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SOURCE OF REVENUE:  GENERAL  SPECIAL  OTHER (SPECIFY) \_\_\_\_\_ 1991 JUN 28 PM 3:42

COST ESTIMATE BASED ON:  AN ORIGINAL ESTIMATE  BUDGET BILL  OTHER (SPECIFY) OFFICE OF WEST VIRGINIA

INCOME ESTIMATE BASED ON:  AN ORIGINAL ESTIMATE  BUDGET BILL  OTHER (SPECIFY) \_\_\_\_\_  
SECRETARY OF STATE

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	\$ 0	\$ 0
PERSONAL SERVICES	\$	\$	\$	\$	\$
CURRENT EXPENSE					
REPAIRS AND ALTERATIONS					
EQUIPMENT					
OTHER					
2. ESTIMATED TOTAL REVENUES	\$	\$	\$	\$	\$

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

This policy will require no cost to the Department of Education nor to county school systems.

IMPACTS  
FISCAL:

STATE STAFF: Harriet Deel  
Thomas Sands

DATE June 3, 1991 AGENCY WV Department of Education

AUTHORIZED REPRESENTATIVE  
[Signature]

FILED

1991 JUN 26 PM 3:42

Policy 4320: - Rules and Regulations for Child Nutrition Operations  
OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

The West Virginia Board of Education provides assistance to county boards of education in operation of federally funded child nutrition programs in schools. The Board's approval of policy 4320 will transmit federal regulatory revisions to school administrators, food service supervisors and others concerned with quality and accountability of child nutrition programs in schools.

EXECUTIVE SUMMARY

FILED

POLICIES OF OPERATION MANUAL  
CHILD NUTRITION PROGRAMS

1981 JUN 26 PM 3:42  
OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

Series 85, Policy 4320

BACKGROUND

Policy 4320.85, Policies of Operation Manual, interpretes regulations regarding School Breakfast, School Lunch, Donated Foods, Special Milk and Free/Reduced Price Meal applications. Further, it provides policy regarding financial management as set forth in Office of Management and Budget Circular A-102. It also details federal requirements of the Assessment, Improvement and Monitoring System (AIMS).

PURPOSE

The proposed revisions are intended to update the policy to reflect changes in United States Department of Agriculture regulations for the various Child Nutrition Programs for the public schools of West Virginia. It operationalizes Federal Code 7 CFR Part 210, 215, 220 and 245 that requires state administering agencies to assist local educational agencies in program management and accountability.

This policy, Series 85, Policy 4320, provides local school districts the required revision needed in order to comply with accountability regulations and other regulatory changes.

SUMMARY OF REVISIONS

- Agency names are updated to current titles.
- Expanded service to pre-primary children is reflected in the Special Milk Program.
- Ratio of costs allocated to breakfast and lunch is revised to reflect the additional required component for breakfast.
- Crediting of juice toward the vegetable/fruit component is clarified.
- The bread/bread alternate component is clarified.
- Household income has been clarified to include student regular part-time earnings and excludes such earnings that are not on a regular basis.
- Fiscal assessment requirements are clarified.
- Language is updated to reflect audit revisions established by the Office of Management and Budget.
- The review process is expanded to include information on Child Nutrition (CN) labels for prepared entrees.
- Limited permissibility for family-style meal service is detailed.
- The requirement for competency testing for new food service personnel is addressed.
- Format and definitions have been updated in the Glossary of Terms.
- Minor editing changes have been made to make the policy more readable.

IMPACT

The policy requires no additional financial outlay. Rather, it provides assistance in management practices and federal accountability requirements.

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

FILED

1991 JUN 26 PM 3:42

OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

Title: Operational Manual of Child Nutrition

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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 -
- 1.4 Effective Date -
- 1.5 Repeal of Former Rules - None - This is a revision of former rules filed in 1983, revised in 1990.

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.

## 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

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

Summer Food Service Program for Children - The Summer Food Service Program for Children provides meals to children during extended school vacation periods (more than three weeks). The program may be sponsored by any public or private non-profit, non-residential institution where at least one-half of the children are eligible for free or reduced price school meals. In addition to these institutions, residential camps may also sponsor the program and receive reimbursement for meals served to economically needy children.

Special Milk Program - The Special Milk Program makes it possible for split session kindergarten and/or other pre-primary children who do not have access to other meal service and all children attending a school without a food service program to purchase milk at a reduced price - or if they are eligible, to receive milk free. Schools, summer camps and institutions which participate in other federal-state child nutrition programs may not participate in the Special Milk Program.

## 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, ~~two~~ one and one half breakfasts equal one lunch. At the end of each month, divide the total number of second breakfasts served by ~~two~~ one and one half and record this figure in column 11 on Form WVDE 43-10-305 [G - 30.1].

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

VEGETABLE/FRUIT COMPONENT

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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

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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 entree.

~~Full-strength-fruit-or-vegetable-juice-may-not-be-counted-to-meet more-than-one-half-of-the-vegetable-fruit-requirement.--Any product--either-liquid-or-frozen--labeled-"juice,"-"full-strength juice,"-or-"reconstituted-juice"-is-considered-full-strength-juice.~~

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.

~~The-USDA-Menu-Planning-Guide,-pages-15-and-16,--contains-further information-on-the-vegetable-fruit-component.--On-pages-10-and-11, the-chart-of-feeds-for-use-in-school-lunches-and-breakfasts-lists vegetables-and-fruits-rich-in-vitamins-A-and-C.~~

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 1-2 serving of bread or an equivalent quantity of bread alternate for Group I, and one serving for Groups II-V, must be served daily.~~

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

~~In order for an item to be counted toward meeting the bread requirement, it should be at least one-fourth of a serving.~~

Only bread/bread alternates that are customarily served as an accompaniment to ~~or a recognizable integral part of~~ 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.

## 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.

## 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 Services 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 Services 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.

## 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 Services 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 DHS 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 DHS 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 Services 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 Services. Reviews by the Department of Health and Human Resources Services Department 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 Services [D - 30.4 and D - 30.4a]. Full restitution shall be made to the Department of Health and Human Resources Services 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 Services.

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].

## 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.

## 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; and
- 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.

## 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]

**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.

## 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-110 A - 133	Under \$25,000	None
	Over \$25,000	Organization-wide <u>or Program</u> <u>Annually or</u> <u>Biennially</u>

Performance Standards

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.

Review Process

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.

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4. Meals claimed for reimbursement within the SFA contain food components (and quantities) as required by regulations.

~~On-site observations of meal prepared and review of past menus and production records are made.~~

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.

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Fiscal action shall be taken on both first and second reviews for any degree of violation of AIMS Performance Standard 2-3-4.

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.

## 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.

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.

## SECTION M

### DEFINITIONS

#### 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.

DA - (Distributing Agency) agency responsible for donated foods - Department of Health and Human Resources Services.

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).

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 Services.

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.