

# **Back to Basics:**

## **An Introduction to School Nutrition Programs in Maine**



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Office of the Assistant Secretary for Civil Rights  
1400 Independence Avenue, SW  
Washington, D.C. 20250-9410; or*
- (2) **fax:**  
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Dear School Nutrition Director/Manager:

Welcome to the world of School Nutrition! Your efforts and leadership in assuring the nutritional wellbeing of Maine school children will contribute significantly to their overall wellness and their readiness to achieve and succeed academically.

To assist you in implementing the requirements of the National School Lunch Program and other school-based child nutrition programs in your schools and school districts, we provide this orientation tool and offer the services of an experienced, capable and enthusiastic Department of Education staff that stand ready to assist.

This handbook includes information on the Breakfast, Lunch, Snack, A La Carte, and USDA Food programs. It is provided to you as a guide for Food Service Directors/Managers and staff.

In addition, we urge you to access our website <https://www.maine.gov/doe/schools/nutrition>. This will provide you with resources to support your work in program implementation.

We wish you the very best for a happy, healthy and successful school year.

Sincerely,

Maine Department of Education, Child Nutrition Staff

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This handbook was developed with resources from the VT Department of Education, Wisconsin Department of Public Instruction, Illinois State Board of Education Nutrition Programs Division, and the Kansas Department of Education, Child Nutrition & Wellness.

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## Commonly Used Acronyms in Child Nutrition Programs

ADA	Average Daily Attendance
ADP	Average Daily Participation
ALC	A La Carte
AOS	Alternative Organizational Structure
AR	Administrative Review
CAP	Corrective Action Plan
CACFP	Child and Adult Food Program
CEP	Community Eligibility Provision
CN	Child Nutrition
CNRA	Child Nutrition Reauthorization Act
CSD	Community School District
DHHS	Department of Health and Human Services
DOD	Department of Defense
DOE	Department of Education
FDP	Food Distribution Program
FFavors	Fresh Fruit and Vegetable Order Receipt System
FFVP	Fresh Fruit & Vegetable Program
FNS	Food and Nutrition Services
HACCP	Hazard Analysis and Critical Control Point
HOM	Harvest of the Month
ICN	Institute of Child Nutrition
IFB	Invitation for Bid
IPM	Integrated Pest Management
LEA	Local Education Authority
LWP	Local Wellness Policy
ME	Management Evaluation
MPWH	Meal Per Worker Hour
MSNA	Maine School Nutrition Association
NERO	Northeast Regional Office
NOI	Net Off Invoice
NSLP	National School Lunch Program
NSLW	National School Lunch Week
OVS	Offer Versus Serve
PAL	Planned Assistance Level
PLE	Paid Lunch Equity
RCCI	Residential Child Care Institute
RFP	Request for Proposal
RSU	Regional School Unit
SA	State Agency
SAD/SAU	School Administrative District/School Administrative Unit
SBP	School Breakfast Program
SFA	School Food Authority
SFSP	Summer Food Service Program
SNA	School Nutrition Association
SNAP	Supplemental Nutrition Assistance Program
SNP	School Nutrition Program
SOP	Standard Operating Procedures
SY	School Year
TA	Technical Assistance
TANF	Temporary Assistance for Needy Families
TN	Team Nutrition
USDA	United States Department of Agriculture

# **Overview of School Nutrition Programs**



## Program Overview

Child Nutrition Programs are federally funded and administered by the United States Department of Agriculture Food and Nutrition Service. At the state level, the Maine Department of Education, Child Nutrition is the administering agency that works with schools and other sponsoring organizations to provide nutritious meals, snacks, and/or milk for children. Reimbursement is provided in three levels (Free, Reduced-Price and Paid) to the School Food Authority (SFA) for each meal that meets the federal requirements and that is served to an eligible school child.

Sponsors that participate in the National School Lunch Program and other school-based child nutrition programs, agree to:

- Serve meals that meet federal requirements
- Operate a nonprofit food service program
- Offer free, reduced-price and paid meals to eligible children based on household eligibility
- Not overtly identify or discriminate against any eligible child
- Offer school nutrition programs for all students without regard to race, color, national origin, sex, age, disability, religion, ancestry, and/or sexual orientation

The **National School Lunch Program (NSLP)** is a federally funded meal program operating in public and nonprofit private schools and residential child care institutions. It provides nutritionally balanced, low-cost or free lunch to school children each school day. The program was established under the National School Lunch Act, signed by President Harry Truman in 1946.

Reimbursable school lunch meals must meet the following guidelines:

- Offer five food components (grain, meat/meat alternate, fruit, vegetable & milk).
- Servings of grains must meet both daily and weekly minimum serving sizes.
- 80% of grains offered over the week must be whole grain-rich.
- Servings of fruit must meet both daily and weekly minimum serving sizes.
- Servings of vegetables must meet both daily and weekly minimum serving sizes from each of the specified vegetable subgroups.
- If the school is participating in Offer versus Serve, a student must select at least 3 of the 5 food components; one of which must be at least a ½ cup fruit OR vegetable.
- Servings of meat/meat alternates must meet both daily and weekly minimum serving sizes.
- Two types of milk must be offered. Milk, both flavored and non-flavored must be fat-free or 1%.
- Meals must meet minimum and maximum average calorie guidelines over the week.
- Calories from saturated fat cannot exceed 10% of total calories.
- Meals must meet sodium limits.

In Maine, additional State funding is available to public schools and certain private schools with at least 60% publicly funded students to offset the required reduced-price lunch charge of \$0.40 per meal and the difference between the federal free and paid reimbursement for ineligible students. This allows students to receive one lunch a day at no charge.

The **School Breakfast Program (SBP)** is a federally funded meal program operating in public and nonprofit private schools and residential child care institutions. It provides nutritionally balanced, low-cost or free breakfast to school children each school day.

Reimbursable school breakfast meals must meet the following guidelines:

- Offer four items from three food components (grain, fruit, milk).
- Servings of grains must meet both daily and weekly minimum serving sizes.
- 80% of grains offered over the week must be whole grain-rich.
- Servings of fruit must meet both daily and weekly minimum serving sizes.
- If the school is participating in Offer versus Serve, a student must select at least 3 items (not components); one of which must be at least a ½ cup of fruit, to make a reimbursable meal.
- Two types of milk must be offered. Milk, both flavored and non-flavored must be fat-free or 1%.
- Meals must meet minimum and maximum calorie guidelines as average calories over the week.
- Calories from saturated fat cannot exceed 10% of total calories.
- Meals must meet sodium limits.

In Maine, additional State funding is available to public schools and certain private schools with at least 60% publicly funded students to offset the required reduced-price breakfast charge of \$0.30 per meal and the difference between the federal free and paid reimbursement for ineligible students. This allows students eligible for reduced-price meals to receive one breakfast a day at no charge.

The **Special Milk Program (SMP)** provides reimbursement to participating sponsors that offer fluid milk to children that do not have the option to participate in any other federally supported Child Nutrition Programs such as the NSLP and the SBP.

Enrolled children may participate in the Special Milk Program if it is offered and they:

- Attend school
- Attend a child care institution and are under 19 years of age
- Attend split-session kindergarten classes and are not present during federally supported breakfast or lunch service with access to milk.
- Attend a camp

The **Summer Food Service Program (SFSP)** was established to ensure low-income children continue to receive nutritious meals during the summer months when school is not in session. Free meals that meet the federal nutrition guidelines are provided to all children 18 years old and younger at approved SFSP sites. The **Seamless Summer Option (SSO)** combines features of the NSLP, SBP, and the Summer Food Service Program. This option reduces the paperwork and administrative burden making it easier for schools to feed children from low-income areas during the traditional summer vacation periods.

The National School Lunch Program **After School Snack Service** provides reimbursement for snacks provided to school children participating in structured enrichment programs after the school day ends. Schools with 50% or greater free and reduced-price eligible students, or in the attendance area of a school with 50% or greater free and reduced-price eligible students, may provide a reimbursable snack at no charge to any participating student.

The **Fresh Fruit & Vegetable Program (FFVP)** offers fresh fruits and vegetables at no charge to students outside of the breakfast and lunch serving times. FFVP is targeted to elementary schools which have the highest Free and Reduced enrollment. Each Spring interested schools must apply by completing an online application with the State Agency. Awarded schools receive funding per student to implement the program the following school year.

The **USDA Foods Program** provides nutritious food to the following Child Nutrition Programs:

- National School Lunch Program
- Summer Food Service Program

In addition to the subsidy schools receive for each reimbursable meal served, USDA also contributes a certain amount of food to participants in the National School Lunch Program. These foods consist of a wide variety of offerings including fruits and vegetables; meats; cheese; beans; and whole grains. These foods are purchased by USDA on behalf of schools with the dual purpose of supporting American agriculture and providing nutritious meals to American students.

*Net-Off Invoice (NOI)* is the processing of USDA raw food products into ready-to-eat end products. For example, the State Agency could order bulk mozzarella cheese and have it sent to a pizza processor to be made into pizza. The school then purchases the end product (pizza) at a reduced price because of the value of their USDA Foods that went into the product. Schools place their order for bulk products to be processed through K-12 Services and ProcessorLink and purchased the processed items through their designated distributor.

**The Department of Defense Fresh Fruit and Vegetable Program (DoD Fresh):** The Department of Defense maintains a significant contracting system to supply its military installations with fresh produce. Because of its existing network and expertise in this area, USDA has entered into an agreement with DoD to have DoD manage a fresh fruit and vegetable

purchasing program for schools. All produce available through the DoD Fresh program is American-grown, and some items are locally grown.

Note: The DoD Fresh program is not to be confused with the Fresh Fruit and Vegetable Program (FFVP) – these are separate programs with different rules and regulations.

# **Menu Planning and Meal Pattern Resources**

The menu is the core of the program and must list all food items offered to students as part of a reimbursable meal. When planning the menu, the menu planner should consider the foods currently available in inventory, USDA Foods, as well as the food service budget.

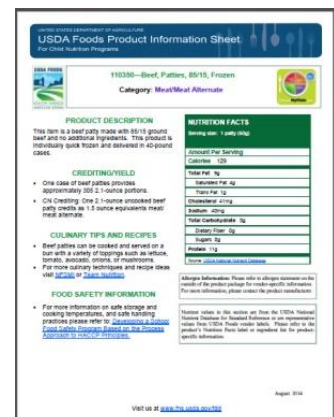
### Menu Planning Checklist

- ✓ Determine number of days to be planned.
- ✓ Check your inventory. What food is currently on hand?
- ✓ What USDA foods will be delivered during the month for which you are planning?
- ✓ Consider meal participation for previous menus.
- ✓ Focus on grade group(s) to be served.
- ✓ Decide on the number of entrée choices to be offered.
- ✓ Consider the equipment, or lack thereof, in the kitchen.
- ✓ Select the Meat/Meat alternate and Grain for each day being planned.
- ✓ Select the other required meal components. Keep in mind the NSLP requirement to offer a variety of vegetable subgroups throughout the week.
- ✓ Ensure at least 2 milk choices are offered.
- ✓ Make sure the daily and weekly minimum serving sizes are met for each component.
- ✓ Consider marketing ideas, menu themes, school events, and seasonal items.
- ✓ Consider the condiments you may wish to offer with the meal.

### Menu Planning Resources

The following resources will assist you as you plan your menus.

- *Food Buying Guide*  
<https://www.fns.usda.gov/tn/food-buying-guide-for-child-nutrition-programs>
- *USDA Recipes for School*  
<https://theicn.org/recipes/>
- *USDA Foods Fact Sheets*  
<https://www.fns.usda.gov/usda-fis/usda-foods-product-information-sheets>



## Meal Pattern Requirements

### Grade Groupings

The USDA National School Lunch Program (NSLP) and School Breakfast Program (SBP) meal pattern has three grade groupings:

- K-5
- 6-8
- 9-12

Each of the grade groups has specific meal pattern requirements that must be met. Requirements for the K-5 and 6-8 grade groups overlap, allowing a school that has overlapping grades in K-5 and 6-8, or a K-8 school, to plan to serve the same amount of food for the entire school.

The 9-12 grade group does not have overlapping requirements with the two younger grade groups. This means that a school that is K-12, would need to be prepared to serve at least two grade groups, K-8 and 9-12.

### Meal Components

Components are food groups established by USDA to provide the basis for the meal patterns used in menu planning. Each component is based on the nutrient content of foods in each category.

<u>Lunch Meal Components</u>	<u>Breakfast Meal Components</u>
Fruit	Fruit
Vegetables	Grains
Grains	Milk
Meat/Meat Alternate	
Milk	

### National School Lunch Program Meal Pattern Requirements

The lunch meal pattern must include food from all five meal components.

#### Fruit

Serving a variety of fruit in different forms is strongly encouraged as offering a choice increases the likelihood that more students may select and eat one.

Fruit may be fresh, frozen, canned, or dried. While there is a daily minimum, there is no maximum limit for the amount of fruit servings offered.

Note:

- Canned fruit may be in 100% juice, light syrup, or water.

- When dried fruit is offered, ¼ cup of the fruit equals a ½ cup serving of the component.
- 100% fruit juice may be used to meet no more than half of the weekly fruit component requirement.

Component	Grades K-5	Grades 6-8	Grades 9-12
Fruit (minimum)	½ cup/day 2 ½ cups/week	½ cup/day 2 ½ cups/week	1 cup/day 5 cups/week

### Vegetable

Choices from the following vegetable sub-groups must be served in minimum amounts over the course of the week.

Component	Grades K-5	Grades 6-8	Grades 9-12
Vegetables (minimum)	¾ cup/day 3 ¾ cups/week	¾ cup/day 3 ¾ cups/week	1 cup/day 5 cups/week
Minimum amount of vegetables to be offered from the following subgroups:			
Dark Green	½ cup weekly	½ cup weekly	½ cup weekly
Red/Orange	¾ cup weekly	¾ cup weekly	1 ¼ cup weekly
Beans, Peas & Lentils	½ cup weekly	½ cup weekly	½ cup weekly
Starchy	½ cup weekly	½ cup weekly	½ cup weekly
Other	½ cup weekly	½ cup weekly	¾ cup weekly
Additional (from any subgroup)	1 cup weekly	1 cup weekly	1 ½ cup weekly
<b>Total Weekly:</b>	<b>3 ¾ cups/week</b>	<b>3 ¾ cups/week</b>	<b>5 cups/week</b>

Note:

- For raw leafy greens, such as lettuce, 1 cup credits as a ½ cup of the vegetable component.
- Beans, peas & lentils may be used as either a vegetable or a meat/meat alternate but not both in the same meal.

### Grains

80% of grain items served in school meals must be whole grain rich. Whole grain rich products are those that contain 100% whole grain or a 50/50 blend of whole grain and enriched grain ingredients.

For more information and to determine if a product is whole grain rich, refer to the [Whole Grain Resource for the National School Lunch and School Breakfast Programs](#) published by USDA.

### **Ounce Equivalencies for Grains**

As stated in USDA Memo SP-2012 *Grain Requirements for the National School Lunch Program and School Breakfast Program*, grain products must be credited using the oz eq method. This criterion is applied to various products as follows:



- Baked goods, such as breads, biscuits, bagels, etc., require 16 grams of creditable grain ingredients in order to provide 1 oz eq credit.
- For cereal grains such as oatmeal, pasta, and brown rice, a 1-ounce equivalent is 28 grams (approximately 1.0 ounce by weight) of dry product. Since these grains are served cooked and water is added in preparation, the cooked volume equivalent is ½ cup cooked cereal, pasta, or rice.
- For ready-to-eat (RTE) breakfast cereal, 28 grams *or* 1.0 ounce of product is considered an ounce equivalent. The ounce equivalent volumes are 1 cup flakes or rounds, 1.25 cups puffed cereal, and ¼ cup granola.

Component	Grades K-5	Grades 6-8	Grades 9-12
Grains (minimum)	1 oz. eq/day 8 oz. eq/week	1 oz. eq/day 8 oz. eq/week	2 oz. eq/day 10 oz. eq/week

Note:

- In NSLP meal service, up to 2 oz. equivalents of grain based desserts may be offered per week.
- To meet the weekly grain requirements for grades K-8, you need to offer more than the daily minimum amounts on some days.

### Meat/Meat Alternates

Meat and meat alternates include beef, pork, poultry, fish, eggs, cheese, nuts and seeds, nut and seed butters, beans and legumes, cottage cheese, and yogurt. In addition, tofu and soy yogurt may be credited as a meat/meat alternate provided they are commercially made and meet the definition of 210.2 in 7CFR. To credit tofu, 2.2 ounces or ¼ cup of commercially prepared tofu must contain at least 5 grams of protein and the ¼ cup portion will equal 1 oz. of meat/meat alternate. To credit the soy yogurt, ½ cup of liquid volume is credited as 1 oz. of meat/meat alternate.

Component	Grades K-5	Grades 6-8	Grades 9-12
Meat/Meat Alternates (minimum)	1 oz. eq/day 8 oz. eq/week	1 oz. eq/day 9 oz. eq/week	2 oz. eq/day 10 oz. eq/week

Note:

- When crediting beans, peas & lentils as a M/MA component, they cannot also be credited as the vegetable subgroup in the same meal.
- To meet the weekly M/MA requirements for grades K-8, you need to offer more than the daily minimum amounts each day.

*Milk*

Fluid milk must be offered daily. At least two milk choices must be offered from the following options: unflavored 1% milk, unflavored fat-free milk, flavored 1%, and flavored fat-free milk. Additional choices may be offered provided they fall in one of these categories.

Component	Grades K-5	Grades 6-8	Grades 9-12
Fluid Milk (minimum)	1 cup/day 5 cups/week	1 cup/day 5 cups/week	1 cup/day 5 cups/week

For students who are lactose intolerant, lactose free milk may be provided. This is specially treated cow’s milk, so it is an acceptable substitute. For those who cannot drink cow’s milk, only approved milk substitutes can be provided.

**Offer versus Serve (OvS) in Lunch**

OvS is a requirement in the National School Lunch Program for high schools and is optional for lower grade schools.

K-8 schools that are Serve only, do not allow students the option to deny a meal component(s). This means that students must receive the required minimum daily serving of all 5 meal components.

OvS schools must offer the 5 required food components (grains, meat/meat alternate, fruit, vegetables and milk) in the required quantities. Students may decline 1 or 2 of the 5 required components but must select at least ½ cup of either fruit and/or vegetable.

**School Breakfast Meal Pattern Requirements**

The breakfast meal pattern is based on three meal components– fruit, grain, and milk.

*Fruit*

One (1) cup of fruit must be offered each day and students must select a minimum of a ½ cup equivalent for the breakfast to be reimbursable.

Component	Grades K-5	Grades 6-8	Grades 9-12
Fruit (minimum)	1 cup/day 5 cups/week	1 cup/day 5 cups/week	1 cup/day 5 cups/week

Note:

- Vegetables may be substituted for fruit.
- One quarter cup of dried fruit counts as ½ cup fruit and 1 cup of leafy greens counts as ½ cup of vegetables.

- No more than half of the fruit or vegetable offerings may be in the form of juice. All juice must be 100% full strength.

*Grains/Bread*

80% of grains offered must be whole grain rich. Grains must be offered in ounce equivalents (oz. eq.) as per policy memo SP 30- 2012. A minimum of 1 oz. eq. of grains must be offered to each grade group daily. The range of weekly offerings of grain vary by grade group, however planning one menu with 9 - 10 ounces of grain and an average of 450 calories over the week will satisfy all three grade groupings.

Component	Grades K-5	Grades 6-8	Grades 9-12
Grains (minimum)	1 oz. eq/day 7 oz. eq/week	1 oz. eq/day 8 oz. eq/week	2 oz. eq/day 9 oz. eq/week

If grain components are offered in amounts larger than the minimum serving size amount of 1 oz. eq. and equal full oz. equivalent serving amounts, such as a 2 oz. eq muffin, or a 3 oz eq. bagel, then the menu planner has the option to count it as either 1, 2 or 3 items for Offer versus Serve. Items that are larger than 1 ounce but not full ounce equivalents, like a 1.5 ounce cinnamon roll, this would count as a 1 ounce food item in Offer versus Serve (OvS).

*Meat/Meat Alternate (optional)*

It is not a requirement to offer a meat/meat alternate as part of the School Breakfast Program. If meat/meat alternate is offered, a 1 oz. equivalent of a meat/meat alternate may credit as 1 oz. equivalent of grain.

With respect to OvS, grains and meat/meat alternates must be offered and served in full ounce equivalents to count as an item.

*Milk*

Fluid milk requirements for breakfast are the same as they are for lunch.

Component	Grades K-5	Grades 6-8	Grades 9-12
Fluid Milk (minimum) <i>1% &amp; fat-free</i>	1 cup/day 5 cups/week	1 cup/day 5 cups/week	1 cup/day 5 cups/week

**Offer versus Serve (OvS) at Breakfast**

OvS is optional for all grades in the School Breakfast Program. To carry out this option, schools must offer at least 4 items from the 3 required meal components (grains, fruit and milk). Students may decline 1 item but must select at least ½ cup of fruit and at least 2 other items.

When counting meals for reimbursement, it is important for the cashier or person taking the meal count be able to identify whether each student has taken the minimum amount to make a reimbursable meal.

To minimize confusion among cashiers and students, consider:

- Making fruit and vegetable choices available in ½ cup portions
- Planning full 1 oz eq servings of grain so that any grain item counts as a component
- Planning entrees with sufficient meat/meat alternate to make a complete serving; if meat/meat alternate is split between two foods, merchandise and serve them together

### National School Lunch Program Afterschool Snack Service Meal Pattern

Snacks served as part of the Afterschool Snack Program must offer at least one serving from two different components from the following:

Component	Ages 1-2	Ages 3-5	Ages 6-12
Fluid Milk	½ Cup	½ Cup	1 cup
Fruits/Vegetables	½ Cup	½ Cup	¾ cup
Grains/Breads	½ oz. eq.	½ oz. eq.	1 oz. eq.
Meat/Meat Alternate	½ oz. eq.	½ oz. eq.	1 oz. eq.

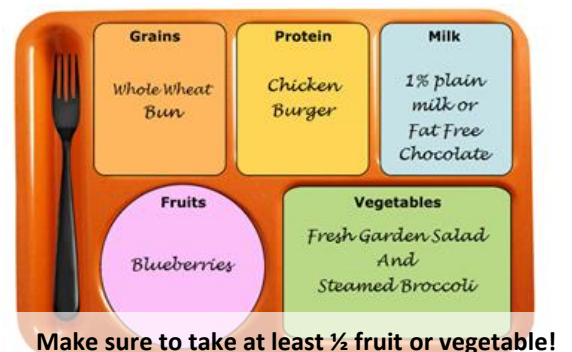
Note:

- The serving size of fruits/vegetables is ¾ **cup** for school-aged children (ages 6-12)
- Juice may not be served when milk is served as the only other component
- For students ages 13-18, follow the ages 6-12 guidelines you may choose to offer more

### Requirement to Post Menus

For breakfast and lunch service, schools are required to post signage near the beginning of the meal service line(s) so students know what foods can be selected as part of complete a reimbursable meal. They need to include the requirement to select a minimum ½ cup fruit or vegetable with a meal.

Menus do not need to include foods that are only served as an a la carte option.



### Production Records

Federal Regulation (7 CFR Section 210.10(a)(3)) stipulates that “*Production and menu records shall be maintained to demonstrate that the required number of food components and food items or menu items are offered on a given day. Production records shall include sufficient*

*information to evaluate the menu's contribution to the requirements on nutrition standards...and the appropriate levels of nutrients and calories...whichever is applicable.”*

Production records are required to be kept for the School Breakfast Program, National School Lunch Program and the NSLP After School Snack Service. They support the claiming of reimbursable meals, provide a historical record of meal service and serve as a tool to monitor food cost. Production records should include the following information:

- Name of the Site
- Date
- If the site participates in Offer Versus Serve (OvS)
- Grade groups being served (K-5, 6-8, K-8, 9-12 )
- Daily Menu and food items (including condiments & leftovers from another day)
- Recipe Number or Product Brand Name
- Planned Portions sizes
- Quantities Prepared/Total projected servings
- Contribution to food components
- Actual Student Servings and Actual Other Servings (adult, a la carte)
- Amount Leftover

**Note: Remember to include enough details so anyone picking up the production record could determine how the actual items served contribute to the meal pattern.**

## **Crediting Components in School Nutrition Programs**

### **How to Credit Grains:**

Schools can use any of the four calculation methods below to determine a product's grain contribution. Make sure to round down to the nearest 0.25 oz. after calculating.

**Method 1:** Convert the weight of the item from grams, listed on the nutrition facts label, to ounces by dividing the grams by 28 and refer to Exhibit A: Grain Requirements for Child Nutrition Programs\* on crediting. Divide the serving size of the product by the corresponding oz. eq listed in groups A through G.

*\*Exhibit A can be found here:*

<https://foodbuyingguide.fns.usda.gov/FoodComponents/ResourceGrains>

**Method 2:** Determine the item's weight in ounces by weighing the item and refer to the updated grain memo on crediting. Divide the serving size of the product by the corresponding oz. eq listed in groups A through G.

*For example, 1.2 oz. of cornbread = 1 oz. equivalent. Therefore a 2 oz. piece of cornbread, when divided by 1.2, would equal 1.66. After rounding down to the nearest 0.25 oz. the cornbread would credit as 1.5 grain oz. eq.*

**Method 3:** Obtain a manufacturer’s product analysis sheet or Child Nutrition (CN) label.

**Method 4:** Divide the enriched and whole grain gram weight of the product, often listed within the recipe, by the number of servings and then by 16 grams to get the amount of grain ounce equivalents per serving. Conversions of cups or pounds of flour/other grains to grams can be found on page 3-12 of the grain section of the food buying guide.

**How to Credit Meat/Meat Alternates:**

Schools can use any of the two calculation methods below to determine a product’s meat/meat alternate contribution. Make sure to round down to the nearest 0.25 oz. after calculating.

**Method 1:** If it is an unprocessed item you can use the weight of the cooked meat. Refer to the Food Buying Guide for cooked yields or edible portions of raw meat.

**Method 2:** If it is a processed item (with breading, fillers, etc.) you need a CN label, USDA food fact sheet if it’s a USDA food, the Food Buying Guide, or the manufacturer’s product analysis sheet.

Note: The manufacturer’s advertising sheet cannot be used to validate how a food item meets the individual food components.

**Additional Information for Crediting Meat/Meat Alternates**

Deli meat and similar items have added ingredients that do not contribute to the amount of meat in a product. For these items, one ounce does not equal once ounce equivalent. Check the Food Buying Guide for crediting information. If the product is not in the Food Buying Guide, use Method 2 above.

2 TBSP Peanut butter = 1 oz m/ma equivalent

¼ cup Beans = 1 oz m/ma equivalent  
(Beans cannot count as a vegetable and a meat in the same meal)

½ cup Yogurt = 1 oz m/ma equivalent

**How** 1 oz of cheese = 1 oz of m/ma equivalent. **to**  
Some slices of cheese may not be 1 ounce. Refer to the product label for crediting.

**Credit Vegetables**

All servings are measured by volume, not weight. You can find the weight (*pounds, ounces*) converted to volume (*cups, teaspoons, tablespoons*) in the Food Buying Guide. Remember that 1/8 cup is the smallest creditable amount.

- Raw leafy greens count for half the volume. *For example, 1 cup of raw spinach counts as 1/2 cup of vegetable.*
- Refer to <http://www.choosemyplate.gov/food-groups/vegetables.html> for information on vegetable subgroups.
- To credit vegetable mixtures to a specific vegetable subgroup, you will need to know the exact quantities of each vegetable within the mixture. This information can be found within the recipe or in a manufacturer's statement. If you cannot verify the exact quantities of each vegetable you can count non-starchy vegetable mixtures as "other vegetables" and starchy vegetable mixtures as "additional vegetables".

### **How to Credit Fruits:**

All servings are measured by volume not weight. You can find the weight (*pounds, ounces, grams*) converted to volume (*cups, teaspoons, liters*) in the Food Buying Guide. Remember that 1/8 cup is the smallest creditable amount.

- Dried fruit counts as twice the volume. *For example, 1/4 cup of raisins credits as 1/2 cup of fruit.*
- Most fresh fruit will be credited according to the count of the item, the creditable amount can be found in the Food Buying Guide.

### **Determining the Contribution of Individual Food Components in a Recipe**

To determine the contribution of food components you can use the Food Buying Guide or any method outlined below.

#### *For Pasta, Rice, or Vegetables*

1. Refer to the Food Buying Guide, which will tell you how many cooked 1/4 cup or 1/2 cup portions are in one pound of dry pasta/rice or As Purchased vegetables in column 3.
2. Next, multiply the number of pounds of rice/pasta/vegetable in the recipe by the number of servings per pound to determine the number of cooked 1/4 cup or 1/2 cup servings in your recipe
3. Last, if the recipe calls for 1 cup servings divide the final number by 2 for 1/2 cup servings or by 4 for 1/4 cup servings. *If you have pounds and ounces (eg. 4 lbs 3 ounces) convert the ounces to a decimal by dividing the ounces by 16 before multiplying by the number of servings per pound.*

#### *For Meat/Meat Alternate*

1. Determine the cooked Edible Portion of raw meats using the Food Buying Guide.

2. Next, convert cooked pounds of meat/meat alternate into ounces by multiplying the pounds by 16 and divide by the number of servings.

#### *For Creditable Grain/Flour in a Recipe*

1. Add up the cups of flour indicated in the recipe and multiply by 128 (1 cup of all-purpose flour is about 128 grams).
2. Then, divide that number by the number of servings in the recipe, then divide by 16 to give you the oz. equivalent of grain per serving.

#### **Non-creditable Foods**

Often there are foods that do not contribute to meeting meal pattern requirements but are added to a meal for interest and/or flavor. Examples are salad dressings and sandwich condiments. It is commonly known that these items are non-creditable, meaning they do not contribute to meal pattern requirements. However, there are other foods that are less obvious. For example, cream cheese is sometimes thought of as a meat/meat alternate. However, it has too little protein to count as part of the meat/meat alternate group. You are allowed to serve non-credible foods, just remember that they will count toward the weekly calorie limits. Examples of non-credible foods include:

Bacon	Bacon Bits
Butter/Margarine	Cream
Cream Cheese	Condiments & dressings
Ice Cream/Frozen Yogurt	Pepperoni
Potato Chips	Popsicles
Pudding	Salami

#### **Smart Snacks in Schools**

All schools participating in the National School Lunch and/or School Breakfast Program are required to follow the Smart Snacks Nutrition Standards for foods and beverages sold to students during the school day, outside of, or in addition to, the reimbursable meal. These includes items sold a la carte as well as in vending machines, school stores and fundraisers. These standards apply during the school day anywhere on school campus/grounds that students have access to. A school day is defined as midnight to 30 minutes after the end of the school day.

#### **Is that a ‘Smart Snack’?**

Alliance for a Healthy Generation has developed a *Smart Snacks Calculator* that can be used to determine whether the snacks being sold to students meet the standards. To use the calculator, you will need the nutrition label. Once you have entered the data, the calculator does the math and tells you if your snack meets the standards. If it does not meet the standards, it tells you the unmet standard(s). The *Smart Snacks Calculator* can be found here:

<https://foodplanner.healthiergeneration.org/calculator/>



## Smart Snacks Nutrition Standards for Foods

Any food sold in schools to students during the school day must:

- Be a “whole grain-rich” grain product; or
- Have as the first ingredient a fruit, a vegetable, a dairy product, or a protein food; or
- Be a combination food that contains at least  $\frac{1}{4}$  cup of fruit and/or vegetable; or

Foods must also meet several nutrient requirements:

- **Calorie limits:**
  - Snack items:  $\leq 200$  calories
  - Entrée items:  $\leq 350$  calories
- **Fat limits:**
  - Total fat:  $\leq 35\%$  of calories
  - Saturated fat:  $< 10\%$  of calories
  - Trans fat: zero grams
- **Sodium limits:**
  - Snack items:  $\leq 200$  mg
  - Entrée items:  $\leq 480$  mg
- **Sugar limit:**
  - $\leq 35\%$  of weight from total sugars in foods

## Smart Snacks Nutrition Standards for Beverages

- ✓ All schools may sell:
  - Plain water (with or without carbonation)
  - Unflavored low fat milk
  - Unflavored or flavored fat free milk and milk alternatives permitted by NSLP/SBP
  - 100% fruit or vegetable juice and
  - 100% fruit or vegetable juice diluted with water (with or without carbonation), and no added sweeteners.
- ✓ Elementary schools may sell up to 8-ounce portions, while middle schools and high schools may sell up to 12-ounce portions of milk and juice. There is no portion size limit for plain water.
- ✓ “no calorie” and “lower calorie” beverage options may be sold to high school students.
  - No more than 20-ounce portions of
    - Calorie-free, flavored water (with or without carbonation); and
    - Other flavored and/or carbonated beverages that are labeled to contain < 5 calories per 8 fluid ounces or ≤ 10 calories per 20 fluid ounces.
- ✓ No more than 12-ounce portions of
  - Beverages with ≤ 40 calories per 8 fluid ounces, or ≤ 60 calories per 12 fluid ounces.

## Additional Smart Snack Requirements

- ✓ Fundraisers
  - Fundraisers that sell food items to students at school during the school day must meet the same standards as for Smart Snacks.
  - The Smart Snack nutrition requirements do not apply during non-school hours, on weekends and at off-campus fundraising events.
- ✓ Accompaniments
  - Items such as cream cheese, salad dressing, and butter must be included in the nutrient profile as part of the food item sold.

# **Certification of Eligibility**

## Determining Student Eligibility

Schools participating in the National School Lunch and/or Breakfast Programs must agree to provide free and reduced-price meals to eligible children. To fulfill this responsibility, the school district must appoint someone as the Approving Official. **The Approving Official is the designated person responsible for collecting, evaluating, and processing information used for determining meal benefits for students.** The individual who is processing applications must be the one named on the Sponsor Information Sheet in CNPWeb as part of the Sponsor's Annual Application for School Nutrition Programs.

Eligibility for free or reduced-price meals can be determined in the following ways:

- Free and Reduced Price School Meal Applications
- Direct Certification
- Student list from the homeless liaison
- Student list from the migrant coordinator
- Student list from the school's Head Start program of students enrolled in Head Start

### Free and Reduced Price Meal Benefit Applications

By regulation, the Free and Reduced Price Meal Benefit Application and Letter to Households must be distributed to all families each school year. This is typically done on or right before the first day of school. While applications must be provided to all families, families cannot be required to apply. Applications are updated each year and are available on the Maine Department of Education Child Nutrition website. SFAs must download and use the updated meal application for the current school year. Households may apply at any point during the school year.

The USDA *Eligibility Manual for School Meals* provides complete instructions for approving meal applications and conducting verification. It should be reviewed annually and referenced anytime the Approving Official has a question. This manual is updated annually and can be accessed on our website at <https://www.fns.usda.gov/eligibility-manual-school-meals>

Free and Reduced Price Meal Benefit Application must be processed as soon as possible, but no later than 10 days after the district receives them. Families must be notified of the determination decision and the benefit level for which the student(s) has been approved or if the student is not eligible for meal benefits. Sample notification letters are also provided on our website.

If an application is incomplete, the Approving Official should contact the household to obtain the missing information. Household signature must be on the application. Document the contact person's name, date and information provided as part of the conversation. Incomplete applications may also be returned to the household to complete and re-submit.

Completed Free and Reduced Price Meal Benefit Applications are confidential and may not be released to anyone except food service under USDA Federal regulations. Failure to do so may result in a monetary fine and/or imprisonment.

**Note: Incomplete Applications**

Income applications cannot be processed if:

- The last 4 digits of the Social Security number are missing and there is no indication that the adult signing the application does not have a Social Security number
- The signature of adult submitting application is missing
- The income listed is inconsistent or unclear
- The number in the household listed does not match the number of names listed on the application

Categorical applications cannot be processed with:

- Invalid or missing SNAP/TANF case numbers (should be 8 digits plus a letter)
- Missing signature of adult submitting application
- Information that is inconsistent or unclear

Eligibility for free and reduced meal benefits lasts for the entire school year unless the household submits a new application. To determine if a household meets income eligibility requirements for benefits, the Approving Official must compare the household size and the total household gross earned income (without deductions) to the current income eligibility guidelines. Current income eligibility guidelines can be found on our website.

If the household has only one income source, or if all sources are received in the same frequency (weekly, every two weeks, bi-monthly, monthly, or annually), no conversion factor is used. Compare the income or sum of the incomes to the current income eligibility guidelines for the household size and frequency of pay to make the eligibility determination.

If the household reports income sources at more than one frequency (weekly, every two weeks, bi-weekly, monthly, or annually), all reported income needs to be converted to an annual total. The conversion factors that must be used to convert income to annual are as follows:

- Weekly reported income x 52
- Bi-Weekly (every 2 weeks) reported income x 26
- Bi-Monthly (twice a month) reported income x 24
- Once a Month reported income x 12

Do not round the values from each conversion. Total all converted annual income as indicated on the application and then compare to the current Income Eligibility Guidelines.

**MaineCare is NOT an allowable means to determine eligibility for school meal benefits.**

## **Direct Certification**

Direct certification is the certification of student eligibility for free school meals based on information received from the Department of Health and Human Services (DHHS). The list is found online in NEO [www.neo.maine.gov](http://www.neo.maine.gov) Any student directly certified is eligible for free school meals. The Direct Certification (DC) list from DHHS is updated regularly and must be the first method to be used to certify students for free meal benefits.

It is strongly recommended that the Approving Official download a copy of the most recent DC list before the start of school year and notify households that there is no need for them to complete a Free and Reduced Price Meal Benefit Application, as they are already eligible for free meal benefits based on Direct Certification.

The DC list is updated regularly. The best practice is to obtain a copy of the list each month to ensure newly eligible children will receive meal benefits. This list must be reviewed at a minimum, three times during the school year. The recommended times are August, November and March. When the list is updated, new additions to the list will be indicated by the date next to the student's name. If a student is no longer on the DC list, DO NOT change their status, they are eligible for Free meal benefits for the entire school year.

Both the district's Superintendent and the Food Service Director have access to the DC list in NEO. For the Food Service Director to access this list they must be listed in the DOE Staff Directory as a Food Service Director.

## **Homeless/Migrant**

Another acceptable method of approval for free meal benefits is from the school district's Homeless Liaison and the Maine Migrant Liaison. Either individual can supply a list of Homeless or Migrant students to the SFA and this would qualify these students for Free Meal benefits for the year with no need to submit a Free and Reduced Price School Meal Application. If a household submits an application indicating Homeless/Migrant, the approving officer needs supporting documentation from the district's Homeless/Migrant Coordinator before approving the application.

## **Change in Eligibility Status**

When an eligibility change occurs that increases meal benefits (paid to free, paid to reduced-price, or reduced-price to free), the SFA must notify the household and change the benefits of all children in the household. This must be done no later than three operating days from the time of the new determination. When there is a change in eligibility status that results in decreased or terminated benefits (free to paid, reduced to paid, or free to reduced-price) the SFA must notify the household and provide ten calendar days advance written notice. The first day of the ten calendar day advance written notice is the day the notice is sent.

### **Carryover of Previous Year's Eligibility**

Student eligibility from the previous year is carried over for 30 operating days into the subsequent school year OR until a new eligibility determination has been made, whichever comes first. Carryover also applies to newly enrolled children from households with children who were approved for benefits within the same LEA in the previous school year. If benefits provided to a student during the first 30 operating days of the school year are based on eligibility from the prior school, a notice of adverse action at the end of the 30 operating days is not required. However, an LEA may provide notification to families if they wish.

#### **REMINDER**

- Once a household submits an application, the prior year eligibility is no longer valid and benefits must be based on the current application.
- Applications for the prior year are valid only until the 30th day of operation.
- If no application has been received for a student by the 30th day of operation, the student's eligibility category must be changed to "paid".

### **Confidentiality**

The SFA may disclose aggregate information to any program or individual, such as the number of children in a school building or district that are eligible for free or reduced-price meals. Collectively gathered information does not identify individual children; therefore, parental notification and parental consent are not needed.

Information provided on the Free and Reduced Price School Meal Application is used only for determining eligibility for meal benefits and verification of eligibility. SFAs **may not** disclose children's free and reduced-price meal eligibility information to programs, activities, and individuals without written permission from the parent/guardian.

Although a program or person may be authorized under the NSLA to receive free and reduced-price eligibility information, there must be a legitimate "need to know" to provide a service or carry out an authorized activity. State agencies, LEAs, and schools must ensure that data systems, records, and other means of accessing a student's eligibility status are limited to officials directly connected with administration or enforcement of a Federal or State program or activity. This includes Federal, State, or local program operators responsible for the ongoing operation of the program or activity, or responsible for program compliance.

For questions related to disclosure, refer to the disclosure chart in the USDA Eligibility Manual.

**Failure to keep student eligibility information confidential may result in a fine of not more than \$1000 or imprisonment of not more than one year, or both.**

## **Verification**

Verification is the process of confirming a percent of households that have been determined to be eligible for free and reduced-price meals. It includes either the confirmation of income eligibility or the confirmation that the child is included in a household that receives SNAP (Supplemental Nutrition Assistance Program) and/or TANF (Temporary Assistance for Needy Families) benefits. Verification is only required when eligibility is determined through the use of the household Free and Reduced Price School Meal Application, not through Direct Certification or a list from the homeless and migrant liaison for students determined to be categorically eligible.

The verification process starts on October 1<sup>st</sup>, at which point three percent of the approved Free and Reduced Price School Meal Applications must be verified using the Error Prone method, unless prior permission is approved by Maine DOE. Error Prone refers to income applications that are within \$100 of the income guidelines.

When determining the correct number of Free and Reduced Meal Applications to be verified, always round up. For example,  $101 \text{ approved applications} \times .03 = 3.03 \text{ round up to } 4$ .

### **Steps to Complete the Verification Process**

- 1: Before initiating the verification process, run a Direct Certification match to directly certify students who may be currently receiving benefits based on a household eligibility application. Children who are not on the Direct Certification list and are living in the same household as a Directly Certified student are considered to be eligible for Free meals based on Direct Certification.
- 2: After completing the Direct Certification match, sort and count all approved household applications used to determine eligibility by category, and begin the verification process. This includes *Income*, *SNAP/TANF*, and *Foster Child* applications.
- 3: Determine the total number of eligibility applications on file as of October 1, counting only one application per household.
- 6: Using the Error Prone method, establish the number of Applications to verify and round up.
- 7: After selecting applications for verification, the Confirming Official must recheck the original eligibility determination. The Confirming Official is a determining official, other than the official who made the initial eligibility determination, and is identified on the annual policy agreement submitted to Maine DOE.
- 8: Notify household of selection for verification.
- 9: Collect income documentation (October 1 to November 15)



- 10: Calculate eligibility based on supplied documentation (October 1 to November 15)
- 11: Notify family of verification results (No later than November 15)
- 12: Complete Household Verification Tracker for each application verified. The tracker can be downloaded from our website
- 13: Compile Verification Results in CNPWeb (By November 20)

**All LEAs, including those participating in CEP or Provision 1, 2, or 3, must still submit a verification report to Maine DOE.**

If the LEA is unable to meet the Federal required deadline, the Superintendent must contact the Maine Department of Education, Child Nutrition via mail or email and request a waiver for an extension. Extensions cannot be granted beyond December 15.

For more information on the verification process, refer to the *Eligibility Manual for School Meals*.

# **Benefit Issuance and Meal Counting**

## **Master List/Benefit Issuance List**

Once eligibility has been determined, a list must be created to indicate which students in the district are eligible for free and reduced meals. This is called a Master List or a Benefit Issuance List and is a roster of student names that includes information about student eligibility. This is a confidential list and should be kept in a secure location.

The list should contain:

- Student name
- Application number (recommended but not required)
- Grade
- Eligibility
- Date of eligibility
- Approval reason (income, DC, foster...)
- Status Change: date of change, eligibility changed to (F or R), reason for change, withdrawal date

As updates are made to the list, do not remove any names. The Master List serves as a “live” document that provides a history of eligibility information for individual students over the entire school year. For example, if a student leaves school, that student’s name should remain on the list. The date, status change, and reason will indicate a student is no longer eligible for meal benefits because he or she has withdrawn. All lists should be kept for 3 years plus the current school year.

## **Point of Service Document**

The Point of Service Document is a listing of currently eligible students that is used by food service staff at the point of service. Updated information from the Master List must be provided in a timely fashion to make sure the Point of Service Document is updated and the student receives the correct benefit. This may be a roster or checklist where eligibility status, if available, is listed in a form only identifiable to the person claiming the meals for reimbursement. This document must prevent overt identification meaning the eligibility category is protected and known only by those school officials who deal directly with the counting and claiming system.

## **Replacement of Benefit Issuance Documentation**

Depending on the benefit issuance documentation chosen, students may misplace or lose tickets, identification cards, etc. The USDA has issued specific instructions (FNS Instruction 765-7, Revision 2) regarding lost, stolen, or misused benefit issuance documentation. The purpose of this guidance is to assist sponsors in developing or revising district/school policies while ensuring compliance with federal regulations.

**Clarification of Food & Nutrition Services Instructions 782-5;  
lost or stolen ticket guidance which addresses students charging meals**

Clarification of the guideline titled, “Guidelines for School Policies on Handling Lost, Stolen or Misused Meal Tickets and Charging of Meals by Students,” which was adapted from USDA Food Nutrition Services, FNS instructions 765-7.

The guideline states, “meals must be provided to pre-primary and young primary students (K-3), or for any handicap students who may be unable to take full responsibility for a meal ticket or debts they may have created.”

The Maine Department of Education has received further clarification from the USDA, North East Regional Office on “meals.” The term “meals” refers to reimbursable meals, therefore free and reduced-price eligible **K-3 students must be offered a reimbursable meal**. The meal can be an alternate reimbursable meal or the same reimbursable meal offered on the menu. The meal can be claimed for Federal and State Reimbursement.

Grades 4 and higher must have a School Board Policy in place, implemented and abided for lost or stolen tickets. Otherwise, the student must be served.

### **Accountability: Meal Counting and Claiming**

To receive reimbursement, sites must accurately count, record, and claim the number of meals actually served to students by category: Free, Reduced and Paid. The number of meals served Free, Reduced and Paid claimed for reimbursement must have adequate documentation on file to support the claim.

The meal counting and claiming system includes the following:

1. Eligibility Documentation
2. Collection Procedures
3. Point of Service Counts
4. Reports
5. Claim for Reimbursement
6. Internal Controls

Each of the above elements are important; and all work together to provide accurate and acceptable documentation for meal reimbursement.

1. *Eligibility Documentation* - The SFA must have documentation to claim free or reduced-price meals for reimbursement. Documentation includes Free and Reduced Price School Meal Applications, Direct Certification list, homeless and/or migrant liaison list, Head Start list, and lists of residential students in RCCIs.
2. *Collection Procedures* – Different systems may be used to collect payment for student meals. These include pre-payment, post-payment and payment at the Point of Service. Regardless of the means used to collect payment, the SFA must prevent overt identification to keep students’ eligibility for free or reduced meals confidential.
3. *Point of Service Counts(for non-special provision schools)* - Meals **must** be counted daily at the Point of Service (POS), the point in the food service line where it can be determined that a reimbursable meal, containing all required components, has been served to an eligible student. Alternative systems, including remote serving areas such as classrooms, must be pre-approved by the Maine Department of Education, Child Nutrition.

<p><u>Acceptable POS meal count systems include:</u></p> <ul style="list-style-type: none"> <li>• Coded Roster Checklist</li> <li>• Coded Tickets or Tokens: (not color coded)</li> <li>• Tick or Tally Sheet</li> <li>• Electronic System: <ul style="list-style-type: none"> <li>Student ID Card</li> <li>Student PIN Code</li> <li>Student Biometric Finger ID</li> </ul> </li> </ul>	<p><u>Unacceptable POS meal count systems (they do not provide a daily count of reimbursable meals by category at the POS):</u></p> <ul style="list-style-type: none"> <li>• Attendance Counts</li> <li>• Tray/Entrée Counts</li> <li>• Classroom Counts</li> <li>• Head Counts</li> <li>• Counts taken anywhere other than at point of service</li> <li>• Cash converted to meals</li> <li>• Category/Cash Back-out Systems</li> <li>• Delivery Count of Meals Produced Off-Site</li> <li>• Any acceptable system that is not implemented properly</li> </ul>
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4. *Reports* –The numbers of reimbursable meals served daily, by category of eligible students are recorded and reported by personnel trained to observe and record reimbursable meals.
  - a. Meal Count Edit Check - the SFA must evaluate the lunch meal counts for each site prior to submission of the Claim for Reimbursement. The Daily Record Form: School Lunch found on our website under ‘Forms’ > ‘Daily Operations Forms’, will assist you in performing an edit check and will help identify and prevent errors in recording and consolidating meal counts.

- The process compares the daily number of free, reduced-price and paid lunches claimed for each site to the following:
  - Highest number of eligible students by category
  - Attendance-adjusted eligible students for each category
- The Daily Record Form: School Lunch also compares the monthly number of free, reduced and paid lunches claimed for each site to the maximum number of meals allowable to the total number of meals claimed by category.
- It is required that the meal count edit form is completed each month for sites participating in NSLP.
- When completing the meal count edit form normal rounding rules do not apply. Do not round up; leave the decimal should one occur during calculations.

The SFA shall promptly follow-up through phone contact, on-site visits or other means when the internal controls used by the school(s) or SFA for the claims process indicate the likelihood of meal count problems. When problems or errors are identified, the meal counts shall be corrected prior to submission of the monthly Claim for Reimbursement. Improvements to the meal count system shall be made to ensure that the meal counting system consistently results in meal counts of the actual number of reimbursable free, reduced and paid meals served for each day of operation.

4. *Monthly Claim for Reimbursement* –SFAs must report required information to receive reimbursement for meals served. The monthly Claim for Reimbursement is submitted electronically by the SFA in CNPWeb at <https://me.cnpus.com/cnp/Login>.
5. *Internal Controls* - The SFA must establish internal controls to ensure an accurate Claim for Reimbursement has been made. Here are a few examples of internal controls:
  - Segregation of duties
  - On-site visits – required to be completed for each site prior to February 1 of each year
  - Reconciliation of production records to meals

## **Special Provisions**

Special provisions are a non-pricing option for schools that reduces administrative paperwork.

*Community Eligibility Provision (CEP)*- Schools with at least 40% of enrolled students directly certified are eligible to participate in CEP. No meal benefit applications are distributed or processed for the four-year term. Total meals served by program are entered on the monthly claim, meals are not recorded by Free/Reduced/Paid.

*Special Provision II (SPII)* – Any district may participate in SPII. Meal benefit applications are distributed and processed in the base year only and not again for the remainder of the term (years 2-4). Meals are counted and claimed by free/reduced/paid in the base year only then total counts are claimed in years 2-4.

### **Preventing Overt Identification**

A system for counting and claiming meals must prevent overt identification. This means the **eligibility category of any child must be protected and known only by those school officials who deal directly with the counting and claiming system.**

Codes on checklists, rosters or tickets are one method of preventing overt identification. A code must be difficult to recognize, but not so confusing that the person taking the count has difficulty identifying the category. Some codes are too easily recognizable and therefore allow overt identification. These include the actual words “free,” “reduced-price” and “paid” or the use of the letters “F,” “R” or “P.” In addition, the use of different colors for different designations is also prohibited.

### **Guidelines for School Policies on Handling Lost, Stolen or Misused Meal Tickets, and Charging of Meals by Students**

In these Guidelines the term “ticket” refers to any and all forms of exchange used in the schools’ or institutions’ food service collection systems including daily, weekly or monthly paper tickets, cards, cash or tokens. The term “charging” refers to any and all forms of exchange of verbal or signed agreement for payment of a meal after the service of the meal.

It should be noted that, when handling instances of missing tickets, schools need not actually issue a replacement ticket if appropriate meal arrangements, such as accompanying the students through the cafeteria line, are made.

Any system which limits the number of tickets reissued or occurrences of charging must conform to the following standards:

1. Parents and students must be advised in writing of the school’s policy regarding missing meal tickets and charging meals; and of the corresponding responsibility for the tickets or the debts incurred by charging. Such notice shall be provided to all households at the start of the year and at the time the households begin receiving or purchasing meal tickets.
2. A minimum of three ticket replacements, or special meal arrangements resulting from three lost or stolen tickets, or three occurrences of charging, must be allowed to each student within each school year.
3. The school must maintain a list of students who have reported missing original ticket(s) in the current school year and the number of occurrences for each student. The school must maintain a list of students who have charged a meal in the current school year and the number of occurrences for each student.  
Prior to denying a meal to any student without a “ticket”, the list(s) should be reviewed to determine if the student has already had at least three ticket replacements, special meal arrangements for lost or stolen tickets within that school year, or three occurrences of charging.
4. At least one advance written warning must be given to the students and the parent(s) prior to refusal to allow additional occurrences of charging or ticket replacements. The written warning must include an explanation that the student has repeatedly requested replacement tickets or charged meals and that each subsequent time the student fails to have a “ticket”, he/she will be expected to either bring lunch or pay full price for lunch.
5. Reimbursable meals must always be provided to preprimary and young primary students (K-3) or for any handicapped students who may be unable to take full responsibility for a meal ticket or the debts they may have created.

Using the above criteria, school food authorities may develop the most administratively feasible system to handle missing tickets and charges by students, as determined by individual school circumstances and frequency of ticket issuance. In cases of repeated ticket loss, misuse, or charging school administrators may wish to contact an adult household member to arrange a meeting to discuss the problem.



# **Federal and State Regulations**

## **Record Retention**

Documentation related to child nutrition programs must be maintained on file in the LEA for three (3) years plus the current school year. Documentation refers to any materials related to certification, verification, benefit issuance and claiming, including but not limited to, Free & Reduced Price Meal Applications, verification letters to families, verification documents received from families, menus, production records, and procurement. When discarding information, records containing student information must be shredded and destroyed.

## **Water During Meal Service**

Schools participating in the National School Lunch Program and/or School Breakfast Program must make potable water available to children at no charge in the place where breakfast meals, lunch meals are served. There are a variety of ways that schools can implement this requirement. For example, if students are permitted access to a water fountain, or a faucet is available for students to fill their own bottles or cups with drinking water. Use of water fountains are commonly used to meet this requirement. Whatever method is used, the water must be available without restriction in the location where meals are served.

While potable water is required to be made available to students, it is not considered part of the reimbursable meal and students are not required to take the water. Although, reimbursement is not available for this requirement, reasonable costs associated with the provision of potable water are an allowable expense to the non-profit food service account. Providing bottled water to students is not a reasonable and necessary cost to the program and therefore the program must charge for bottled water or be paid for by a source other than food service.

## **Local Wellness Policy**

Any school that participates in a program authorized under the National School Lunch Act or the Child Nutrition Act must establish a Local Wellness Policy which:

- Sets goals for nutrition education, nutrition promotion, physical activity, and other school-based activities to promote student wellness
- Sets nutrition standards for all foods and beverages *sold* to students during the school day
- Sets nutrition standards for all foods and beverages provided, *not sold*, to students during the school day (e.g. classroom parties, foods given as reward, classroom snacks, etc.)
- Permits food and beverage marketing of only those foods and beverages that meet federal smart snack standards
- Designates at least one school official with the authority and responsibility to ensure that each school within the district complies with the policy.
- Involves the following in the development, implementation, review, and update of the wellness policy: Parents, Students, School Food Service, Teachers of Physical Education, School Health Professionals, School Administrators, School Board Members, and General Public

- Establishes a plan for measuring effectiveness
- Involves physical education teachers, school health professionals, parents, students, and representatives from the school food service department, school board, school administration, and the public in the development of the Local Wellness Policy
- Includes a description of the plan for measuring the implementation of the wellness policy and reporting policy contention and implementation to the public, as required.

Additional requirements include:

- District informs and updates the public on the content and implementation of the wellness policy including progress made in attaining the goals of the policy.
- Completing a triennial assessment of the local wellness policy including:
  - The extent to which schools are in compliance with the local wellness policy;
  - The extent to which the LEA's local wellness policy compares to model local school wellness policies; and
  - The progress made in attaining the goals of the local wellness policy.

Acceptable methods for informing and updating the public may include dissemination of printed or electronic materials to families of school children and other members of the community at the beginning of the school year and/or posting on the district or school website. Whatever method is chosen, the information must be made available to the public by LEAs in an accessible, easily understood manner.

### **Accommodating Children with Disabilities and/or Special Dietary Needs**

*For a student with a disability*

Substitutions **must** be made to the regular meal for any child with disability which affects their diet when the following requirements are met:

- A medical statement is completed and signed by a medical authority (MD, DO, NP, PA)
- The statement must explain how the disability restricts the child's diet and food(s)/beverage(s) to be omitted and foods/beverages to be substituted.
- Having a complete statement on file allows the modified meal to be claimed for reimbursement even if it does not follow the meal pattern requirements.

If the medical statement does not contain sufficient information, the school nurse or food service director should contact the physician for clarification.

*For a student without a disability*

Substitutions **may** be made to the reimbursable meal. Substitutions must still adhere to meal pattern requirements.

*For a student without a disability requesting fluid milk substitution*

A fluid milk substitution **may** be made if requested by a parent or medical authority. Lactose-free cow's milk and only certain soy milk that meets the USDA criteria are permissible.

Not all students with a disability will require dietary accommodation. For those students that do have a special dietary need, determining how to make reasonable accommodations takes careful planning, good communications with the family, knowledge of food preparation techniques to prevent cross contamination and experience

#### **Did You Know?**

Lactose-free milk provides the same nutrients found in cow's milk; therefore, it can be served as part of the reimbursable meal without documentation or written statement. Lactose-free milk is listed in the Food Buying Guide.

## **Food Safety**

### **Food Safety Plan**

SFAs are responsible for developing a comprehensive food safety plan for all sites that prepare and serve food. The plan must be based on the Hazard Analysis and Critical Control Point (HACCP) principles and must conform to guidance issued by the USDA. Standard operating procedures for safe food handling must include any facility or part of a facility where food is stored, prepared, or served, such as on school buses, in hallways, school courtyards, kiosks, classrooms or other locations outside the cafeteria for SBP, NSLP, SMP, FFVP, and after school snack programs.

A school food safety program must include the following elements:

- A Written Food Safety Plan – A food safety plan must be developed for each food preparation and service site. The food safety plan must include how to apply HACCP principles by doing the following:
  - Documenting recipe/menu items in the appropriate HACCP process category
  - Documenting Critical Control Points of food production
  - Monitoring
  - Establishing and documenting corrective actions
  - Record keeping
  - Reviewing and revising the overall food safety plan periodically
- Documented Standard Operating Procedures (SOPs) – SOPs are a very important factor in developing an effective food safety plan. An SOP serves as a specific food safety process and is designed to control hazards not outlined specifically in the general

HACCP plan. For example, soiled and un-sanitized surfaces of equipment and utensils should not come into contact with raw or cooked (ready-to-eat) food. Proper procedures to prevent this should be covered by an SOP.

Sample SOPs are available from the Institute of Child Nutrition to be customized for your SFA at <https://theicn.org/icn-resources-a-z/standard-operating-procedures/>.

### **Certified Food Protection Manager**

The following information is from rules pertaining to establishments regulated by the Maine Health Inspection Program- Chapter 201:

Section 2.A.2: Every eating establishment must employ on its staff a certified food protection manager. The responsibilities of the certified food protection manager include training and implementing a program of food protection and education for each person in charge, so that he or she will be able to successfully complete the demonstration required by Section 2-102.11 and will be able to carry out their responsibilities under Section 2-103.11 of the Food Code. If the person in charge is also a certified food protection manager, he or she must comply with Section 2-102.11(b) of the Food Code. In the event that during an inspection by a Regulatory Authority, the person in charge is not able to make the demonstration required by Section 2-102.11, or there are multiple critical violations present during such inspection, the Department or its designee may thereafter require every person in charge for such eating establishment to be a certified food protection manager.

A copy of the Certificate of Completion from the program completed to meet this requirement must be kept at each site and should be proudly displayed.

### **Maine Food Code**

The Maine Food Code contains all information needed to follow safe food handling practices.

This document can be found at:

<http://www.maine.gov/dhhs/mecdc/environmental-health/el/rules.htm>

Each operational site should have access to a copy of the most recent Food Code along with the written Standard Operating Procedures established for that facility. Written SOPs are a requirement for School Nutrition Programs included in the USDA Reauthorization Act of 2004.

### **Health Inspections**

Each school year SFAs must obtain two food sanitation inspections for each site where food is prepared or served. Copies of these inspections must be maintained at the SFA or at the site for seven years. The most recent food sanitation report must be posted in a prominent location that is

viewable by the general public. Generally this means in the cafeteria or near a serving window, not in the kitchen or office.

If a SFA has not received the food sanitation inspections by March 31, a letter must be written to the local health department requesting the required two food sanitation inspections for each site where food is prepared or served. The letter must be maintained at the SFA or at each site as documentation of your attempt to comply with two food inspections as required by USDA regulations.

### **Sample/Ghost Trays**

The Maine Department of Education Child Nutrition Programs requires school food service staff to prepare a Sample/“Ghost Tray” tray for each meal. The ghost tray should include a sampling of all of the represented menu items. It should be covered, dated and kept in the refrigerator for 48 hours. This is a Maine DOE requirement, not a Department of Health and Human Services requirement.

## **Setting Meal Prices**

### **Paid Lunch Equity (PLE)**

Section 205 of the Healthy, Hunger-Free Kids Act of 2010 requires Sponsors participating in the National School Lunch Program to ensure sufficient funds are provided to the non-profit food service account for lunches served to students who are not eligible for free or reduced-price meals. The provision applies only to paid student lunches and does not apply to adult lunches or student breakfasts. School Food Authorities are required to charge students for paid meals at a price that is, on average, equal to the difference between free meal reimbursement and the paid meal reimbursement.

Each school year Sponsors must complete the Paid Lunch Equity Pricing (PLE) Tool. Schools that currently charge less for meal prices than the amount needed to create paid lunch equity are required to:

1. gradually increase their prices over time until they meet the requirement or
2. supplement their food service operating funds with non-federal funds to ensure equity or
3. a combination of increasing their prices and supplementing with non-federal funds.

Second meals to students are not eligible for reimbursement and therefore must be priced to cover all costs associated with producing that meal.

### **Pricing of Non-program Foods and Adult Meals**

School food service account funds are intended to purchase food for reimbursable meals. The Healthy Hunger Free Kids Act of 2010 establishes requirements for school district revenue when

foods sold outside of reimbursable meals are purchased with school food service account funds. The purpose of the Non-Program Revenue requirement is to ensure revenues from the sales of non-program foods cover food cost in the SFA food service account.

Non-program food includes, but is not limited to:

- A la carte items
- Adult meals
- Fundraisers
- Vending machines
- Seconds of entrée items (not fruits or vegetables)

Any food or beverage sold outside of the reimbursable meal and purchased using school food service funds is considered a competitive food. The USDA requires that each SFA limit competitive foods to encourage consumption of the reimbursable meals. Therefore, when pricing non-program items and adult meals, the SFA must set prices at a level high enough to:

- Encourage students to select the reimbursable school lunch or breakfast meal, and
- If food is purchased using school food service funds, the price must recover all the costs involved in the item including labor, overhead, paper supplies, value of USDA foods used in preparation, etc. and should reflect a profit on the item.

The price set for an adult meal must cover the cost of preparing the meal including the value of USDA foods. Portion sizes for adults should be the same as served to students in grades 9 – 12. The reason adult meals are priced higher than student meals is because reimbursement is only received for student meals. The charge to adult visitors, at the discretion of school officials, may be higher than the charge paid by adult school employees.

Meals served to school nutrition program employees directly involved in the operation and administration of the breakfast and lunch programs (e.g., managers, cooks, servers, etc.) may be served at no charge and considered as a fringe benefit attributable to program costs. Therefore, the cost of such meals may be paid from program funds. Charging school food service employees for meals is left to the discretion of school officials. The reimbursement and commodities received by schools are based on the number of lunches and breakfasts served to students. No reimbursement or commodities are provided for and meals served to adults or second meals served to students.

### **Indirect Costs**

Indirect costs are the school nutrition program's share of general school districts' costs such as the costs of the Superintendent's office, human resources, payroll, accounting, budgeting, purchasing, utilities, building maintenance, etc.

Maine currently does not have a delegation agreement in place with US DOE which allow school district to charge the National School lunch program or any other Federal program indirect costs. Indirect costs rates must be approved by the Department of Education and no such costs have been approved or a method in place to do so. **Therefore, no food service program can be charged indirect costs.**

### **Nonprofit School Food Service Account**

Revenues received by or intended for the nonprofit school food service program are to be used only for the operation or improvement of the program. These revenues shall not be used to purchase land or buildings or to construct buildings. The SFA shall limit its net cash resources to an amount that does not exceed three months average expenditures. Costs charged to the nonprofit school food service account must be both necessary and reasonable. All school foodservice revenue, and intended revenue, is considered Federal and must be reported on the monthly Claim for Reimbursement.

### **Posting of A la Carte Calories**

The State of Maine requires calories to be posted at the point of decision for all pre-packaged items for sale on school grounds.

### **General Procurement Requirements**

Procurement is the act of obtaining goods and services. All procurement transactions must be conducted in a manner that provides maximum open and free competition. Procurement includes, but is not limited to, food, professional services, maintenance services, utilities and supplies. Procurement procedures must ensure they do not foster noncompetitive practices between firms, do not create organizational conflicts of interest, and do not restrict or eliminate competition. Procurement must not place unreasonable requirements on firms, require unnecessary experience, or establish unrealistic bonding requirements.

Formal standards of conduct should govern the performance of officers, employees, and agents in the award and administration of contracts. These standards should provide that officers, employees, or agents should not solicit nor accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties of sub-agreements.

SFAs must have written procurement procedures including selection procedures for awarding contracts. Records should be maintained to detail the significant history of procurement. These records must include, but are not necessarily limited to, the following: rationale for the method of procurement, contractor selection or rejection, basis for the cost or price, and documentation for change orders.



## **Civil Rights Requirements**

All SFAs and sponsors receiving USDA funds must follow civil rights regulations and policy. Federal law prohibits discrimination on the basis of the following protected classes: Race, Color, National Origin, Sex, Disability, and Age.

Protected classes under Maine state law include:

- Protections for persons with regard to religion, ancestry, and sexual orientation
- All Federal Child Nutrition Programs in the State of Maine must adopt both Federal and State protected classes

## **Public Notification**

All programs must include a public notification system to inform applicants, participants, and potentially eligible persons about the program. The public notification system must include information on:

- eligibility
- benefits and services (free and reduced-price meals and snacks)
- program availability
- steps necessary for participation
- applicant rights and responsibilities
- non-discrimination policies
- procedures for filing a complaint

This information can be available on your program website and/or sent home to families at the start of each school year.

### *News Media Release*

One of the requirements of public notification includes annually sending a public news media release that informs the general public of the availability of meals/snacks at local SFAs. The Maine Department of Education sends out a media release annually that covers all SFAs.

### *“And Justice for All” Poster*

To notify the public of program benefits & requirements, SFAs are required to post the “And Justice for All” poster in a publicly visible location at each food service site in the 11” x 17” format.

### *Non-discrimination Statement*

The required non-discrimination statements must be included on all program materials including eligibility notification letters, food service newsletters, and verification notification letters. A copy of the



statement can be found on our website and is also listed below.

- The following **short statement** may be used on menus and program newsletters:

*This institution is an equal opportunity provider.*

- The following Federal and Maine **long statements** must be used on materials longer than one page, front to back:

*In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity.*

*Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotope, American Sign Language), should contact the responsible State or local Agency that administers the program or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.*

*To file a program discrimination complaint, a Complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form which can be obtained online at: <https://www.usda.gov/sites/default/files/documents/USDA-OASCR%20P-Complaint-Form-0508-0002-508-11-28-17Fax2Mail.pdf>, from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to USDA by:*

- (1) **mail:**  
U.S. Department of Agriculture  
Office of the Assistant Secretary for Civil Rights  
1400 Independence Avenue, SW  
Washington, D.C. 20250-9410; or
- (2) **fax:**  
(833) 256-1665 or (202) 690-7442; or
- (3) **email:**  
[program.intake@usda.gov](mailto:program.intake@usda.gov)

*This institution is an equal opportunity provider.*

*(Federal statement updated 5/18/2022)*

*The Maine Human Rights Act prohibits discrimination because of race, color, sex, sexual orientation, age, physical or mental disability, genetic information, religion, ancestry or national origin.*

*Complaints of discrimination must be filed at the office of the Maine Human Rights Commission, 51 State House Station, Augusta, Maine 04333-0051. If you wish to file a discrimination complaint electronically, visit the Human Rights Commission website at <https://www.maine.gov/mhrc/file/instructions> and complete an intake questionnaire. Maine is an equal opportunity provider and employer*

### **Annual Civil Rights Training**

All staff involved with the school nutrition programs (processing of applications, meal preparation, meal service, ...) must participate in annual civil rights training supported by adequate documentation.

## **School Food Authority Reviews**

### **On-Site Monitoring Review**

National School Lunch Program (NSLP) regulations require each school food authority (SFA) with more than one site where reimbursable meals are served to annually conduct their own review of each site's meal count and claiming procedures. School Breakfast Program regulations require that the school breakfast program be monitored annually in 50% of the sites that operate a breakfast program. This reviews must be completed by February 1 of each school year for all site. A sample copy of the On-Site Review Form is available on our website. A copy of the on-site review must be maintained on file at the site or SFA office for three years plus the current school year. Do not send this form to the State Agency.

If the on-site review determines a problem, the SFA must correct problems immediately and conduct a follow-up review within 45 calendar days of the initial review. A follow-up review must be conducted to determine if the corrective action resolved the problem. Written documentation is required to be maintained at the SFA or at the site.

On-site reviews are conducted to ensure at each meal service claimed, the following internal controls are operating correctly:

- Daily meal counts by category are taken at the point of service
- All meals claimed meet meal pattern requirements
- Overt identification is prevented
- Sanitation procedures are followed

## **National School Lunch Program After-School Snack Service On-Site Program Review**

For those participating in the After-School Snack Service through the NSLP, the SFA must review each site two times per year. The SFA must conduct the first review during the first four weeks of operation each school year. The reviews ensure reimbursable snacks are provided and served to eligible students and acceptable counting procedures have been implemented.

Documentation must be maintained on file in the LEA for seven years. A sample copy of the On-Site Review Form is available on our website.

### **Administrative Reviews**

The USDA requires the Maine Department of Education, Child Nutrition to conduct administrative reviews of all SFAs participating in NSLP. Administrative reviews are comprehensive on-site evaluations conducted, at a minimum, every five years.

The review process includes an evaluation of the following critical areas and general areas:

#### Critical Areas

##### Access and reimbursement

- Household Eligibility Applications
- Direct Certification
- Benefit issuance
- Verification
- Meal counting, claiming and reimbursement

##### Nutritional quality and meal pattern

- Dietary specifications and nutrient analysis
- Meal components and quantities
- Offer versus Serve (OVS)

#### General Areas

##### Resource management

- Nonprofit food service account
- Paid lunch equity
- Revenue from nonprogram foods
- Indirect costs
- USDA foods

##### General program compliance

- Civil rights
- Competitive foods
- Food safety
- Local wellness policy
- Procurement
- Reporting and recordkeeping

School Breakfast Program

SFA on-site monitoring

Water

Other program reviews

- Afterschool Snack Program
- Fresh Fruit and Vegetable Program
- Seamless Summer Option
- Special Milk Program

A report will be sent to the LEA detailing review findings, corrective action and any fiscal action. The LEA must respond to the review findings with a corrective action plan that defines the processes and procedures to be implemented to ensure compliance with program regulations. A follow-up review may be conducted to ensure that identified areas of concern were corrected.

