FOR CURRENT SCHOOL YEAR

	Reimb. Period	Amounts
A. Breakfast Reimbursement		
B. Lunch Reimbursement		
C. Special Milk Reimbursement		
D. Cash Collected - Child		
E. Cash Collected - Adult		
F. Cash Collected - Milk		
G. Cash Collected - Other		
H. (-) Less Bad Checks		
I. State Aid (Matching)		
J. Sponsors Contribution (Formula)		
K. Catered		
L. Loans		
M. Rebates - Food		
N. Rebates - Supplies		
O. Other		
P. Interest		
Q. TOTAL RECEIPTS		

11. FINANCIAL STATEMENT

A. Opening Child Nutrition Fund Balance (Cash Plus Invested Funds)	_____
B. Total Receipts (Item 10Q)	+ _____
C. Total Funds Available	= _____
D. Non-Allowable Meal Costs (Item 1G)	- _____
E. Allowable Costs (Item 3F + Item 5F)	= _____
F. Closing Child Nutrition Funds	= _____
G. Amount of Item 11F Which Is Invested	_____

12. VALUE OF INVENTORY

Complete Annually on May/June Report

A. Purchased Foods Inventory	\$ _____
B. Supplies Inventory	\$ _____
C. Government-Donated Foods	\$ _____

13. EQUIPMENT DEPRECIATION

Complete Annually on May/June Report

A. Estimated Value of Equipment on Inventory	\$ _____
B. Less Value of Equipment Purchased With FSEA Funds	\$ _____
C. Adjusted Value of Equipment Inventory	\$ _____
D. Annual Depreciation (Item C x .007 x 12)	\$ _____

I certify that this report is, to the best of my knowledge, correct. Invoices are on hand to support this report.

SIGNATURE _____ TITLE _____

**USDA Child Nutrition Programs
Monthly Claim for Reimbursement**

Month _____, 19 _____

Name and Address of Sponsor _____

	SCHOOL BREAKFAST		SCHOOL LUNCH Column C	SPECIAL MILK Column D	OTHER NON-REIMBURSABLE SERVICE Column E
	Regular Column A	Severe Need Column B			
1. Number of Schools/ Sites Approved					
2. Number Operating Program					
3. Student Enrollment					
4. TOTAL NUMBER SERVED: =	MEALS		MILK		
(a) FREE				½ Pints Free	
(b) Reimbursement: Rate					
(c) Claim	\$	\$	\$	\$	
(d) REDUCED					
(e) Reimbursement: Rate					
(f) Claim	\$	\$	\$		
(g) PAID					Other Meals Served:
(h) TOTAL				½ Pints Sold	
(i) Reimbursement: Rate					
(j) Claim	\$	\$	\$	\$	
5. TOTAL AMOUNT DUE PROGRAM	\$	\$	\$	\$	
6. Average Daily Participation					# ½ Pints Extra Milk:
7. Number Adult Meals				½ Pints Adults	

8. Average Cost Per One-Half Pint Milk Purchased _____

9. Number of Children with Approved Applications on File for
Free and/or Reduced Price Meals and Free Milk, Where Applicable Free _____ Reduced _____

10. Number of days in operation _____

I certify that to the best of my knowledge and belief this claim for reimbursement is true and correct in all respects; that records are available to support this claim; that is in accordance with the existing agreement.

Signature _____ Date _____

WEST VIRGINIA DEPARTMENT OF EDUCATION
 Charleston, West Virginia 25305
 CHILD NUTRITION PROGRAMS

REIMBURSEMENT RATES
 SCHOOL YEAR 1991-92
 (Effective July 1, 1991 - June 30, 1992)

<u>TYPE OF MEAL</u>	<u>REIMBURSEMENT RATE</u>
 <u>SCHOOL LUNCH</u>	
(a) Section 4 (All Lunches Served) Sponsors serving less than 60% free and reduced lunches, 1989-90	\$.1600
Sponsors serving 60% or more free or reduced price lunches, 1989-90	.1800
(b) Free	1.5025
(c) Reduced Price	1.1025
 <u>SCHOOL BREAKFAST</u>	
(a) All Breakfasts served	.1850
(b) Free	
Regular Reimbursement	.7425
Severe Need Reimbursement*	.9175
(c) Reduced Price	
Regular Reimbursement	.4425
Severe Need Reimbursement*	.6175
 <u>SPECIAL MILK</u>	
(To be served only in schools with no other food service OR to split session Kindergarten Children)	
(a) Paid	.1100
(b) Free	Average cost per ½ pint

*Refer to the Policies of Operation Manual, Section B, School Breakfast Program concerning schools eligible for severe need reimbursement.

**COUNTY BOARDS OF EDUCATION WITH 60% OR MORE
FREE AND REDUCED PRICE LUNCHES, SCHOOL YEAR 1989-90**

Barbour	Logan
Braxton	Mingo
Calhoun	McDowell
Clay	Pocahontas
Doddridge	Randolph
Fayette	Roane
Gilmer	Summers
Lincoln	Webster

WEST VIRGINIA DEPARTMENT OF EDUCATION
CHILD NUTRITION DIVISION
Charleston, West Virginia 25305

NET CASH RESOURCES

SUMMARY OF INFORMATION FROM SCHOOLS AND COUNTY
FOOD SERVICE FUNDS

	CASH RESOURCES	CASH PAYABLE
1. Cash on deposit (Checking account balance, NOW accounts, etc.)		
2. Cash on hand (Money received but not yet deposited; petty cash). Money in school accounts and county accounts. (Ex: State Aid or reimbursements not yet distributed.)		
3. Cash receivables (Charged meals not yet paid for, reimbursements earned but not yet received.)		
4. Accrued earnings on investments (interest earned but not yet received).		
5. Stocks, bonds, certificates of deposit, savings accounts, other investments.		
6. Other cash, or near cash (any cash resources not reported above).		
7. Total cash resources.		
8. Cash payable (unpaid bills, encumbered funds, loans to program).		
9. Net cash resources (subtract cash payable - item 8 - from cash resources - item 7).		
10. Three months' operating costs		
Total Cost for previous year ÷ 3 =		

COUNTY _____ DATE _____

SPONSOR _____
(For Private Schools And Residential Child Care Institutions)

PREPARED BY _____

EQUIPMENT RECORD

School District _____	Inventory Number _____
Equipment _____	Energy Source:
Manufacturer _____	Manual _____
Model Number _____	Steam _____
Serial Number _____	Gas _____
Purchased From _____	Natural _____
Address _____	Butane _____
	Propane _____
	BTU _____
Date Installed _____	Electric _____
Warranty Information _____	Watts _____
	Volts _____
	Amps _____
Equipment Cost \$ _____	Phase _____
Funding Source: Food Service _____	Depreciation Schedule: _____
Federal Aid _____	Page _____
Other _____	

Location

Service Record

DATE	WORK DONE	BY WHOM	CHARGES

Location Verification

DATE	NAME	DATE	NAME	DATE	NAME

ATTACHMENT A-1

DISPOSITION OF NFA EQUIPMENT - PUBLIC SCHOOLS OR CHILD CARE CENTERS

GENERAL POLICY: When equipment is no longer needed for the program for which it was acquired, the school or child care center can use the equipment in other Federal programs, giving priority to other USDA programs. When there is no need for the property in any federally assisted program, the following procedures apply:

EQUIPMENT CLASSIFICATION	ACQUISITION COST	OPTIONS FOR DISPOSITION	COMPENSATION TO USDA Computed by applying the percentage of Federal participation in the cost of the property to the current fair market value or sales proceeds of the property	COMPENSATION TO SCHOOL OR CENTER Computed by applying the percentage of local participation in the cost of the property to the current fair market value or sales proceeds of the property
EXPENDABLE	a. less than \$300 per unit b. any cost if useful life is less than 1 year	If aggregate fair market value exceeds \$500, retain or sell	YES	YES
NONEXPENDABLE	\$300 - \$500 per unit used at least 4 years	Use as desired, USDA has no interest	NO	Full rights to equipment
NONEXPENDABLE	a. \$300 - \$500 used less than 4 years or, b. \$501 - \$1000 any age	Retain or sell	YES, less disposition costs if sold	YES, plus \$100 or 10% of sales proceeds (if greater) for selling expenses
NONEXPENDABLE	over \$1000 per unit	(1) request USDA instructions (2) if no instructions issued within 120 days, SELL	YES, less disposition costs if sold	YES, plus \$100 or 10% of sales proceeds (if greater) for selling expenses
NONEXPENDABLE "Special Equipment"	Over \$1000 per unit Financed solely with Federal funds	(1) Transfer title to USDA if: -right is reserved in writing -equipment is no longer needed -disposition instruction issued within 120 days (2) If no instructions are issued within 120 days, SELL	YES, full rights to equipment or proceeds less costs for shipping, storage, and selling	NO, only: (1) shipping and interim storage costs incurred, and (2) \$100 or 10% of proceeds (if greater) for selling expenses

SECTION H
MONITORING AND AUDITING

Monitoring	H - 1
The Management Evaluation	H - 2
On-Site Visit	H - 3
Corrective Action	H - 4
Assessment Procedure - Free and Reduced Meal Application	H - 5
Assessment Procedure - Meal Components and Quantities	H - 6
Policy Concerning Adjustment/Repayment of Funds	H - 7
Auditing	H - 8
AIMS Monitoring	H - 9
AIMS Review	H - 10
Second Review Threshold	H - 12
AIMS Exit Conference	H - 13
AIMS Second Review	H - 14
Exhibits	
Management Evaluation	H - 30.1
WVDE 43-30-03-S (On Site Visit)	H - 30.2
Plan of Corrective Action	H - 30.3
WVDE 43-10-13-ME (Noted Exceptions)	H - 30.4
Assessments 43-40-22a	H - 30.5
Monitoring of Accountability	H - 30.6
Inspection Report for Food Service Establishments	H - 30.7

MONITORING

By law, state and local education agencies are responsible for the administration and supervision of child nutrition programs funded under the National School Lunch Act and the Child Nutrition Act. Field personnel of the child nutrition staff of the WVDE monitor and supervise local operations, provide technical assistance and assist with the inservice training of food service personnel.

Coordinators are responsible for monitoring programs in public schools in the 55 counties. The monitoring duties of these representatives are performed through on-site visits to review food program operations and by reviewing reimbursement claims and reports.

Two types of reviews are conducted by field personnel:

1. The Management Evaluation [H - 30.1]
2. The On-Site Visit [H - 30.2]

Accu-claim regulations (7 CFR Part 210) require the School Food Authority/Sponsor to monitor program accountability. The review process must be completed by February 1, of each year and the monitoring reports must be maintained at the School Food Authority/Sponsor office for review by state and/or federal personnel. When the review discloses any problem requiring a corrective action plan, a follow-up on-site review must be conducted within 45 days of the initial review to determine that the problem has been resolved. A sample monitoring form, containing the required minimum review area is needed [H - 30.6].

THE MANAGEMENT EVALUATION

The Management Evaluation, a comprehensive review, is conducted periodically in participating schools. During a Management Evaluation the following aspects of the program are reviewed:

- analysis of the meal;
- menu planning and meal service;
- free and reduced price meal policies;
- civil rights compliance;
- purchasing practices and utilization of United States Department of Agriculture (USDA) donated foods;
- sanitation and safety;
- facilities and equipment;
- participation/production records; and
- Nutrition Education and Training (NET) activities.

A record of the review is made on the form entitled "Child Nutrition Programs, Management Evaluation" [H - 30.1]. The back of each page of the Management Evaluation form will define the items monitored.

Items which should be available for review at the time of the Management Evaluation:

- active enrollment;
- estimated average daily attendance;
- attendance on date of review;
- Policies of Operation Manual;
- previous two months reports (participation and financial) and invoices;
- checkbook, deposit slips, bank statements;
- equipment inventory;
- Policy Statement (collection method, offer vs serve policy);
- applications for free/reduced price meals;
- master list of students eligible for free/reduced price meals;
- file of verification procedures and information;
- enrollment and number of students eligible for free/reduced price meals by race;
- documentation of student/parent involvement;
- production records;
- Child Nutrition (CN) labels or product analysis information; and
- Inspection report for food service establishments. [H - 30.8]

ON-SITE VISIT

The On-Site Visit is a review of one or more particular phases of the program. For example, an on-site visit to a school or SFA may be made to specifically review record keeping systems or menus and meal quality without reviewing the total program operation. A record of this type of review is made on Form WVDE 43-30-01-S entitled Record of On-Site Review [H - 30.2].

CORRECTIVE ACTION

If, during either the management evaluation or the on-site review, a need for corrective action is found, the problem is noted on the Plan of Corrective Action form [H - 30.3]. Written response by the administrator is required within ten working days.

If, on the day of the review, the meals served do not meet USDA requirements for meal components and quantities, the entire reimbursement for the date of the visit will be deducted from the current claim for reimbursement.

Errors found during the review of free and reduced price meal applications are listed on the Form WVDE 43-10-13-ME (Noted Exceptions) [H - 30.4]. The current monthly claim for reimbursement will be corrected through the day of the review. The reviewing official shall calculate the amount of overpayment or underpayment for meals claimed during the previous months and adjustments/deductions will be made by the WVDE finance office. Form WVDE 43-40-22a [H - 30.5] will be completed and a copy given to the SFA.

**ASSESSMENT PROCEDURE
FREE AND REDUCED MEAL APPLICATION**

While checking applications during the Management Evaluation, if errors are found, the WVDE coordinator will allow the school official to make any corrections possible at the time of the review. The remaining applications with errors will be listed on Form WVDE 43-10-13-ME (Free and Reduced Applications with Noted Exceptions) [H - 30.4]. The school official will be given the opportunity to provide proof of the number of meals the student consumed using the date of the application approval, the school calendar, attendance register and/or meal participation roster. Meals to be assessed may be from the day of application approval to the day before the visit of the WVDE coordinator.

Assessment amount will be calculated using the error code listed below:

- Error Code A Approved free should have been reduced. The difference between free and reduced reimbursement rate is multiplied by the number of meals served.
- Error Code B Approved free should have been ineligible. The free reimbursement rate is multiplied by the number of meals served.
- Error Code C Approved reduced should have been free. No assessment.
- Error Code D Approved reduced should have been ineligible. The reduced reimbursement rate is multiplied by the number of meals served.
- Error Code E Denied should have been free. No assessment.
- Error Code F Denied should have been reduced. No assessment.
- Error Code G Insufficient data. Based on the checked approval, either free or reduced, the assessment is figured as in B and D.

Copies of the Form WVDE 43-10-13-ME will be left with the Management Evaluation and Corrective Action form. For applications with Error Code G the school is allowed ten working days to complete or correct the application before an assessment is made.

ASSESSMENT PROCEDURE MEAL COMPONENTS AND QUANTITIES

During Management Evaluations the West Virginia Department of Education (WVDE) coordinator will determine if the meal served on the day of the review contains the components and quantities to meet meal pattern requirements. If the components and/or quantities are inadequate to meet United States Department of Agriculture (USDA) requirements, an assessment will be made for all reimbursement for that day's meal. If the school has a choice of menus and only one menu is inadequate in components and/or quantities, the section 4 (total meals) reimbursement can be assessed, or a percentage of meals served may be assessed.

In schools with two serving lines, the line serving the menu choice with inadequate components and/or quantities is assessed.

When reviewing for Assessment, Improvement and Monitoring System (AIMS) or Management Evaluations menus for the previous two week period will be reviewed using the production records. Meals determined to contain insufficient components in required portion size shall be found out of compliance.

POLICY CONCERNING ADJUSTMENTS/REPAYMENT OF FUNDS

There are several situations that arise which require a SFA or school to repay funds to WVDE or claim additional funds due the SFA. The following methods shall be used for repayment.

1. When the situation requiring repayment occurs during the current federal fiscal year (October 1 to September 30), the amount owed will be deducted from a future claim by the WVDE finance office.

For example: An error on October claim (WVDE 43-10-30) [G - 30.5] results in an overclaim of \$30.00. This amount will be deducted from a future claim for reimbursement by the WVDE.

2. If the situation requiring overpayment occurs during the previous federal fiscal year, the amount must be repaid by check to WVDE within 60 days of the finding.

For example: If the error had been on the September claim, a check for \$30.00 must be written to WVDE.

3. There are also situations which require both methods of repayment.

For example: During a review in December an error in application approval is found. The overclaim for meals claimed for ineligible children during September would be repaid by check (written to WVDE) while meals incorrectly claimed in October and November would be deducted from a future claim for reimbursement.

4. All monies owed to WVDE must be repaid within 60 days of notification of the debt. After the 60 day period, SFA reimbursement will be delayed until the funds are received.

If during a review by the WVDE an underclaim for reimbursement of meals is found the SFA or school shall submit a revised claim to the WVDE. Adjustments will be made upon receipt of the revised claim.

AUDITING

The Office of Management and Budget (OMB) Circular A-128 establishes uniform audit requirements for state and local governments, or their subdivisions, that receive Federal financial assistance. The Circular requires recipients and subrecipients of Federal financial assistance to arrange for independent audits of financial operations, including compliance with certain provisions of Federal laws and regulations, and to assure that single audits are made in accordance with Circular A-128.

The audit of all fiscal accounts will be conducted by auditors from the West Virginia State Tax Commission. In order to meet the program audit requirements as set forth in the United States Department of Agriculture (USDA) Audit Guide for school programs, the West Virginia State Tax Commission Office will, upon the completion of the audit of the fiscal accounts, appoint a private auditor or certified public accountant to conduct a program audit for the child nutrition program funds. Each School Food Authority (SFA) will be charged by the private auditing firm for the child nutrition program portion of the audit. The SFA will be charged a per diem fee and expenses by the West Virginia State Tax Commission for the commission's fiscal portion of the audit.

The findings or recommendations concerning the child nutrition program audits must be reviewed immediately by the West Virginia Department of Education (WVDE). Notice of audit findings and recommendations shall be forwarded to the SFA within ten days. WVDE shall work toward resolution of the findings within 90 days.

Child Nutrition Program Audit Requirements

<u>Sponsor Type</u>	<u>Annual Amount of Total Federal Funding</u>	<u>National School Lunch Program, School Breakfast Program, Summer Food Service Program, Special Milk Program</u>
Governmental-OMB A-128 (Includes Public Schools)	Under \$25,000	None
	\$25,000 - \$100,000	Organization-wide or Program Annually
	Over \$100,000	Organization-wide Annually
Non-Governmental-OMB A - 133	Under \$25,000	None
	Over \$25,000	Organization-wide or Program Annually or Biennially

AIMS MONITORING

In 1978, the USDA Inspector General expressed to the USDA Assistant Secretary for Food and Consumer Services, a concern that deficiencies fundamental to the operation of the FNS programs had been found to continually occur in program entities audited by the Office of Audit, USDA. Several deficiencies that had been repeatedly encountered in child nutrition programs were:

- overstated meal counts;
- meals claimed for free/reduced price reimbursement not supported by approval applications; and/or
- meals not meeting USDA meal requirements.

These uncorrected deficiencies had generated large dollar losses to the USDA according to the Inspector General. Consequently an appropriation was earmarked "for activities including audits, to identify and take any needed corrective action concerning administrative problems in the school feeding programs - such as non-compliance with meal standards or eligibility criteria and the submission of reimbursement claims which exceed actual meal costs".

The USDA proposed an Assessment, Improvement and Monitoring System (AIMS) to be implemented within the state agencies to assist them in identifying operational and management problems in the administration of child nutrition programs and to take corrective action when needed.

The objectives of AIMS are:

- to analyze current school lunch program management by state agencies;
- to foster improvements in program management by states;
- to monitor effectively the use of USDA funds; and
- to protect the nutritional integrity of meals served.

AIMS requires each state to monitor its child nutrition programs on a four year cycle. States are required to identify problems in the management of child nutrition programs by SFAs and to initiate corrective action in order to comply with four performance standards.

AIMS Regulations have been amended and were final on March 28, 1989.

AIMS REVIEW

The four performance standards are designed to address the major problems of accountability and nutritional integrity facing the child nutrition programs as identified by existing management and monitoring tools available to USDA.

Performance Standards

1. Within the SFA, each student's application for free and reduced price meals is correctly approved or denied in accordance with the application provisions:
 - total household income;
 - names of all household members;
 - social security number of either the household member who executes the application or that of the parent or guardian who is the primary wage earner; and
 - signature of an adult member of the household.

Applications from families receiving food stamps or aid for dependent children need only provide:

- child's name;
- AFDC or FS number; and
- parents signature.

Review Process

Reviewers check that each application is current and correct (WVDE 43-10-20).

Master lists are compared with current and correct applications on file. WVDE 43-10-30-S [G - 30.1] reviewed.

-
2. The number of free/reduced price meals claimed for reimbursement by each school is equal to the number of meals which are served to children who are correctly approved for free and reduced price meals.

The number of correct free and reduced applications for the review month is multiplied by the ADA factor which is multiplied by the number of operating days and compared against the number of meals claimed. If number claimed exceeds number claimable, fiscal action is taken.

Performance Standards

Review Process

3. The system for counting and claiming meal totals for paid, free and reduced meals claimed for reimbursement at both the School Food Authority (SFA) and school is accurate.

Reviewers will observe and analyse the school's counting and recording systems.

Reviewers check monitoring reports by the SFA.

Reviewers check to see if the system (point of service and payment options) prevents overt identification.

The school's system for collecting, counting and depositing of money is reviewed.

The school's claim for reimbursement is reviewed for accuracy.

The SFA's system for consolidating the claim for reimbursement is reviewed for accuracy.

-
4. Meals claimed for reimbursement within the SFA contain food components (and quantities) as required by regulations.

On-site observation of meal preparation, meal service, a review of past menus and production records, availability of Child Nutrition (CN) labels for prepackaged, prepared or frozen food items served.

Fiscal action shall be taken on both first and second reviews for any degree of violation of AIMS Performance Standard 2-3-4.

SECOND REVIEW THRESHOLD

Corrective Action plans will be completed by all School Food Authority which are found on first reviews to exceed their second review threshold.

The second review threshold is exceeded when:

1. For P.S. 2; if one school reviewed in an SFA claimed reimbursement for more free or more reduced priced meals, respectively, than the number of children correctly approved for such meals for the review period times the days of operation times the attendance factor used by the SFA.
2. For P.S. 3; if one school reviewed in an SFA does not have an adequate system for counting and/or claiming free/reduced/paid meals for reimbursement: or the SFA does not use valid procedures for consolidating claims.
3. For P.S. 4; 10 percent or more of the total meals observed in a school food authority are missing one or more components.

AIMS EXIT CONFERENCE

Following an AIMS review, WVDE representatives will conduct an exit conference with officials of the SFA to:

- discuss deficiencies observed;
- describe the extent of the deficiencies; and
- outline corrective action needed (this must include, if necessary, amending the claims for reimbursement for the period reviewed).

When a second review threshold is exceeded, a discussion of a formal corrective action plan takes place. After each AIMS review, the WVDE must submit written notification to the SFA superintendent informing this person of the findings and of corrective action needed, if any. The WVDE is to provide SFAs a clear understanding of all performance standards and the SFA must document all corrective action.

Formal corrective action plans must include:

- corrective action needed (amendment of claims for reimbursement for the review period);
- time frame for completion; and
- signature of SFA representative.

The WVDE must:

- assist the SFA in the development of the corrective action plan; and
- approve and sign the plan within 60 days of the next conference.

When it is necessary for the WVDE to assess and recover money from overclaims on meals/milk served, adjustments are usually made by the WVDE finance office.

**ASSESSMENT, IMPROVEMENT AND MONITORING SYSTEM (AIMS)
SECOND REVIEW**

School Food Authorities (SFAs) found to exceed second review threshold for Performance Standards 2, 3 and 4 must have second reviews. The first and second reviews are to be conducted within the same school year, if possible. However, second reviews shall be completed no later than December 31 of the year following the year of the first review.

The West Virginia Department of Education (WVDE) must assess and recover funds on newly discovered or continuing performance standard deficiencies whether they exceed a second review threshold or not. Corrective action plans must be amended or extended if any performance standard second review threshold is exceeded on second reviews.

The WVDE will conduct follow-up reviews to ensure compliance with second review threshold deficiencies.

DATE: _____

TO: _____

During recent monitoring activities in your county/institution, violations were detected in certain areas of your food service program which require an adjustment of reimbursement.

The following schools are to be assessed the stated amounts for errors in the noted areas of operation:

School/Institution	Area	Number Lunches		ASSESSMENT	
		Section 11 (F/R)	Section 4 (Total)	Number Breakfasts	Cash or Value of Meals
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
TOTAL		_____	_____	_____	_____

UNDER CLAIM

The total amount of \$ _____ will be deducted from or added to a future claim for reimbursement by the West Virginia Department of Education Finance Office.

SIGNED

TITLE
Child Nutrition Programs
West Virginia Department of Education

cc: County Food Service Supervisor/Program Administrator
State Director, Child Nutrition
State Audit Office, Account

OFFICE USE ONLY	
Month of adjustment	_____
Total amount	_____
Changes made by	_____
Date	_____

**MONITORING OF ACCOUNTABILITY
NATIONAL SCHOOL LUNCH PROGRAM**

1. Name of School _____
2. County/SFA _____
3. Date _____
4. Current Enrollment _____
5. Average Daily Attendance _____
6. Today's Attendance _____
7. The number of applications correctly and currently approved free _____
8. The number of applications correctly and currently approved reduced price _____
9. The counting system yields the actual number of lunches:
Free _____ Reduced Price _____ Paid _____
10. The system for recording total lunches served is correct. Yes ___ No ___
11. Lunches served to students contained components required by federal regulations. Yes ___ No ___
12. Lunches served to students contained quantities required by federal regulations. Yes ___ No ___
13. Comments regarding additional aspects of the Child Nutrition Program:

14. Is a Corrective Action Plan necessary? Yes ___ No ___
15. Reviewer _____

Item		Wt.
*01	Saline, sound condition, no spoilage	5
	Original container, properly labeled	1

FOOD PROTECTION

*03	Pot. haz. food meets temp. requirements during storage, preparation, display, service, transportation	5
*04	Facilities to maintain product temp.	4
05	Thermometers provided conspicuous	1
06	Pot. haz. food properly thawed	2
07	Unwrapped and pot. haz. food not re-served	4
08	Food protection during storage, preparation, display, service, transportation	2
09	Handling of food (ice) minimized	2
*10	In use, food (ice) dispensing utensils properly stored	1

PERSONNEL

*11	Personnel with infections restricted	5
*12	Hands washed and clean, good hygienic practices	5
13	Clean clothes, hair restraints	1

FOOD EQUIPMENT & UTENSILS

14	Food (ice) contact surfaces, designed, constructed, maintained, installed, located	2
15	Non food contact surfaces, designed, constructed, maintained, installed, located	1
16	Dishwashing facilities, designed, constructed, maintained, installed, located, operated	2
17	Accurate thermometers, chemical test kits provided, gauge, cock (1/4" IPS valve)	1
18	Pre-flushed, scraped, soaked	1
19	Wash/rinse water, clean, proper temp.	2
*20	Sanitization rinse, clean, temp., concentration, exposure time, equipment/utensils sanitized	4
21	Wiping cloths, clean, use restricted	1
22	Food contact surfaces of equipment and utensils clean, free of abrasives, detergent	2
23	Non-food contact surfaces of equipment/utensils clean	1
24	Storage, handling of clean equipment/utensils	1
25	Cups, etc., single articles, storage, dispensing	1
26	No re-use of single service articles	2

WATER

*27	Water source, safe, hot & cold water under pressure	5
-----	---	---

Item		
*28	Sewage and waste water disposal	

PLUMBING

29	Installed, maintained	
*30	Cross-connection, back siphonage, backflow	

TOILET & HANDWASHING FACILITIES

*31	Number, convenient, accessible, designed, installed	4
32	Toilet rooms enclosed, self closing doors, fixtures, good repair, clean; hand cleanser, sanitary towels, hand drying devices provided, proper waste receptacles	2

GARBAGE & REFUSE DISPOSAL

33	Containers or receptacles covered, adequate number, insect/rodent proof, frequency, clean	2
34	Outside storage area enclosures properly constructed, clean, controlled incineration	1

INSECT, RODENT, ANIMAL CONTROL

*35	Presence of insects, rodents; outer openings protected, no birds, turtles, other animals	4
-----	--	---

FLOORS, WALLS & CEILINGS

36	Floors: constructed, drained, clean, good repair, covering, no stallion, dustless cleaning methods	1
37	Walls, ceiling, attached equipment: constructed, good repair, clean, surfaces, dustless cleaning methods	1

LIGHTING

38	Lighting provided as required, fixtures shielded	1
----	--	---

VENTILATION

39	Rooms & equip. vented as required	1
----	-----------------------------------	---

DRESSING ROOMS

40	Rooms, area, lockers provided, located, used	1
----	--	---

OTHER OPERATIONS

*41	Toxic items properly stored, labeled, used	5
42	Premises maintained free of litter, unnecessary articles, cleaning maintenance equip. properly stored, Authorized personnel.	1
43	Complete separation from living/sleeping quarters, Laundry	1
44	Clean, soiled linen properly stored	1

*CRITICAL ITEMS REQUIRING IMMEDIATE ATTENTION

WEST VIRGINIA DEPARTMENT OF EDUCATION
 CHARLESTON, WEST VIRGINIA 25305
 CHILD NUTRITION PROGRAMS
 MANAGEMENT EVALUATION

Name of School/Institution/Center _____ Date _____ Today's Attendance _____
 Enrollment _____ ADA _____
 Address _____
 Persons Interviewed and Titles: _____
 Sponsor's Name _____
 Sponsor's Address _____

MEAL(S) (Indicate)	ADP CHILDREN/DAY CARE ADULTS				% STUDENT	ADP
	FREE	REDUCED	PAID	TOTAL	PARTICIPATION	ADULT

- | | | |
|---|-------|-------|
| 1. Percent student participation equals or exceeds the national average (public schools only) | _____ | _____ |
| 2. Records are kept for three years plus the current operational year | _____ | _____ |
| 3. Participation Figures (Breakfast, Lunch, Supplement) obtained from accurate point of service count | _____ | _____ |
| 4. Financial Management | _____ | _____ |
| a. Does audit of previous year disclose any material weakness or significant finding? | _____ | _____ |
| b. Income and expenditures correspond to information reported on WVDE 43-10-31 (or 43-30-31) | _____ | _____ |
| c. Funds protected from loss and invested in interest bearing account | _____ | _____ |
| d. Checks supported by itemized and signed invoices | _____ | _____ |
| e. Food Service account reconciled with periodic bank statement | _____ | _____ |
| f. A la carte items properly accounted for (breakfast only) | _____ | _____ |
| 5. Policy Statement up to date | _____ | _____ |
| 6. Anonymity of children protected in collection and serving procedures | _____ | _____ |
| 7. Applications for free/reduced price meals | _____ | _____ |
| a. Complete for every participant for whom free/reduced meals are claimed | _____ | _____ |
| b. Approved within guidelines | _____ | _____ |
| c. Periodically reviewed for temporary status | _____ | _____ |
| d. Verification accurately completed | _____ | _____ |
| 8. Master List | _____ | _____ |
| a. Listed by approved category | _____ | _____ |
| b. Updated with additions and deletions | _____ | _____ |

Number of Applications	
Free	_____
Reduced	_____
Inactive	_____
Denied	_____

Signature of Reviewer _____

9. DATA BY RACE	American Indian or Alaskan	Asian or Pacific Islander	Black (not Hispanic)	Hispanic	White (not Hispanic)	TOTAL
ENROLLED						
APPLICATIONS APPROVED FREE						
APPLICATIONS APPROVED REDUCED						
APPLICATIONS DENIED						

10. Compliance with Civil Rights and Handicapped Regulations

- a. Nondiscrimination poster is displayed _____
- b. Letters to parents, guardians or household members of participants contain the nondiscrimination procedures for filing a complaint _____
- c. Verification procedure based on true random sample _____
- d. Special meals are provided to participants with dietary or health problems, and are supported by statement from recognized medical authority _____
- e. Services and facilities are accessible to all persons without regard to race, color, national origin, sex, age, or handicap _____
- 11. Sale of non-nutritious foods prohibited _____
- 12. "Competitive"/other food sales prohibited in the school lunchroom during lunch _____
- 13. Menus are posted and published _____
- 14. Current nutrition information is disseminated _____
- 15. Review of Production Records for Month of _____ indicates _____
 - a. Meals met component and quantity requirements _____
 - b. Variety of food items as recommended _____
 - c. Sound production and record keeping practices _____
- 16. Purchasing Practices/Use of USDA Foods _____
 - a. Sound purchasing practices are evident _____
 - b. Product analysis sheet(s) on file for prepared food items _____
- 17. Student and parent involvement are evident in nutrition policies and practices _____

Signature of Reviewer _____

WEST VIRGINIA DEPARTMENT OF EDUCATION
Charleston, West Virginia 25305
CHILD NUTRITION PROGRAMS
RECORD OF ON-SITE VISIT

(County Board of Education or Sponsoring Agency)

(Name of School, Center, Institution, Home, Camp or Program)

(Address of School, Center, Institution, Home, Camp or Program)

(Name and Title of Person(s) Contacted)

INITIAL PURPOSE OF VISIT:	AREA(S) CHECKED DURING VISIT: (Check One or More)	
<input type="checkbox"/> OUTREACH	<input type="checkbox"/> Meal Quality	<input type="checkbox"/> Nutrition Education
<input type="checkbox"/> NEW PROGRAM	<input type="checkbox"/> Meal Service	<input type="checkbox"/> Personnel Training
<input type="checkbox"/> PRE-APPROVAL	<input type="checkbox"/> Free & Reduced Price Meals	<input type="checkbox"/> Competitive Foods
<input type="checkbox"/> REQUEST	<input type="checkbox"/> Records & Reports	<input type="checkbox"/> Meal Requirements
<input type="checkbox"/> NET	<input type="checkbox"/> Sanitation & Safety	<input type="checkbox"/> Equipment & Facilities
<input type="checkbox"/> TECHNICAL ASSISTANCE	<input type="checkbox"/> Other (Designate)	
<input type="checkbox"/> MONITORING		

COMMENTS: (Based Upon a General Overview of the Area(s) Designated Above -- NOT a Detailed Analysis or Evaluation)

RECOMMENDATIONS: (Indication of Needed Emphasis, Based Upon a General Overview)

(Signature)

(Date of Visit)

DATE: _____

TO: _____

During recent monitoring activities in your county/institution, violations were detected in certain areas of your food service program which require an adjustment of reimbursement.

The following schools are to be assessed the stated amounts for errors in the noted areas of operation:

School/Institution	Area	Number Lunches		ASSESSMENT	
		Section 11 (F/R)	Section 4 (Total)	Number Breakfasts	Cash or Value of Meals
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
TOTAL		_____	_____	_____	_____

UNDER CLAIM

The total amount of \$_____ will be deducted from or added to a future claim for reimbursement by the West Virginia Department of Education Finance Office.

SIGNED

TITLE
Child Nutrition Programs
West Virginia Department of Education

cc: County Food Service Supervisor/Program Administrator
State Director, Child Nutrition
State Audit Office, Account

OFFICE USE ONLY	
Month of adjustment	_____
Total amount	_____
Changes made by	_____
Date	_____

=

**MONITORING OF ACCOUNTABILITY
NATIONAL SCHOOL LUNCH PROGRAM**

1. Name of School _____
2. County/SFA _____
3. Date _____
4. Current Enrollment _____
5. Average Daily Attendance _____
6. Today's Attendance _____
7. The number of applications correctly and currently approved free _____
8. The number of applications correctly and currently approved reduced price _____
9. The counting system yields the actual number of lunches:
Free _____ Reduced Price _____ Paid _____
10. The system for recording total lunches served is correct. Yes ___ No ___
11. Lunches served to students contained components required by federal regulations. Yes ___ No ___
12. Lunches served to students contained quantities required by federal regulations. Yes ___ No ___
13. Comments regarding additional aspects of the Child Nutrition Program:

14. Is a Corrective Action Plan necessary? Yes ___ No ___
15. Reviewer _____

Item		Wt.
*01	Source sound condition, no spoilage	5
	Original container properly labeled	1

FOOD PROTECTION

*03	Pot. haz. food meets temp. requirements during storage, preparation, display, service, transportation	5
*04	Facilities to maintain product temp.	4
05	Thermometers provided conspicuous	1
06	Pot. haz. food properly thawed	2
07	Unwrapped and pot. haz. food not re-served	4
08	Food protection during storage, preparation, display, service, transportation	2
09	Handling of food (ice) minimized	2
*10	In use, food (ice) dispensing utensils properly stored	1

PERSONNEL

*11	Personnel with infections restricted	5
*12	Hands washed and clean, good hygienic practices	5
13	Clean clothes, hair restraints	1

FOOD EQUIPMENT & UTENSILS

14	Food (ice) contact surfaces, designed, constructed, maintained, installed, located	2
15	Non-food contact surfaces, designed, constructed, maintained, installed, located	1
16	Dishwashing facilities, designed, constructed, maintained, installed, located, operated	2
*17	Accurate thermometers, chemical test kits provided, gauge, rock (or IPS valve)	1
18	Pre-flushed, scraped, soaked	1
19	Wash/rinse water, clean, proper temp.	2
*20	Sanitization, rinse, clean, temp., concentration, exposure time, equipment/utensils sanitized	4
21	Wiping cloths, clean, use restricted	1
22	Food contact surfaces of equipment and utensils clean, free of abrasives, detergent	2
23	Non-food contact surfaces of equipment/utensils clean	1
24	Storage, handling of clean equipment/utensils	1
25	Clean, proper storage, dispensing	1
26	No re-use of single service articles	2

WATER

*27	Water source, safe, hot & cold water under pressure	5
-----	---	---

Item		Wt.
*28	Sewage and waste water disposal	

PLUMBING

29	Installed, maintained	
*30	Cross-connection, back siphonage, backflow	

TOILET & HANDWASHING FACILITIES

*31	Number, convenient, accessible, designed, installed	4
32	Toilet rooms enclosed, self-closing doors, fixtures, good repair, clean; hand cleanser, sanitary towels, hand drying devices provided, proper waste receptacles	2

GARBAGE & REFUSE DISPOSAL

33	Containers or receptacles covered, adequate number, insect/rodent proof, frequency, clean	2
34	Outside storage area enclosures properly constructed, clean, controlled incineration	

INSECT, RODENT, ANIMAL CONTROL

*35	Presence of insects, rodents, outer openings protected, no birds, turtles, other animals	4
-----	--	---

FLOORS, WALLS & CEILINGS

36	Floors: constructed, drained, clean, good repair, covering, installation, dustless cleaning methods	
37	Walls, ceiling, attached equipment: constructed, good repair, clean, surfaces, dustless cleaning methods	

LIGHTING

38	Lighting provided as required, fixtures shielded	
----	--	--

VENTILATION

39	Rooms & equip. vented as required	
----	-----------------------------------	--

DRESSING ROOMS

40	Rooms, area, lockers provided, located, used	
----	--	--

OTHER OPERATIONS

*41	Toxic items properly stored, labeled, used	5
42	Premises maintained free of litter, unnecessary articles, cleaning maintenance equip. properly stored, Authorized personnel.	
43	Complete separation from living/sleeping quarters, Laundry	
44	Clean, soiled linen properly stored	

*CRITICAL ITEMS REQUIRING IMMEDIATE ATTENTION

1

SECTION I
CIVIL RIGHTS

<u>Public Notification</u>	<u>I - 1</u>
<u>Data Collection</u>	<u>I - 2</u>
<u>Review of Schools</u>	<u>I - 3</u>
<u>Procedures for Filing Complaints</u>	<u>I - 4</u>
<u>Definitions</u>	<u>I - 5</u>
<u>Exhibits</u>	
<u>Non Discrimination Poster</u>	<u>I - 30.1</u>
<u>Civil Rights Information</u>	<u>I - 30.2</u>

PUBLIC NOTIFICATION

It is the School Food Authority's responsibility to train and monitor their schools in regard to Civil Rights Compliance.

Sponsors must ensure that all forms of communication and printed program information that are disseminated, especially the free and reduced price notification letters, application forms and public releases, include the following elements:

- The statement that program benefits and services are available to all children without regard to race, color, sex, handicap, age or national origin; and
- The procedure for filing a complaint. Participants who feel they have been discriminated against should write to the Secretary of Agriculture, Washington, DC 20250.

Parents or guardians of students in schools participating in the school nutrition programs, as well as local minority and grassroots organizations should be informed of the availability of program benefits and services, the non discrimination policy and all significant changes in existing requirements that pertain to program eligibility and benefits.

A non discrimination poster must be displayed in the food service/dining area. [I - 30.1] Posters are available at the West Virginia Department of Education.

The sponsor should make available to the public and to participants and potential participants upon request, information about program requirements and the procedures for filing a complaint in English and/or in the appropriate translation to non-English speaking persons.

DATA COLLECTION

USDA requires each school to keep on file the number of enrolled students by race, the number approved for free and reduced priced meals, and the number denied.

This information should be collected and on file in the school office by October 31 of each year. [I - 30.2]

The racial/ethnic categories for which this information must be collected are:

- American Indian or Alaskan native;
- Asian or Pacific Islander;
- Black (not of Hispanic origin);
- Hispanic; and/or
- White.

In the event that a household does not complete the voluntary self-determination on the free and reduced price meal application form, this information must be obtained by other methods. Other methods may include determination of the information by a school official through observation or personal knowledge. This information must be:

- Maintained on file for three years; and
- Procedures should be established to ensure that the information is made available only to authorized state and Federal personnel during reviews or as part of Office of Management and Budget approved surveys.

REVIEW OF SCHOOLS

When a review of a school is performed, the following information should be reviewed:

- Approved and denied free and reduced price applications are maintained on file.
- Whether denied free and reduced price applications are disproportionately composed of minority applications.
- Whether there is a need for bilingual material or staff and how, if it exists, it can be addressed.
- Procedures that are used to determine and process civil rights complaints.
- Whether admission procedures used restrict enrollment by minority persons.
- United States Department of Agriculture or a Food Nutrition Service approved poster is displayed.
- Free and reduced price applications and letters provided to parents or guardians of participants and potential participants contain the non discrimination statement.

PROCEDURE FOR FILING DISCRIMINATION COMPLAINTS

Right to File a Complaint - Any person alleging discrimination based on race, color, national origin, sex, age or handicap has a right to file a complaint within 180 days of the alleged discriminatory action. Under special circumstances this time limit may be extended by office of Minority Affairs.

Acceptance - All complaints, written or verbal, shall be accepted by the School Food Authority and then forwarded to the Department of Education. It is necessary that the information be sufficient to determine the identity of the agency or individual toward which the complaint is directed, and to indicate the possibility of a violation. Anonymous complaints shall be handled as any other complaint.

Verbal Complaints - In the event that a complainant makes the allegation verbally or through a telephone conversation and refuses or is not inclined to place such allegations in writing, the person to whom the allegations are made shall write up the elements of the complaint for the complainant. Every effort should be made to have the complainant provide the following information:

- Name, address and telephone number or other means of contacting the complainant.
- The specific location and name of the entity delivering the program service or benefit.
- The nature of the incident(s) or action(s) that led the complainant to feel discrimination was a factor.
- The basis on which the complainant feel discrimination exists (race, color, national origin, sex, age or handicap).
- The names, titles and addresses of persons who may have knowledge of the discriminatory action(s).
- The date(s) during which the alleged discriminatory action occurred, or if continuing, the duration of such actions.

DEFINITIONS

Grassroots Organization - Any organization at the local level which interacts with potential participants, such as a community program, civic organization, migrant group, church, neighborhood council, local chapter of the National Association for the Advancement of Colored People or other similar groups.

Minority - A person or group of persons belonging to the protected classes covered by Title VI of the Civil Rights Act of 1964, as amended, and later specified by the Office of Management and Budget (OMB) as: ..

- American Indian or Alaskan Native
- Asian or Pacific Islander
- Black (not of Hispanic Origin)
- Hispanic

Racial/Ethnic Categories - The designation of participants/potential participants by race, color or national origin from the collection and reporting of racial/ethnic data as follows:

- American Indian or Alaskan Native - A person having origins in the original peoples of North America, and who maintains cultural identification through tribal affiliation or community recognition.
- Asian or Pacific Islander - A person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands. This area includes, for example, China, India, Japan, Korea, the Philippine Islands and Samoa.
- Black (not of Hispanic Origin) - A person having origins in any of the black racial groups of Africa.
- Hispanic - A person of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish culture or origins, regardless of race.

Complaint - A verbal or written allegation of discrimination which indicates that any National School Lunch Program, School Breakfast Program or Special Milk Program is administered or operated in such a manner that it results in disparity of treatment, benefits or services being provided to a child or group of children because of their race, color, national origin, sex, age or handicap.

SECTION J
FOOD SERVICE POLICIES

Meal Service	J - 1
Meal Service to Adults	J - 2
Meal Service for Handicapped Children	J - 3
Disciplinary Practices And Meal Service	J - 4
Meal Service for Senior Citizens	J - 5
Emergency Feeding	J - 6
Charging Meals	J - 7
Lost, Stolen and Misused Tickets	J - 8
Use of Foods, Supplies and Equipment	J - 9
Safety and Sanitation	J - 10
Sale of Nutritious Foods	J - 11
Sale of Non-Nutritious Foods	J - 12
Definitions	J - 13
Guideline for Selection of Snack Items	J - 14
Guideline for Selection of Juice or Juice Products	J - 15
Meals for Secondary Students Attending Colleges	J - 16
Exhibits	
WV Board Of Education-Mandate on Non-Nutritious Foods	J - 30.1

MEAL SERVICE

Not less than three hours nor more than four and one-half hours should elapse between the service of the school breakfast and the school lunch. A minimum of ten minutes of eating time (after going through the serving line) is to be provided for the school breakfast and a minimum of twenty minutes eating time (after going through the serving line) for the school lunch.

All foods available at the meal period should be a part of the menu and be included in the regular meal price. If food is available, second servings may be offered at no charge after the student has eaten the major portion of the meal. Adults shall not remove food from students trays for the consumption of any other person.

If "super meals" or choice of milk (i.e. milk shakes) are offered, the student who is eligible for free meals must be offered the same service as the paying student at no cost and the student eligible for reduced price meals must be offered the same service at no additional cost.

Second meals consumed by students shall be reported as non-reimbursable lunches and recorded in column 11 on form WVDE 43-10-30S. [G - 30-.1]

MEAL SERVICE FOR ADULTS

Adults shall be served the same menu served to students in portions not to exceed that of secondary students. No special foods shall be prepared for adults. Sale of a la carte items to adults is not permitted, except those items available for students for breakfast a la cart sales. Adult meals are not reimbursable.

Meals served to adults who are directly involved in the operation and administration of child nutrition programs may, at the discretion of the SFA, be furnished at no charge. These meals should be shown as program adult meals (Column 6 or 12 on form 43-10-30s). School employees who supervise during the lunch or breakfast periods, sell tickets or perform other duties directly related to the food program should do so on a contract basis as described in State Code 18a-4-14 and 18a-4-16.

Meals served to adults not directly involved in the child nutrition program such as administrators, teachers, aides, student teachers and other persons working or visiting in the school may not be served free of charge unless the cost of the meal is covered from another source. This meal should be reported as non-program adult meals (Column 5 or 11 on form 43-10-30s).

MEAL SERVICE FOR HANDICAPPED CHILDREN

Meals must be provided for handicapped children at no additional charge or free or reduced to those with approved free and/or reduced price applications on file. Special equipment for preparation and utensils for eating are allowable costs.

Schools shall require parents/guardians of handicapped children to provide medical certification from a medical doctor that (1) verifies special meals are needed because of their handicap and (2) prescribes the alternate foods and forms of foods needed to meet the child's special dietary needs.

Food service personnel may obtain assistance in planning appropriate foods.

DISCIPLINARY PRACTICES AND MEAL SERVICE

In no case shall a student be denied a meal or part of a meal or served a different type of meal as a means of discipline or as a result of discipline for violation of school policies.

In schools where offer versus serve is practiced or where choices of menus or menu items are offered, the student being disciplined and/or the student in detention hall must have the identical type meal service available to other students.

MEAL SERVICE FOR SENIOR CITIZENS

Schools are encouraged to initiate programs to provide meals for senior citizens. Payment of the adult meal rate must be made either by the individual receiving the meal or by partial or no payment by the recipient with the remainder paid by another agency.

EMERGENCY FEEDING

If school food service facilities are utilized in emergency situations, supplies and foods on hand (both purchased and donated) may be used for emergency feeding. Accurate inventory records must be maintained and replacement or repayment must be requested from the appropriate disaster relief agency.

CHARGING MEALS

In most situations, particularly in the case of elementary and middle schools, there should be some provision for charging meals and/or milk on an emergency short-term basis. The practice of charging meals over long periods of time in lieu of making application for free or reduced price meal service should be avoided. Schools may develop systems for billing families on a regular basis. However, schools are not required to provide meals or milk indefinitely when payment has not been made in the time determined to be reasonable by the local school officials. Schools are encouraged to obtain completed free and/or reduced price meal applications when financial need is obvious.

LOST, STOLEN AND MISUSED TICKETS

Local school officials should develop procedures to handle the problem of lost, stolen and/or misused tickets and should initiate appropriate corrective measures. These officials should distinguish between genuine cases of lost or stolen tickets from willfully fraudulent "sold ticket/misuse" situations, and take appropriate action. This may include, when necessary, the same disciplinary measures that would be used in resolving any other infraction of school standards and rules of conduct.

The decision to replace a ticket belongs to the school regardless of the circumstances. The "lost" or "stolen" ticket may be replaced or the school may choose one of several options. The options may include accompanying or monitoring all students who report lost or stolen tickets --needy and non-needy - through the food service line; providing a list of those students' names to the cashier; or any locally developed measure that complies with the legislated boundaries. Regardless of which option is chosen, the eligible needy student must be provided with the free or reduced price meal.

Schools may also initiate a procedure which would sanction an ineligible student for attempting to use a ticket to obtain a meal when that ticket was lost, stolen or when it was determined that the ticket was otherwise obtained by fraud. In developing corrective measures, schools need only ensure that free and reduced price recipients not be overtly identified and that they not be charged for any replacement ticket.

USE OF FOODS, SUPPLIES AND EQUIPMENT

Left-over foods, USDA donated foods or purchased foods shall not be sold, traded or given away, except as used in Child Nutrition Programs. No foods, including left-overs, shall be removed from the school food service area by food service personnel either for their own use or for the use of others, except for school sponsored activities.

All equipment and supplies shall be properly inventoried and shall not be removed from the school food service area without appropriate authorization. Records must be maintained verifying the date a piece of equipment was loaned from the food service department, the date returned, the principal's signature and the name of the borrower.

It is recommended that individuals not make purchases from vendors in the schools. If such purchases are made, items delivered may not be stored in the food service equipment. It is also recommended that no personal items be stored in food service equipment or storage areas.

Food for outside functions (not school sponsored) shall not be prepared in the kitchen during the regular work day. School food service facilities may be used by school or community groups for food service when authorized by the school administrator. Entrepreneurs or school personnel may not use food service facilities for individual benefit. At least one school food service employee shall be in charge to ensure control over the child nutrition program foods and for proper use and care of equipment and facilities. Wages for the school food service personnel shall be paid by the organization using the facilities in accordance with current wage and hour regulations and SFA policy.

SAFETY AND SANITATION

To avoid health and safety hazards, only authorized school food service personnel shall be allowed in the food preparation and serving areas. Use of tobacco shall not be permitted in the school food preparation and service areas.

It is recommended that food service personnel wear clean uniforms. Approved hair restraints are required.

Students working in the food service area must wear hair restraints and a smock or full apron. These garments shall be stored in the food service area and shall be laundered as needed.

To ensure that foods are served at proper temperatures, plates or trays should be filled only as the students pass through the line. In schools, family style is not permitted for students and/or adults, except for Head Start and preschool child care programs.

Extreme care should be taken during preparation and serving of food to avoid contamination or spread of communicable diseases.

SALE OF NUTRITIOUS FOODS

When schools sell nutritious food items during the school day, West Virginia Board of Education regulations specify that no food other than the school lunch, breakfast and milk shall be sold or served in the lunchroom during the meal period.

Milk may be sold to a student at any time during the meal period. Proceeds from milk sold in the lunchroom at the time of meal service must be deposited to the child nutrition account.

SALE OF NON-NUTRITIOUS FOODS

The West Virginia Board of Education has adopted a resolution which prohibits the sale of candy, soft drinks, chewing gum and flavored ice bars in all public schools, including vocational schools, during the school day. The school day is defined as the time between the arrival of the first child at school and the end of the last scheduled instructional period.

According to the state board regulation, any food product commonly referred to as "candy" may not be sold in the schools during the school day. All foods and beverages sold during the school day must meet the WVDE's guidelines. Items of questionable nutritional content, or confections which are commonly called "candy" may be sold only if certification is on file at the school, based upon laboratory analysis of the specific item, that the food or beverage does not fall under the WVDE's definition of candy, soft drinks, chewing gum or flavored ice bar. Refer to guidelines for product selection.

The state board regulation must not be confused with a more recent one passed by USDA. The guidelines adopted by WVDE are more restrictive and supercede those of USDA. Schools shall be guided by definitions contained herein rather than information furnished by salesmen.

Foods served at school parties or sold at school bake sales should contain no more than 40 percent sugar and/or other sweetening agents.

DEFINITIONS

The WVDE, in a letter to county superintendents dated August 6, 1976, issued official definitions of these four food and beverage items.

1. Candy is defined as any food which, as served in its finished form, contains, by weight, 40 percent or more sugar (in crystalline form or in solution as syrup, both monosaccharides and disaccharides) and/or other sweetening agents, or any food product commonly referred to as "candy".
2. Soft drinks as defined in Section 1, Article 19, Chapter 11 of the Code of West Virginia: (a) "Bottled Soft Drinks" which are all beverages, whether carbonated or not, or any preparations commonly referred to as "soft drinks" of whatever kind, which are closed and sealed in glass, paper or any other type of container, envelope, package or bottle, whether manufactured with or without the use of any syrup, and (b) any beverages, whether bottled or not, which are prepared from soft drink syrups and powders by the mixing thereof with carbonated or plain water, ice, fruit, milk or any other product suitable to make a soft drink. Except that flavored, fluid milk, as defined in regulations promulgated by USDA governing Child Nutrition Programs, and beverage mixtures which, in the finished product, contain at least 20 percent natural fruit or vegetable juices may be sold.
3. Chewing gum is defined as a preparation of chicle or other plastic substance sweetened and/or flavored for chewing.
4. Flavored ice bar is defined as a frozen confection consisting of water mixed with flavored syrups and/or powders, sugars and/or other sweetening agents, binders, stabilizers and/or emulsifiers.

GUIDELINES FOR SELECTION OF JUICE OR JUICE PRODUCTS

The West Virginia Board of Education mandate on sale of foods in school supercedes any USDA regulations. Any juice or juice product sold in the school must contain a minimum of 20% juice. The product must be labeled or the principal must have proof of the percent of juice content in each product sold.

The sugar content of juice drinks is not addressed in the mandate.

MEALS FOR SECONDARY STUDENTS ATTENDING COLLEGES

In some cases high school students participate in a special study program at a college. "Take-out" school lunches may be served by their appropriate schools and claimed for reimbursement. The provision of these lunches, however, would be at the option of the SFAs since they are only required to make lunches available to eligible students who are present during the lunch service periods.

The colleges and universities participating in the special study program are not eligible to participate in the NSLP since they do not meet the definition of "school" under program regulations. Therefore, any meals provided to the high school students by the colleges would not be eligible for NSLP reimbursement, even if the high school compensated the college for the cost of the meal.



West Virginia Board of Education

WHEREAS, The West Virginia Board of Education, on May 18, 1973, adopted a policy prohibiting the sale of foods other than the Type A school lunch, milk and breakfast in the school lunchroom during the lunch period, and

WHEREAS, The West Virginia Board of Education, on May 18, 1973, voiced its concern about the sale of non-nutritional foods on any part of the school campus during any part of the school day and recommended at that time that action by the local boards of education be considered to phase out such sales, and

WHEREAS, A survey conducted by the West Virginia Department of Education on September 7, 1975, shows that, of the 1,040 public schools and 25 non-public schools responding, 26 percent sold candy, 27 percent sold soft drinks, 4 percent sold chewing gum and 6 percent sold flavored ice bars on the school campus during the school day, and

WHEREAS, The West Virginia School Food Service Advisory Council on October 29, 1975, has expressed opposition to the sale of non-nutritional foods at any time during the school day in the public and non-public schools, and

WHEREAS, The Council on Dental Health of the American Dental Association has stated that candy, soft drinks and other confections with concentrated fermentable sugar are associated with an increase in dental caries and has discouraged such sales to children in schools, and

WHEREAS, The Ten-State Nutritional Survey of 1968-1970, in which West Virginia participated stated, "In adolescents it was found that between-meal snacks of high carbohydrate foods such as candies, soft drinks, and pastries were associated with the development of dental caries." Now, therefore,

BE IT RESOLVED THAT, effective with the 1976-77 school year the sale of the following non-nutritional foods or beverages is prohibited during the school day in all public schools of the State:

Candy	Soft drinks
Chewing gum	Flavored ice bars

BE IT FURTHER RESOLVED THAT, in order to coordinate school practices with nutritional instruction, the consumption, during the school day, of the food and beverage items listed above be discouraged in all public schools of the State.

—November 14, 1975

POLICY REGARDING SALES OF NON-NUTRITIOUS FOODS AND BEVERAGES

August, 1989

In 1974, research was conducted by WVDE in the schools to determine the effects of nutrition education on knowledge, attitudes, lunch participation and plate waste. During the study, extensive comments were received from teachers and parents regarding the inconsistency of teaching about nutrition and good eating habits in the classroom while practicing and/or promoting poor nutrition habits through sales of non-nutritious foods in the halls. Concurrently, teachers, parents and community health professionals expressed their considerable concern regarding the high incidence of dental caries and the detrimental effects of empty-calorie "foods" on health and nutritional status of growing children and youth.

Because of concerns of "mixed" nutrition messages at school and the detrimental effects of non-nutritious items on health of students, the State Superintendent of Schools asked that all public schools phase out sales of non-nutritious food and beverages to school children. A survey of sales of such items prior to the Superintendent's memorandum and one following the memorandum, revealed that no significant reduction was made as a result of the Superintendent's request.

In 1975, the State Board of Education passed a resolution prohibiting sales to children of four non-nutritious items, effective with the 1976-77 school year. The four prohibited items, chewing gum, flavored ice bars, candy and soft drinks were selected and defined by a team of dentists, other health professionals and educators.

Schools which complied with the mandate and which provided a wide variety of nutritious snacks, based on student involvement, experienced no decline in revenues from sales of snack foods.

In 1980, the State Board reviewed the policy, and because of the clearly established relationship between nutrition and health, reaffirmed its position of prohibiting sales of the identified items to children during the school day.

In a period of increased nutrition awareness, the National Education Association published in 1989, The Relationship Between Nutrition and Learning. Specifically, this research report indicates that students who participate in the (nutritious) School Breakfast Program show higher gains in scores on standardized tests and lower tardiness rates than similar students who do not participate.

Because of the clear relationship between nutrition and health, and the increased evidence of the relationship between nutrition and learning, the West Virginia Board of Education reaffirms its policy prohibiting sales of chewing gum, flavored ice bars, candy and soft drinks to public school children during the school day.

SECTION K
PERSONNEL AND TRAINING

Program Management	K - 1
Classification of Cooks	K - 3
Nutrition Education and Training (NET)	K - 4
Training Programs for Food Service Personnel	K - 5
Competency Testing for Food Service Personnel	K - 6
 Exhibits	
State Board Policy 2550.19	K - 30.1
Children and Nutrition	K - 30.2
Comprehensive Training Program (CTP) for Cooks	K - 30.3
Comprehensive Training Programs	K - 30.4

PROGRAM MANAGEMENT

The success of any child nutrition program depends largely on its personnel. Every employee must be carefully selected for each position. It is advisable to employ trained personnel at the school level and a trained director or supervisor at the SFA level.

Responsibilities and duties of all personnel shall be established by the SFA. Employees develop an understanding of their responsibilities through training and detailed instructions. Motivation will be increased if the employees understand the purposes of the programs and the tasks necessary to achieve those purposes. Duties, salary schedules, sick leave, hours of work, health examinations and fringe benefits such as social security and retirement benefits should be described in a statement of SFA policies and should be available to employees.

Each SFA shall maintain a code or standard of conduct which governs the performance of its employees. USDA regulations state that school, county, state and federal food service employees shall neither solicit nor accept gratuities, favors or anything of material monetary value from contractors, vendors or potential contractors.

In order to maintain a high degree of productivity and performance, school food service personnel should be evaluated periodically. Evaluation policy is determined by the SFA and should be applicable to tenured and non-tenured personnel. Evaluation criteria and instruments shall be developed by the SFA and made available to employees and school principals. Evaluation by observation is recommended twice a year. Some supervisors and principals find it helpful to maintain an employee "log" of job performance. Comments should be dated and initialed.

Employment policies are governed by the SFA and must be in agreement with state and federal laws and regulations. State law 18A-2-5, requiring written contracts, applies to tenured, probationary and substitute employees. Employees must return signed contracts within thirty days after receipt or they forfeit the right to employment. Many counties use a mutual consent form which is appended to the contract when a change of classification is made or when employees indicate no desire to change classification. Principals should check the SFA to ensure that consistent procedures are being followed.

There are two sections of state law that refer to extra duty assignments. Those occurring on a regularly scheduled basis, as defined in 18A-4-16, must be covered by a written document. Those defined in 18A-4-8b not occurring on a regular basis need not be covered by a written document.

SFAs are required to post and date notices of all job vacancies in a conspicuous working place for a minimum of five days. No vacancy can be filled until after the five days, but such vacancy must be filled within twenty working days from the posting date.

A vacated position or a newly created position may be filled temporarily with a substitute. State law states that substitute service personnel shall be assigned on the basis of seniority. When filling the position of an absent employee with a substitute, that position shall be offered in the following order:

1. with a regular employee in the same building having the same classification category (Cook I, Cook II, Cook III, Cafeteria Manager) and the greatest seniority. Such regular employees shall be assigned on a rotating and seniority basis. The person filling an absentee position may be given the opportunity to stay in that position through the absence.
2. With a substitute with the greatest length of service time. Substitutes shall be employed on a rotating basis, according to their length of service, so that each has an opportunity to perform similar jobs.

When filling a vacant service personnel position, one must first offer the position to a regular employee within that classification category (i.e. Cook I, Cook II, Cook III, Cafeteria Manager) having the greatest seniority and strongest evaluation. If no one classified as a cook is interested in the position, it may be offered to other service employees based on seniority.

It is recommended that child nutrition program participation data be used to develop a consistent standard for determining the number of employees needed for efficient program operations. Suggested staffing ratios may be found in State Board Policy 2550.19. [K - 30.1] These ratios are generally based on "lunch equivalents" in which one lunch or two breakfasts count as one equivalent.

CLASSIFICATION OF COOKS

Classification of cooks, as stated in Senate Bill 12 has been established by the West Virginia Legislature. The current classifications are:

Cook I	personnel employed as cook's helper
Cook II	personnel employed to interpret menus, to prepare and serve meals and personnel who have been employed as "Cook I" for a period of four years, if such personnel have not been elevated to this classification within that period of time
Cook III	personnel employed to prepare and serve meals, make reports, prepare requisitions for supplies, order equipment and request repairs
Cafeteria Manager	personnel to direct the operation of a food service program in a school, including assigning duties to employees, approving requisitions for supplies, repairs, keeping inventories, inspecting areas to maintain high standards of sanitation, preparing financial reports and keeping records pertinent to food services of a school

NUTRITION EDUCATION AND TRAINING (NET) PROGRAM

For years child nutrition directors advocated a nutrition education program that would be coordinated with the school feeding program. [K - 30.2] In 1977, the United States Congress amended the Child Nutrition Act to provide funds for the Nutrition Education and Training (NET) Program. Such funds are made available through a USDA grant award to the WVDE based on an approved plan. Program funds may be used to provide:

1. nutrition education for children;
2. training programs for teachers;
3. training programs for school food service personnel; and
4. nutrition materials.

West Virginia's NET plan provides for a specially trained cadre of teachers and school administrators to conduct nutrition education inservice programs. A curriculum, West Virginia Nutrition Curriculum, K-6, was developed by teachers and nutritionists. The curriculum and other educational materials are made available as part of the teacher inservice programs. Persons interested in nutrition inservice for teachers may contact the WVDE, Child Nutrition Division in Charleston.

Another cadre of teachers, consisting of vocational and occupational home economics teachers, provide training for school cooks. This group teaches the Comprehensive Training Program courses written and developed by WVDE Child Nutrition Division as well as other training programs related to food service skills and management. [K - 30.3 and K - 30.4]

TRAINING PROGRAMS FOR FOOD SERVICE PERSONNEL

Providing adequate, nutritious meals for several hundred children on a specific schedule requires training in many areas of the school feeding program. These include:

- knowledge of USDA regulations including required meal patterns;
- use of standardized recipes;
- ordering and/or purchasing the correct amount of food to meet recommended specifications;
- operation of institutional equipment;
- use of USDA publications, such as The Buying Guide for Quantity Foods;
- operating an economically sound program; and
- prevention of food poisoning.

The Master Plan of Education and the WVDE Standards of Excellence require that training be available for food service staff. Each year food service personnel shall be offered three hours of multi-cultural inservice—and fifteen hours of job related training. The SFA's inservice plan is to be submitted annually to WVDE.

The NET program provides training programs at the SFA level for food service personnel through a cadre of trained teachers. SFAs may contact the WVDE coordinators to schedule training through the CTP program.

WVDE, through the NET program, makes preservice training available for newly employed cooks and substitutes on a regional basis. However, SFAs may conduct their own fifteen-hour preservice training. It is recommended that preservice training minimally include: use of standardized recipes; USDA meal patterns; use of quantity equipment; food preparation skills; safety; and sanitation.

COMPETENCY TESTING FOR FOOD SERVICE PERSONNEL

Effective July 1, 1991, county boards of education shall provide competency tests for all new service personnel applicants in each specific classification title. This applies to applicants for either regular or substitute positions.

As specified in State Code 18A-4-8e, these competency tests are intended to determine whether applicants are qualified for a specific classification title. They are not to be used to evaluate employees' skills or performance in their currently held categories.

For testing purposes, all food service class titles: Cook I, II, III and Cafeteria Manager, are considered the same classification. Therefore, the same competency test will be administered to all food service applicants.

All competency tests are developed by the Bureau of Vocational, Technical and Adult Education of the West Virginia Department of Education. Vocational schools serving the local county boards of education administer them.

After July 1, 1991, only these approved competency tests may be administered by boards of education. Locally developed tests are prohibited under this section of the state code.

**A MASTER PLAN
FOR A
THOROUGH AND EFFICIENT SYSTEM OF
PUBLIC EDUCATION IN WEST VIRGINIA**

**State Board Policy
2550.19**

"Criteria Of Excellence In Nutrition Services"

1 SCHOOL FOOD SERVICES

3 INTRODUCTION

5 The school food service provides the means with which to meet the
7 nutritional needs of the students throughout the school day. For this
9 purpose, the national school lunch and school breakfast programs are
11 designed not only to provide nutritionally balanced meals for all students
13 but also to help students develop sound nutritional habits. In West
15 Virginia, school food service is available in every public school, and
every county board of education annually enters into an agreement with the
department of education to participate in the child nutrition programs
which are funded in part by the United States Department of Agriculture.
As schools consolidate and become more comprehensive, the role of school
food services expands accordingly.

17 The standards set forth below are analogous to: (1) the provisions
19 included in the State Plan for Child Nutrition Programs⁽¹⁵⁾ which is
executed by the West Virginia Board of Education with the United States
21 Department of Agriculture, and (2) the Policy of Operation Handbook for
Child Nutrition Programs⁽⁶⁾ which sets forth the operational policies and
23 procedures governing the school feeding programs authorized under the
National School Lunch Act of 1946 and the Child Nutrition Act of
25 1966.⁽¹⁾⁽²⁾ When fully implemented in every school, the standards are
designed to:

- 27 1. provide the nutritional services needed to all students in the
29 public schools;
- 31 2. follow the dietary guidelines prescribed by the United States
33 Department of Agriculture and the West Virginia Board of Educa-
tion in order to help students develop sound food habits;
- 35 3. meet federal and state requirements for accountability, safety
37 and sanitation;
- 39 4. establish appropriate staffing ratios for administrative, super-
visory and production personnel;
- 41 5. up-grade the established training programs currently prescribed
43 for school food service personnel; and
- 45 6. establish annual evaluation procedures to identify the skills and
training needed by school food service personnel.

47 The plan set forth below follows current policies and procedures
49 already in place with the exception of the staffing ratios and training
personnel.

1 A. PROGRAM DEFINITION

3 The "school food service program" means "food service operations
4 conducted by the county board of education during the normal school
5 day principally for the benefit of school children, all of the revenue
6 from which is used solely for the operation or improvement of such
7 food service." (1)(2) Under jurisdiction of the county board of
8 education, all schools serve meals that are nutritionally adequate.
9 They also coordinate the school's health education activities with the
10 formation of good nutritional and meal time habits in the lunchroom,
11 to the end that participating children will gain full understanding of
12 the relationship between proper eating and good health. (1)

13 B. PROGRAM DELIVERY

15 A school lunch is available to all students, and a school
16 breakfast is available to all students except when a waiver has been
17 granted the school by the state superintendent of schools. (3) All
18 meals are served in accordance with applicable state and federal regu-
19 lations (6)(13) and are priced in accordance with a state-approved
20 pricing scale. Free and reduced price meals are available to children
21 from eligible families who are currently approved for free and reduced
22 price meal benefits, (1)(2) and provision is made where necessary to
23 meet the dietary and equipment needs of the handicapped and/or health
24 impaired. (13)

27 1. Time of Meal Service

29 The school and transportation schedules provide time for
30 school (2) breakfast prior to the start of the child's instructional
31 day. Not less than three hours nor more than four and
32 one-half hours elapse between the service of the school breakfast
33 and the school lunch. A minimum of ten minutes of eating time
34 (after going through the serving line) is provided for the school
35 breakfast and a minimum of twenty minutes eating time (after
36 going through the serving line) for the school lunch. (6)

37 2. Policies of Operation

39 a. Nutritional Standards

41 School food services shall meet the nutritional standards
42 set forth in state and federal regulations. (4)(5)(6) School
43 lunches are planned to meet approximately one-third of a child's
44 daily food needs, (1) and school breakfasts are planned to meet
45 approximately one-fourth of the child's daily food needs. (5)
46 Except for milk, no foods and beverage items are to be sold in
47 the dining area (or "commons" (4) area, where applicable) in
48 competition with the school meal, except during the breakfast
49 service when limited a la carte is permissible under state
50 guidelines. (3)

53 Food and beverage items classified as "candy, soft drinks,
54 chewing gum and flavored ice bars" are not to be sold in any

1 public school during the school day, i.e., from the arrival of
2 the first student until the departure of the last bus.⁽⁴⁾ The
3 county school food service director serves on the county school
4 health advisory committee to coordinate establishment and
5 implementation of local guidelines and policies concerning the
6 sales and/or service of nutritional foods and beverages on the
7 school campus, including recommended procedures for approval of
8 the nutritional content of such food/beverage items.

9
10 School meals will conform with recommended dietary
11 guidelines which emphasize moderation in the amount of sugars,
12 fat and salt in the diet.⁽¹⁴⁾ To this end, food preparation
13 practices are regularly monitored by the county food service
14 director. The county school food service director develops
15 county purchasing standards and supervises purchasing practices
16 to assure nutritional quality and prevent development of
17 questionable nutritional habits.

18 b. Food Quality (Appearance/acceptability)

19
20 Preparation, service and storage of all food and
21 beverage items are in compliance with state and local
22 guidelines.⁽¹²⁾ The county director of food services
23 regularly monitors meals served in all schools in terms of
24 appearance, acceptability and student food preferences.

25
26 Foods are served at the recommended temperatures,
27 observing all applicable sanitation standards, and providing
28 the dinnerware, silverware and disposables which are
29 appropriate to the specific food delivery system.

30
31 Students at the senior high level and, as designated by
32 the county superintendent, junior high, middle school and
33 elementary students, are afforded the current option of
34 selecting three or more of the approved menu items at lunch
35 time in lieu of the five planned menu items.⁽¹⁾ The lunch
36 is priced as a unit with no adjustment in price for those
37 students who select the "offer versus serve" option
38 described above. At least at the senior high level, choices
39 of menu or items within the meal pattern should be available
40 to all students.⁽⁶⁾

41
42 c. Food Delivery System(s)

43
44 The type of food delivery system is determined by local
45 school authorities, after taking into consideration:

- 46
47 1. the availability, size, location and condition of
48 kitchen/dining areas;
49
50 2. location of the school to possible central/base
51 kitchens;
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54

- 1 3. sanitation and safety;
- 3 4. student participation;
- 5 5. equipment; and
- 7 6. menu acceptability.

9 Regardless of the type of delivery system, all meal service
11 is in compliance with standards set forth in item 2(b) above.

13 Suitable types of food delivery systems include: ⁽⁷⁾

- 15 1. on-site food preparation and service;
- 17 2. central kitchen serving satellite schools; and
- 19 3. base kitchen serving one or more satellite schools.

21 Cold plate lunches and/or "bag" lunches may be utilized
23 as an alternate menu selection or under emergency or
25 temporary conditions or during summer school programs.

27 The food delivery system utilized ⁽⁶⁾⁽⁷⁾ complies with all
29 applicable state and local standards.

30 3. Personnel

31 a. County School Food Service Director or Coordinator

33 In all counties there is a qualified director or
35 coordinator of the school food service program with a
37 full-time director for 10 or more schools. Functions of the
39 county school food service director or coordinator include:

- 41 1. establish goals for the program to meet the needs of
43 all students;
- 45 2. establish standards for food preparation, service,
47 sanitation and safety;
- 49 3. develop procedures for efficient management, including
51 centralized purchasing and data processing systems;
- 53 4. plan, develop and coordinate an on-going in-service and
55 pre-service program;
5. distribute program management and educational aids;
6. monitor and supervise program operations in the
individual schools;
7. recruit trained school food service personnel; and

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8. act as a liaison between elementary, secondary principals; health service coordinators; and the county school health advisory committee to coordinate nutrition/health services, i.e. nutrition education materials and activities.

b. Assistant School Food Service Director

An assistant school food service director should be provided where necessary:

1. Ten to thirty schools - one full-time school food service director;
2. Thirty-one to seventy-five schools - one full-time school food service director and one full-time assistant director; and
3. Seventy-six schools and up - one full-time director and two full-time assistant directors.

c. Qualifications

County school food service directors and coordinators and assistant directors and coordinators have training in home economics and nutrition and/or institutional management, and demonstrate business management skills or equivalent training.

d. County Support Staff

Adequate secretarial and clerical assistance is available to the school food service director or coordinator. (One full-time secretary is recommended in counties with ten or more schools.) Assistance from the county staff is regularly scheduled as needed in the following areas: finance, purchasing, payroll, custodial, warehousing and delivery. Technical assistance is available either from the county board of education or from the state department and the RESA office in such areas as planning and evaluation, central purchasing, in-service training and data processing.

e. School Food Service Personnel

Staffing ratios are determined by the type of food delivery systems utilized within the county school system, notwithstanding any maximum service personnel reimbursement from state funds. The following staffing ratios are recommended (with the exception of schools with student enrollments less than one hundred and schools serving handicapped children):

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1. On-site Kitchens

Elementary Schools - One full-time production worker* for each 11-16 lunch equivalents** per production hour;***

Secondary Schools - One full-time production worker* for each 10-15 lunch equivalents** per production hour;***

2. Satellite Feeding

Base Kitchen - Central Kitchen - One full-time production worker* for each 14-18 lunch equivalents** per production hour;***

Satellite School - One part-time production worker* for each 14-18 lunch equivalents** per production hour;***

3. "Cold Pack" or "Bag" Meal

Base Kitchen - One full-time production worker* for each 10-14 lunch equivalents** per production hour;*** and

* A "production worker" is herein defined as a person who spends a major portion of his/her time in activities related to meal preparation/service/ clean-up. In schools where there is neither a cafeteria manager nor a "school food service clerk," one of the full-time "production workers" should be counted as having one to three and one-half hours of record keeping time per day, depending upon the size and type of school and the purchasing system utilized by the county. A "school food service clerk" is a person classified as a "Clerk I" or "Clerk II" who is assigned to perform clerical tasks, prepare reports, keep records, collect monies and/or meal tickets, supervise students in the lunchroom and to perform other duties related to the school food service program.

** Two breakfasts equal one lunch equivalent.

*** Exclusive of a duty free lunch period.

1 4. "Fast Food" Service System

3 One full-time production worker* for each 11-16
5 lunch equivalents** per production hour;*** two
7 part-time production workers to be utilized for each
full-time worker.

9 * A "production worker" is herein defined as a
11 person who spends a major portion of his/her
13 time in activities related to meal prepara-
15 tion/ service/ clean-up. In schools where
17 there is neither a cafeteria manager nor a
"school food service clerk," one of the
19 full-time "production workers" should be
counted as having one to three and one-half
21 hours of record keeping time per day,
depending upon the size and type of school
23 and the purchasing system utilized by the
county. A "school food service clerk" is a
25 person classified as a "Clerk I" or "Clerk
27 II" who is assigned to perform clerical
tasks, prepare reports, keep records, collect
monies and/or meal tickets, supervise
students in the lunchroom and to perform
other duties related to the school food
service program.

29 ** Two breakfasts equal one lunch equivalent.

31 *** Exclusive of a duty free lunch period.

33 Two part-time workers may be substituted for one
35 full-time. Substitute cooks are made available as needed at
the individual kitchens. Base kitchens serving 800 or more
37 lunch equivalents per day shall have a cafeteria manager
with skills in food and personnel management.

39 The staffing formulas set forth above are reviewed at
41 least every two years to ensure validity. As facilities and
equipment are up-graded and in-service/pre-service training
43 programs are implemented for all school food service
personnel, productivity should increase, thus impacting upon
45 meals per production hour.

47 4. Staff Development/Training

49 a. Pre-Service Training

51 All new food service personnel, including substitutes
53 enroll in a minimum of fifteen (15) hours of pre-service
training prior to the first full year of employment. The
55 training program meets guidelines set forth under the State
comprehensive training program⁽¹¹⁾ and may be conducted on a
regional basis.

1 b. In-Service Training

3 Each school food service worker shall participate
4 annually in at least fifteen (15) hours of in-service
5 training which meets the guidelines set forth under the
6 state comprehensive training program.⁽¹¹⁾ Each county's
7 plan for pre-service/in-service training is to be approved
8 annually by the department prior to implementation.

9
10 5. Regional Involvement

11 Counties may utilize such services as, but not limited to,
12 supervision, data-processing, central purchasing, staff
13 pre-service and in-service training and nutrition education
14 teacher-training made available on a regional basis. The cost,
15 expediency and effectiveness of such regionally-based services is
16 reviewed and evaluated at least every two years.

17
18 6. School Food Service Facilities

19 All new school construction conforms to the standards set
20 forth in the Handbook on Planning School Facilities⁽⁸⁾ and shall
21 include the following general areas:

22 a. A kitchen at least three hundred (300) square feet in size,
23 but size dependent upon the number of meals served and the
24 type of food delivery system utilized. Walls, floor
25 coverings, ventilation and sewage systems meet the specifi-
26 cations set forth in local and state sanitary/fire codes;⁽⁸⁾

27 b. A dining area which is separated from the food preparation
28 area and the "commons" study area and is adequate in size to
29 seat comfortably one-third to one-half of the student
30 enrollment. If the dining area is used as a multi-purpose
31 room, time is allowed for sanitizing prior to meal service;

32 c. Storage areas for refrigerated/frozen food storage, dry food
33 storage and nonfood supplies with size dependent upon total
34 number of lunches/breakfasts served daily; and

35 d. A dishwashing area separate from preparation area with an
36 automatic garbage disposal and dishwasher of appropriate
37 size.

38 County boards of education shall request appropriate
39 technical assistance from the county school food service director
40 and the department of education as well as prior review and
41 approval from the department for all school food service
42 construction and for any major remodeling.

43
44 7. School Food Service Equipment

45 The equipment utilized in school kitchen, dining, storage
46 and dishwashing areas is at a minimum:

- 1 a. of institutional size and durability for school use;
- 3 b. safe to operate;
- 5 c. in good repair;
- 7 d. properly installed and maintained;
- 9 e. appropriate for sanitization;
- 11 f. efficient in terms of energy and time/labor conservation;
- 13 and
- 15 g. appropriate for its function and location.

17 All equipment is to be selected by the county school food
18 service director in accordance with specifications set forth in
19 state and federal handbooks (8)(9) and is to be located and
installed in accordance with applicable sanitary/fire codes.

21 8. Instructional Materials and Supplies

23 Copies of all department of education and United States
24 Department of Agriculture school food service training guides,
25 program aids, policy handbooks and manuals, as well as
26 appropriate reference materials on nutrition and nutrition
27 education are available in every school.

29 Supplies needed for the food service operation are available
30 as needed. An inventory of such items is maintained. Record
31 appropriate office supplies are available as needed. Record
32 keeping systems, filing systems and equipment inventories are
33 maintained on a current basis.

35 9. Funds Needed

37 Funding for the categories of expenses listed below is
38 budgeted as designated.

41 a. School Food Service Personnel - For smaller county school
42 systems, county boards of education might opt to fund some
43 of the cost of administration on a regional basis through
44 the appropriate RESA offices. One hundred percent funding
45 for all regular school service personnel including the
46 county school food service director and secretary is
47 provided under the general school support formula.

49 b. Facilities and Equipment

51 1. New Construction and Up-grading - School food service
52 facilities and equipment are considered an integral
53 part of each (8) county's Comprehensive Educational
Facilities Plan.

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2. Equipment Replacement - As part of the financial management system approved by the United States Department of Agriculture for the school food service program, sponsors are encouraged to apply an annual depreciation⁽¹⁰⁾ factor to their total equipment inventory. Appropriate assessments made to the school food service program will recover the original value of the equipment inventory. Out-moded equipment still in use is addressed in the County's Comprehensive Educational Facilities Plan.

c. Personnel Training

County boards of education are to cover the cost of a local, regional or state pre-service and in-service training program for all food service employees. The annual fifteen (15) hour program of in-service training is to be scheduled to fall within the normal days of employment whenever possible. Counties are encouraged to cooperate with personnel in the state department and to consult with RESA offices in order to reduce costs of training programs.

C. PROGRAM EFFECTIVENESS

The effectiveness of the school food service program is monitored by the department of education on a regular biennial schedule. The evaluation tool, Child Nutrition Program Management Evaluation - Schools and Institutions, currently in use by the West Virginia Department of Education is utilized for this purpose.⁽¹²⁾

REFERENCES

1. Codified Federal Regulations, Title 7, Chapter II, Part 210.
2. Codified Federal Regulations, Title 7, Chapter II, Part 220.
3. West Virginia Code, Article 18-5-37.
4. West Virginia Board of Education Policy, Article 4321.1.
5. West Virginia Board of Education Policy, Article 4321.2.
6. West Virginia Department of Education, Policy Of Operation Handbook, Child Nutrition Programs, 1982.
7. West Virginia Department of Education, Cost-Effective Systems for Child Nutrition Programs, 1982.
8. West Virginia Board of Education, Handbook on Planning School Facilities, 1981.
9. United States Department of Agriculture, Planning School Food Service Facilities, 1978.
10. United States Department of Agriculture, FNS Instruction 796-1 Revision II, Financial Management Systems, School Nutrition Programs, 1979.
11. West Virginia Department of Education, Comprehensive Training Program for School Food Service Personnel, 1982.
12. West Virginia Department of Education, Child Nutrition Programs Management Evaluation Schools and Institutions, 1982.
13. Codified Federal Regulations, Title 7, Chapter II, Part 15.
14. United States Department of Agriculture and United States Department of Health and Human Services, Nutrition and Your Health - Dietary Guidelines for Americans, 1980.
15. West Virginia Department of Education, State Plan for Child Nutrition Programs, 1982.

Prioritized List of Requirements for Implementing School Food Services

Phase 1 - 3 Yrs.
Phase 2 - 3 Yrs.
Phase 3 - 5 Yrs.
Phase 4 - 6 Yrs.

Personnel	Services	Facilities
<p><u>Phase 1</u></p> <ol style="list-style-type: none"> 1. State staff maintained in accordance with annual State Plan. 2. Role of county school food service director re-defined. 3. County school food service directors employed (20 additional). 4. Cafeteria managers for 8 base kitchens employed (6 additional). 5. Secretarial/clerical/data-processing services up-graded (state/county). 6. Annual plan for in-service training prepared and approved (state/county). 7. Pre-service training for new school food service personnel (state/on a regional basis). 8. Cadre of 60 food service trainers trained (state-40 additional to be trained). 9. Fifteen hours of approved in-service training required annually for all food service personnel (county). 10. Courses I & II of core CIP curriculum taught in every county (county). 11. Staffing ratios adjusted in schools (20 additional personnel). 12. Course III of CIP curriculum taught in 15 counties. 	<p><u>Phase 1</u></p> <ol style="list-style-type: none"> 1. School lunch and breakfast available to every student (county). 2. State responsibilities expanded to include review and approval of meal pricing scales and free/reduced price policies in twelve additional schools (state). 3. County school food services evaluated to identify areas where food delivery systems are to be up-graded (county). 4. Current school lunch transportation schedules reviewed and adjusted to meet required standards (county). 5. County school food service director and state staff monitor food preparation and meal service routinely in all schools (state/county). 6. Meal service up-graded in all schools to meet state standards (county). 7. Appropriate <i>dinnerware/silverware/disposables</i> available at time of all meal service (county). 8. Meal service up-graded in every school to meet state and local recommendations concerning menu acceptability and availability of choice (county). 9. All foods and beverages served in schools comply with state/national standards (county). 10. The county school food service director serves on the County Health Advisory Committee (county). 11. The county school food service director develops purchasing standards and is responsible for purchasing food/equipment/supplies for the school food services (county). 12. Technical assistance is provided by the Department (state). 13. Policy manuals, operational manuals and training materials are available in every school (state/county). 14. Appropriate training guides and nutrition education materials are available to elementary/secondary teachers (state/county). 15. Current information on nutrition is available in every county through a cadre of 60 teacher-trainers (state). 	<p><u>Phase 1</u></p> <ol style="list-style-type: none"> 1. Existing school food service facilities are reviewed and evaluated against standard criteria (state/county). 2. Necessary changes to existing facilities are prioritized (county). 3. Existing equipment surveyed and inventoried by county school food service director. 4. Current equipment needs are projected against basic equipment lists, prescribed by the Department. 5. Appropriate maintenance systems are in place. 6. All new school food service construction meets standards set forth by Department (state/county). 7. Plans for up-grading current facilities/equipment are developed in accordance with State Standards; Priorities are established (county). 8. Technical assistance is provided in kitchen layout and design and in equipment specifications (state).
<p><u>Phase 2</u></p> <ol style="list-style-type: none"> 1. State staff maintained in accordance with annual State Plan. 2. Support services for school food service up-graded (county). 3. Assistant school food service directors employed (11 additional). 4. Training program for state/county staff implemented (state). 	<p><u>Phase 2</u></p> <ol style="list-style-type: none"> 1. All meal service meets all applicable federal/state/local standards (state/county). 2. All foods/beverages served in schools meet county/state nutritional standards (county). 3. The county school food service director routinely monitors meal service in terms of appearance, quality and student acceptance. 4. The county school food service director has established standardized systems for accountability, inventory control, records and reports (state/county). 	<p><u>Phase 2</u></p> <ol style="list-style-type: none"> 1. All existing school food service facilities up-graded to meet all health, fire and safety codes (county). 2. All new school food service construction complies with standards set forth by the Department (county). 3. All remodeling of school food service facilities approved by county school food service director and/or Department. 4. All purchases of school food service equipment approved by county school food service director and/or Department.

Prioritized List of Requirements
for
Implementing School Food Services

- Phase 1 - 3 Yrs.
- Phase 2 - 3 Yrs.
- Phase 3 - 5 Yrs.
- Phase 4 - 6 Yrs.

Personnel	Services	Facilities
<p>5. Cadre of 60 school food service trainers maintained (state).</p> <p>6. Pre-service training of substitute food service personnel completed (state/county).</p> <p>7. Courses I and II of core CTP curriculum taught where needed (county).</p> <p>8. Courses III, IV and V of core CTP curriculum implemented (state).</p> <p>9. All school food service personnel complete Courses I & II.</p> <p>10. Staffing ratios adjusted in all schools (20 additional personnel).</p>	<p>Phase 3</p> <p>1. Maintain current program.</p>	<p>5. All school food service equipment inventories are maintained and up-dated annually.</p> <p>6. All school food service facilities and equipment are maintained in accordance with health, fire and safety standards.</p> <p>7. Technical assistance provided in kitchen layout/design and in equipment specifications (state).</p>
<p>Phase 3</p> <p>1. State/county/local staffing ratios maintained.</p> <p>2. All school food service personnel evaluated annually to determine training needs (county).</p> <p>3. Cadre of school food service trainers maintained (state).</p> <p>4. Pre-service training program maintained.</p> <p>5. CTP training program and state/county staff development continued.</p> <p>6. All school food service personnel complete 90 hours CTP training (county).</p> <p>7. Enrichment/refresher courses of training provided as needed (state/county).</p>	<p>Phase 3</p> <p>1. All new school food service construction complies with standards set forth by the Department.</p> <p>2. All up-grading of facilities and/or equipment approved by county school food service director and/or Department.</p> <p>3. All school food service facilities contain basic equipment prescribed for that particular food delivery system (state/county).</p> <p>4. All school food service equipment inventories are maintained, up-dated, annually and evaluated to determine future needs.</p> <p>5. Appropriate maintenance systems are in place in all schools.</p> <p>6. Technical assistance is provided by the Department.</p> <p>7. All schools have a dining area which seats at least one-third of student enrollment.</p>	<p>Phase 4</p> <p>1. All existing school food service facilities meet all standards prescribed by the Department (state/county).</p> <p>2. All school food service facilities and equipment are maintained in accordance with all health, fire and safety standards.</p> <p>3. All school food service equipment inventories are up-dated annually to determine future needs.</p> <p>4. Existing school food service facilities and equipment are up-graded to meet building codes and energy conservation standards.</p> <p>5. All new school food service construction complies with standards set forth by the Department.</p> <p>6. Technical assistance is provided by the Department.</p>

CHILDREN AND NUTRITION

The ultimate goal of child nutrition programs is to maintain the health and well-being of every child. The provision of nutritionally balanced meals is an obvious way to meet the goal. However, unless children consume those meals the goal of good health cannot be accomplished. Eating is a personal act which may be correctly described as a habit. Eating a balanced diet is learned behavior, not an instinctive reaction.

Eating habits are learned early in life and may need to be changed. Changing any habit requires an awareness of the need to change and making conscious choices until they become habitual. Changing poor eating habits or maintaining good ones may require a nutrition education program. Preferably, nutrition education should be integrated within the curriculum from kindergarten through twelfth grades.

If children's eating habits do not include consumption of a variety of foods, it is difficult for them to acquire needed nutrients for optimal health. Children need to be encouraged to try new foods so their food choices will more likely include a variety, thus a better nutrient balance. In addition, they need to be taught how to use a daily food guide and how to make substitutions in food choices that provide needed nutrients. Since many adult diseases are traced to poor eating habits during childhood, it is important to help children identify those poor habits and correct them.

Nutrition education is preventive health care and should be taught throughout the student's school experience. Research indicates that teens have poorer nutritional status than other ages. Therefore, there is a need for special emphasis on nutritional education during the middle and adolescent years.

Children's nutritional status has been associated with poor school performance. One of the most common nutritional problems in the United States is iron deficiency anemia. Children with anemia feel apathetic and listless, which affects their ability to concentrate in school. Anemic children are less curious, less socially responsive and less persistent which adversely affects their learning.

A study released by the USDA entitled The National Evaluation of School Nutrition Programs found that children who consume school lunch have a higher intake of five specific nutrients - protein, calcium, iron, vitamin A and vitamin C. In addition, 89 percent of the children who eat school lunch have an overall adequate diet, while only 77 percent who do not participate in school lunch have an adequate diet.

Recent findings also document important benefits of the School Breakfast Program, especially for needy students. The positive effects of eating school breakfast on students' achievement test scores, tardiness rates and absenteeism have been shown to be statistically significant.

COMPREHENSIVE TRAINING PROGRAM (CTP) FOR COOKS

Training programs for cooks developed by the Child Nutrition Division of WVDE, include courses dealing with information and skills pertinent to school food service programs. Courses are organized in three-hour increments so they may be incorporated into the regularly scheduled SFA's inservice program. Training is scheduled through the Child Nutrition Division.

Course format consists of a variety of educational methods including lecture, demonstration and hands-on laboratory experiences. Due to the specific nature of some of the courses, the following policies will apply:

- Class size shall be held to thirty except in extenuating circumstances.
- Adjacent counties may offer joint training programs.
- Trained laboratory assistants must be available to assist the instructor.
- Counties without trained assistants must assume the responsibility for engaging assistants from an adjoining county.
- Expenses for foods used during training shall be borne by the county.

*COMPREHENSIVE TRAINING PROGRAMS

<u>Course</u>	<u>Suggested Audience</u>
Course I	
a. Program Progress	Cook I, II and III
b. Public Relations	Managers
c. Safety and Sanitation	Half-time
d. Weights and Measures	Substitutes
e. Portion Control	
Course III	
a. Components	Cook I, II and III
b. Key Nutrients	Managers
c. Nutrient Functions	
d. Dietary Guidelines -- Weight Control	
e. Nutrition Labeling	
Course IV	
a. Menu Patterns	Cook I, II and III
b. Specific Requirements	Managers
c. Offer versus Serve	
d. Menu Planning	
e. Cycle Menus	
f. Menu Systems	

*Courses available during 1990-91

SECTION L
STUDENT AND PARENT INVOLVEMENT

Background	L - 1
County Nutrition Advisory Council	L - 2
Exhibits	
Planning a Program and Suggested Activities	L - 30.1

BACKGROUND

Final regulations for the National School Lunch Program, require student and parent involvement in child nutrition programs on the school and School Food Authority (SFA) levels. Program experience has shown that student and parent involvement has a positive effect on the overall acceptability of the school meals and participation levels.

Students' enjoyment of school meals promotes good eating habits. Actual consumption of food determines whether students' nutritional needs are met. To this end the United States Department of Agriculture (USDA) requires SFAs to conduct activities that involve students and parents in the school's child nutrition programs.

USDA requires no specific form of student or parent involvement. This is left to the discretion of the individual SFAs. In this way, SFAs are given flexibility to plan and implement a program of student and parent involvement to meet local needs. [L - 30.1]

SFAs are required to keep on file documentation of all activities promoting student and parent involvement.

COUNTY NUTRITION ADVISORY COUNCIL

In order to strengthen the child nutrition programs of the schools and to enlist the cooperation of school faculties, students and parents, the state advisory committee recommends that each county superintendent appoint a County Nutrition Advisory Council that includes representatives from the following groups: county administrators, elementary and secondary school principals, teachers, health professionals, school food service personnel, lay citizens and students.

Responsibilities of the County Nutrition Advisory Council should include:

- recommending guidelines and policies concerning the sales and service of foods and beverages;
- recommending procedures for checking the nutritional content of foods and beverages sold in schools; and
- advising the county food service supervisors concerning the food service provided under the National School Lunch Act and the Child Nutrition Act.

PLANNING A PROGRAM

The first step in planning a program of student and parent involvement is to identify and evaluate existing activities which promote these groups' inclusion in the child nutrition program.

Next, identify activities that promote student and parent involvement, and are not currently being conducted. Identify specific areas of concern where activities might enhance the program's benefits to students, as well as alleviate any present problems.

Identify existing resources that could be used to promote student and parent involvement. These could range from the NET program to local news media.

Once a survey of existing activities, materials and needs has been accomplished, establish objectives and goals for a program. The objectives and goals should clearly reflect local needs.

Finally, devise the actual plan for promoting involvement by students and parents. The plan should be designed to utilize existing resources and meet the established objectives and goals.

SUGGESTED ACTIVITIES

A variety of activities can promote student and parent involvement in the child nutrition program. These activities can be very simple or involved. However, SFAs should develop as comprehensive a plan as possible, consistent with local needs and capabilities to involve students and parents. Listed below are a few of the activities that can be implemented in a school:

- Provide students and parents with school menus. Decorate menus for posting in the school. Use table tents with the menu of the day. Print menus in school or local newspaper.
- Administer a food preference survey to determine students' likes and dislikes.
- Conduct guided tours of kitchen and serving area for students and parents.
- Prepare and distribute to students and parents handbooks or bulletins that explain the child nutrition program, including background, requirements and regulations governing the program.
- Sponsor food and nutrition fairs and exhibits with school and community health professionals and/or teachers. Students and parents could participate and contribute to these projects by assisting in planning, organizing, providing publicity, designing or working booths.

Suggested Activities (Continued)

- Establish a student food committee or Youth Advisory Council (YAC) to help with planning activities - menus, nutrition education, cafeteria environment.
- Conduct taste testing parties for new products and recipes, including those using donated commodities. Students, parents and teachers could serve on the taste test panel.
- Provide a special team training table for athletes during football, basketball, baseball and track seasons.
- Administer a student and parent opinion poll on the child nutrition program.
- Have students prepare a meal analysis, following instructions on how to analyze a meal for nutritive content. Also, provide a nutrient analysis of the meals to parents.

SECTION M
GLOSSARY OF TERMS

ACT - Means the National School Lunch Act, as amended.

ADA - Average Daily Attendance.

ADC - Aid to Dependent Children.

ADULT - staff members and employees of a school or child care institution including all faculty, supervisory, past secondary students, student teachers and other personnel.

ADULT BREAKFAST - a breakfast which is sold to an adult for the full price as established by the state and local board of education.

ADULT LUNCH - a lunch which is sold to an adult for the full price as established by the state and local board of education.

AFDC - Aid to Families with Dependent Children.

AFDC ASSISTANCE UNIT - Any individual or group of individuals which is currently certified to receive assistance under the Aid to Families with Dependent Children Program in a State where the standard of eligibility for Aid to Families with Dependent Children (AFDC) benefits does not exceed the income eligibility guidelines for free meal or milk benefits.

AIMS - (ASSESSMENT, IMPROVEMENT, MONITORING SYSTEM) - a federal monitoring system which is implemented in cooperation with the State Agency to assist in identifying operational and management problems and to take corrective action when needed.

APPEAL - the right of appeal by a parent or guardian, child or school or county employee to the state superintendent for an impartial decision.

ASFSA - (AMERICAN SCHOOL FOOD SERVICE ASSOCIATION) - a non-profit, professional organization dedicated to the health and well being of the nation's children. Membership is open to persons engaged in non-profit school food service or related activities in public and private schools, colleges and universities.

ASSESSMENT PROCEDURE - procedure whereby money is reclaimed from a school when a finding is made by the West Virginia Department of Education (WVDE) or United States Department of Agriculture (USDA).

BOX OR BAG LUNCH - a meal, usually served cold, which meets federal requirements for the school lunch. Each item is individually wrapped or packaged in a moisture-proof container. The disposable eating utensils, napkins, and straws are generally wrapped as a unit and included in the package.

BREAKFAST - a meal meeting the requirements set forth in federal and state regulations and served to a child at or near the beginning of the school day. Schools may serve breakfast for an extended period of time or at different times during the morning hours.

CATEGORICAL ELIGIBILITY - A child for whom food stamps/AFDC is received is automatically eligible for free meals when the household provides a current food stamp or AFDC case number on the application. If application is made for another child in the household who does not come under the AFDC grant or who is not a member of the food stamp household, eligibility for the non-categorically eligible child MUST be determined on a household size/income basis. Household size would include both the AFDC/food stamp members and the non-AFDC/food stamp members.

CERTIFICATION - the process by which recognition is granted an individual who has met and continues to meet certain specific standards established by the ASFSA.

CHILD - a person under 21 chronological years of age enrolled in schools, or a student of high school grade or under. West Virginia state law extends this age to 23 for programs for exceptional children.

CN - Child Nutrition

CN LABEL - A voluntary Federal labeling program which states the products' contribution to the meal pattern requirements; usually found on commercially prepared, individual portioned food products.

COMPELLING CIRCUMSTANCES - the overwhelming pressures of essential or environmental factors which cause a school to request the state superintendent to consider a waiver of the requirement to operate a program.

COMPONENTS-- the constituent parts of a meal. The lunch pattern contains four components: meat or meat alternate, 2 vegetables or fruits, bread and milk. The breakfast pattern contains 3 components: fruit or juice, cereal and milk.

COST OF MILK - the net purchase price paid by the school or child care institution to the milk supplier for milk delivered to the school or child care institution. This does not include the amount paid to supplier for servicing, rental of or installment purchase of milk service equipment.

COUNTY - the county board of education.

CTP - Comprehensive Training Program.

CURRENT INCOME - means income received during the month prior to application for free or reduced-price meals and multiplied by 12. If such income does not accurately reflect the household's annual income, income shall be based on the projected annual household income. If the prior year's income provides an accurate reflection of the household's current annual income, the prior year may be used as a base for the projected annual income.

DA - (Distributing Agency) agency responsible for donated foods - Department of Health and Human Resources.

DEPARTMENT - the West Virginia Department of Education.

DEPRECIATION - a reasonable allowance for the deterioration, wear and tear and obsolescence of non-expendable equipment used primarily in connection with the operation of a food service facility.

DIRECT COSTS -- expenses which are readily identifiable as the part of the total cost applicable to the school food service operation. (Examples: cost of food, cooks' salaries, supplies.)

DISTRIBUTION COST - (of Special Milk Program) - direct expenses incurred by the school or child care institution in connection with the sale, handling or serving of milk.

DONATED FOODS - agricultural commodities which United States Department of Agriculture (USDA) makes available to various food program outlets including public and private schools and summer camps.

ECONOMIC UNIT - A group of related or unrelated people who share housing and/or all significant income and expenses of its members.

EMANCIPATED STUDENT - A student living alone or as a separate economic unit is considered a household of one. Therefore, only the student's income is considered for eligibility purposes.

ENRICHED -- a process by which the nutrients thiamin, riboflavin, niacin and iron are replaced in refined grains and grain products.

EQUIPMENT -- articles and physical resources other than land or buildings used for receiving, storing, preparing, transporting or serving food.

EXTRA MILK - milk sold to children exclusive of milk served as a component of the breakfast or lunch and for which no reimbursement is claimed.

FAMILY - a group of related or non-related individuals who are not residents of an institution or boarding house, but who are living as one economic unit.

FISCAL YEAR - (Federal) - the period of 12 calendar months beginning October 1 and ending with September 30 the following calendar year.

FISCAL YEAR - (State) - the period of 12 calendar months beginning July 1 and ending June 30 the following calendar year.

FNIC - the Food and Nutrition Information and Educational Materials Center. The Center houses audio-visual and printed materials related to school food service.

FNS - the Food and Nutrition Service of the United States Department of Agriculture (USDA).

FNSRO - the Food and Nutrition Service, Regional Office. In the case of West Virginia, it is the Mid-Atlantic Region with headquarters in Robbinsville, N.J.

FOOD SERVICE MANAGEMENT COMPANY - means an organization other than a public or private nonprofit school with which an institution may contract for preparing and, unless otherwise provided for, delivering meals, with or without milk for use in the Program.

FOOD SERVICE PERSONNEL - local school food service employees classified as Cooks I, Cooks II, Cooks III and local food service managers.

FOOD STAMP HOUSEHOLD - Any individual or group of individuals which is currently certified to receive benefits under the Food Stamp Program.

FORTIFIED - the addition of a nutrient to a food product to increase that nutrient's density over and above that normally found in the product. The addition of milk solids to low-fat milk to produce "protein fortified" milk is an example.

FOSTER CHILD - a child who is living with a family but who remains the legal responsibility of the welfare agency. Only the income received for foster care for the child should be considered for eligibility purposes. [F - 30.5: - 14]

FREE LUNCH OR FREE BREAKFAST - a lunch or breakfast for which neither the child nor any member of the child's family pays or is required to work in the school or in the school's lunch program. Federal reimbursement for a free lunch or breakfast shall be claimed only for an eligible child with an approved application for free meals.

FSEA - (FOOD SERVICE EQUIPMENT ASSISTANCE PROGRAM) - formerly "Non Food Assistance Program" - funds made available to states to assist them to supply schools drawing attendance from areas in which poor economic conditions exist, with equipment other than real property for the storage, preparation, transportation and serving of food; to enable them to establish, maintain and expand the food service programs.

HANDICAPPED - students of high school grade or under (as determined by the state) including students up to age 23 who are physically or mentally handicapped as defined by the state.

HOUSEHOLD - members of a family/household who live together and share expenses; a group of related or nonrelated individuals, who are not residents of an institution or boarding house, but are living as one economic unit.

INCOME STANDARDS - means the family-size and income standards prescribed annually by the Secretary of Agriculture for determining eligibility for free and reduced-price meals under the National School Lunch Program and the School Breakfast Program.

INDIRECT COST RATE - (also called HEW Number of County Non-restricted Cost Rate) - a pre-determined factor which will yield allowable indirect costs when applied to adjusted direct costs. This factor is assigned annually by the Bureau of Finance and Administration of the West Virginia Department of Education from data furnished by the County Departments of Education. Indirect cost rate for private schools and RCCI's is 10 percent.

INDIRECT COSTS - those costs representing supporting services and incidental supplies which are furnished by general support services program of the school system. These costs, if properly documented, may be eligible costs of the food services and when added to direct costs, show the full cost of the food service operation.

MANAGEMENT EVALUATION - a review of local food service programs conducted by field personnel of the child nutrition state staff of the West Virginia Department of Education.

ME -- Management Evaluation.

MILK - pasteurized fluid types of unflavored whole milk, lowfat milk, skim milk or cultured buttermilk which meet state and local standards for such milk. All milk should contain vitamins A and D at levels specified by the Food and Drug Administration and be consistent with state and local standards for such milk.

NEEDY CHILDREN - children from families meeting the standards for free and reduced price meals.

NET - (Nutrition Education and Training Program) - In November 1977 the Child Nutrition Act was amended to establish a system of grants to state education agencies for the development of comprehensive nutrition information and education programs. Such nutrition programs shall freely use as a learning laboratory the school lunch and child nutrition programs.

NET CASH RESOURCES - Money in the child nutrition account plus all money due the account less the amount of unpaid bills.

NON-EXPENDABLE EQUIPMENT - tangible property having a useful life of more than one year and an acquisition cost of \$500 or more per unit.

NON PRICING PROGRAM - (Special Milk) - a program in which milk is not sold to children on a daily, weekly, monthly or annual basis. The milk is provided by funds from institution, camp, school or in some cases by a tuition payment.

NON PROFIT PRIVATE SCHOOL - a non-public school that is exempt from income tax under the Internal Revenue Code.

NON-PROGRAM ADULT MEALS - Meals sold to adults not directly involved in the child nutrition program.

NON RESTRICTED COST RATE see INDIRECT COST RATE.

NSLA - National School Lunch Act.

NSLP - National School Lunch Program.

NUTRITIONAL STANDARDS - standards for meal patterns as prescribed by the West Virginia Department of Education.

OA - Office of Audit of USDA.

OFFER VS. SERVE - a senior high school student is not required to accept more than 3 of the 5 items of the school lunch. "Offer" means the complete lunch is made available to students. The "Offer" vs "Serve" may be extended to junior high and elementary schools at the discretion of the local School Food Authority.

OI - Office of Investigation of USDA.

OIG - Office of Inspector General of USDA.

OMB - Office of Management and Budget.

PAID BREAKFAST OR LUNCH - a breakfast or lunch which is sold to a child at the full price, as established by the county board of education.

PERPETUAL INVENTORY - a running record, up to date, of each item on hand in the storeroom.

PHYSICAL INVENTORY - the value of items on hand at the end of an accounting period (usually a month).

PRICING PROGRAM - (Special Milk) - a program in which milk is sold to children and is paid for daily, weekly, monthly or annually. The price that children pay for milk will be lowered by making maximum use of the reimbursement.

PROCESSING CONTRACTS - An agreement by and between a processing company and the state distributing agency or between a processing company and a recipient agency whereby donated commodities, made available by USDA, may be converted into end-products or components used in school meals.

PRODUCT ANALYSIS SHEET - a statement by the producer or distributor of a prepared entree specifying the amount of meal components supplied by a product. A statement by the distributor of a pizza product might read: "Each 4" X 6" slice of _____ pizza contains the equivalent of 2 oz. of meat/meat alternate, 1/8 cup vegetable, 1 slice enriched bread."

PROGRAM - the school breakfast or lunch program.

PROGRAM ADULT MEALS - Meals served to adults who are directly involved in the operation and administration of the child nutrition program and are furnished at no charge.

PUBLIC HEARING - a public hearing conducted by the school which is held for the parents of the children enrolled in that school.

RCCI - Residential Child Care Institution - Homes for the mentally retarded, emotionally disturbed, unmarried mothers, orphanages; temporary shelters for abused or runaway children; and juvenile detention centers.

RECERTIFICATION - the process by which recognition is granted an individual who has met and continues to meet certain specific standards established by the ASFSA. (See CERTIFICATION)

RDA - (RECOMMENDED DIETARY ALLOWANCE) - a list of nutrients and the quantities needed daily for men, women and children published by the Food and Nutrition Board, National Academy of Sciences/National Research Council.

REDUCED PRICE MEAL - a meal which meets the following criteria:

1. The price shall be less than the full price of the meal.
2. Currently in West Virginia the lunch is priced at 40 cents and the breakfast at 30 cents.
3. Neither the child nor any member of the child's family shall be required to supply an equivalent value in work for the school or in the school's food service.
4. Federal reimbursement for the school lunch or breakfast may be claimed only for a child with an approved and valid application for a reduced price meal.

REGULATION - a statement issued by a federal agency. It establishes requirements which must be met under laws passed by Congress.

REIMBURSEMENT - financial assistance paid or payable to participating schools for lunches and breakfasts meeting the requirements of the United States Department of Agriculture and the West Virginia Department of Education and served to eligible children with valid applications on file.

REVENUE - the value of resources available to operate the food service program including cash funds (federal, state and local) and the value of goods and services contributed.

SBP - School Breakfast Program.

SCHOOL - an educational unit of high school grade or under operating under public or non-profit ownership in a single building or complex of buildings. The term "high school grade or under" includes classes of pre-primary grade when they are conducted in a school having classes of primary grade or higher grade or when they are recognized as a part of the educational system in the state regardless of whether such pre-primary grade classes are conducted in a school having classes of primary or higher grade.

SCHOOL DAY - the time between the arrival of the first child at school and the end of the last scheduled instructional period.

SCHOOL IN SEVERE NEED - a school eligible for rates of reimbursement for free and reduced price breakfasts which are in excess of the current average payments.

SCHOOL YEAR - means a period of 12 calendar months beginning July 1 of any year and ending June 30 of the following year.

SECTION 4 - the section of the National School Lunch Act which describes how funds shall be apportioned among the states for an average reimbursement per lunch per child.

SENIOR HIGH SCHOOL STUDENT:

1. any student enrolled in a 3 year high school (grades 10-12)
2. any student enrolled in a 4 year high school (grades 9-12)
3. in a 5 or 6 year secondary school either:
 - a. students enrolled in grades 10-12
 - b. students enrolled in grades 9-12

as determined by the local School Food Authority.

SERVING PERIOD - the period of time which is normally required to serve a school breakfast or lunch. The serving period should provide approximately ten minutes of eating time after service of breakfast and twenty minutes of eating time after service of lunch.

SDA - Agency responsible for donated foods - West Virginia Department of Health and Human Resources.

SFA - (SCHOOL FOOD AUTHORITY) - the governing body which is responsible for the administration of one or more schools and which has the legal authority to operate a breakfast or lunch program therein.

SMP - Special Milk Program.

SPECIAL MILK - Milk sold to children at a reduced price or given free to eligible children. Schools participating in the federal food service program may not participate in the Special Milk Program. Schools may participate in the Special Milk Program for split-session kindergarten and/or other pre-primary programs in which children do not have access to the meal service.

SPLIT SESSION - an education program which operates for approximately one-half of the normal school day.

SPONSOR - the governing body responsible for the administration of one or more schools or residential child care centers.

STATE AGENCY - the State Educational Agency.

STATE AID ALLOTMENT - funds provided by the West Virginia Legislature to assist public schools in hiring local food service personnel. This is designated as the state funding needed to meet the state matching requirements set forth in the National School Lunch Act. The NSLA requires that 10% of the 3 to 1 state matching requirements of the federal dollars, funding Section 4 of the Act, must be in the form of state appropriations to local participating schools. These State Aid Allotments are paid to the county school systems in quarterly installments.

STATE EDUCATIONAL AGENCY - (as determined by the State Legislature) - the Superintendent of Schools or the State Board of Education controlling the State Department of Education.

STRAIGHT LINE DEPRECIATION - a method of depreciating an item of equipment whereby an equal portion of the cost of the item is allocated to each period of use.

USDA - United States Department of Agriculture

USDE - United States Department of Education

USRDA - United States Recommended Daily Allowance - a list of nutrients reflected on food labels. The figures are not identical to the RDA.

VERIFICATION - means confirmation of eligibility for free/reduced price benefits under the National School Lunch Program.

WAIVER - an individual school's request for granting of a waiver for the service of school breakfast due to compelling circumstances.

WV CHILD NUTRITION STATE PLAN - an annual statement of program objectives and a plan to implement national policy.

WVDE - West Virginia Department of Education

WV STANDARDS OF EDUCATIONAL EXCELLENCE - each county's assessment of its compliance with standards for educational quality followed by a plan for compliance.

YAC - Youth Advisory Council