

## **Business and Noninstructional Operations**

**BP 3553 (a)**

### **Free and Reduced Price Meals**

The Governing Board recognizes that adequate nutrition is essential to the development, health and well-being, and learning of all students. The Superintendent or designee shall facilitate and encourage the participation of all students in the district's food service program.

Each school day, the district shall provide, free of charge, a nutritionally adequate breakfast and lunch for any student who requests a meal. (Education Code 49501.5)

To provide optimal nutrition and ensure that schools receive maximum federal meal reimbursement, the Superintendent or designee shall assess the eligibility of district schools to operate a federal universal meal service provision, such as Provision 2 or the Community Eligibility Provision, pursuant to 42 USC 1759a. The Superintendent or designee shall submit an application to operate a federal universal meal provision to the California Department of Education (CDE) on behalf of any district school that meets the definition of a "high poverty school." (Education Code 49564.3)

If any district school meets the criteria for a "very high poverty school" through its eligibility for the federal Community Eligibility Provision reimbursement rate pursuant to 42 USC 1759a, the district shall apply to the California Department of Education (CDE) to operate a universal meal service, unless the Board adopts a resolution stating that the district is unable to comply with this requirement due to fiscal hardship. The resolution shall be part of the public agenda for at least two consecutive Board meetings, first as an information item and then as an action item. The Board shall reconsider the resolution at least once every four years. (Education Code 49564; 42 USC 1759a)

The Superintendent or designee shall ensure that meals served under the school nutrition program meet applicable state and/or federal nutritional standards in accordance with law, Board policy, and administrative regulation.

The Board shall approve, and shall submit to the CDE for approval, a plan that ensures that students eligible to receive free or reduced-price meals and milk are not treated differently from other students and that meets other requirements. (Education Code 49557)

### **Confidentiality/Release of Records**

All applications and records related to eligibility for the free and reduced-price meals program shall be confidential and may not be disclosed except as provided by law and authorized by the Board or pursuant to a court order. (Education Code 49558)

The Board authorizes designated employees to use records pertaining to an individual student's eligibility for the free and reduced-price meals program for the purposes: (Education Code 49558)

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1. Disaggregation of academic achievement data
2. Identification of students eligible for services under the federal Elementary and Secondary Education Act pursuant to 20 USC 6301-6576
3. Facilitation of targeted educational services and supports to individual students based on the local control accountability plan

If a student transfers from the district to another district, charter school, county office of education program, or private school, the Superintendent or designee may share the student's meal eligibility information to the other educational agency to assist in the continuation of the student's meal benefits.

The Superintendent or designee may release the name and eligibility status of a student participating in the free or reduced-price meal program to another school district, charter school, or county office of education that is serving a student living in the same household for purposes related to program eligibility and data used in local control funding formula (LCFF) calculations. (Education Code 49558)

The Superintendent or designee may release the name and eligibility status of a student participating in the free or reduced-price meal program to the Superintendent of Public Instruction for purposes of determining allocations under the LCFF and for assessing accountability of that funding. (Education Code 49558)

The Superintendent or designee may release information on the school lunch program application to the local agency that determines eligibility for participation in the Medi-Cal program if the student has been approved for free meals or, if included in the agreement with the local agency, for reduced-price meals. The Superintendent or designee also may release information on the school lunch application to the local agency that determines eligibility for CalFresh or another nutrition assistance program authorized under 7 CFR 210.1 if the student has been approved for free or reduced-price meals. Information may be released for these purposes only if the student's parent/guardian consents to the sharing of information and the district has entered into a memorandum of understanding with the local agency which, at a minimum, includes the roles and responsibilities of the district and local agency and the process for sharing the information. After sharing information with the local agency for purposes of determining eligibility for that program, no further information shall be shared unless otherwise authorized by law. (Education Code 49557.2, 49557.3, 49558)

State

- 5 CCR 15510 Mandatory meals for needy students
- 5 CCR 15530-15535 Nutrition education
- 5 CCR 15550-15565 School lunch and breakfast programs
- Ed. Code 48980: Parent/Guardian notifications

## Business and Noninstructional Operations

BP 3553 (c)

### Free and Reduced Price Meals

Ed. Code 49430-49436: Pupil Nutrition, Health, and Achievement Act of 2001

Ed. Code 49490-49494: School breakfast and lunch programs

Ed. Code 49500-49505: School meals

Ed. Code 49501.5: California Universal Meals Program

Ed. Code 49510-49520: Nutrition

Ed. Code 49530-49536: Child Nutrition Act

Ed. Code 49547-49548.3: Comprehensive nutrition service

Ed. Code 49550-49562: Meals for needy students

Ed. Code 49564.3: High poverty schools; universal meal service

#### Federal

20 USC 1232g: Family Educational Rights and Privacy Act (FERPA) of 1974

20 USC 6301-6576: Title 1 Improving the Academic Achievement of the Disadvantaged

42 USC 1751-1769j: School lunch program

42 USC 1771-1791: Child nutrition

42 USC 1773: School breakfast program

7 CFR 210.1-210.31: National School Lunch Program

7 CFR 20.10-220.21: National School Breakfast Program

7 CFR 245.1-245.13: Eligibility for free and reduced-price meals and free milk

#### Management Resources

California Department of Education Publication: Monitoring for Success: A Guide for Assessing and Strengthening Student Wellness Policies, rev. 2012

CSBA Publication: Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, 2012

CSBA Publication: Monitoring for Success: A Guide for assessing and strengthening Student Wellness Policies, rev. 2012

U.S. Department of Agriculture Publication: Provision 2 Guidance: National School Lunch and School Breakfast Programs, Summer 2002

U.S. Department of Agriculture Publication: Eligibility Manual for School Meals: Determining and Verifying Eligibility, July 2017

Website: U.S. Department of Agriculture, Food and Nutrition Service

Website: Nourish California

Website: California Project LEAN (Leaders Encouraging Activity and Nutrition)

Website: CSBA

Policy Adopted: 10/12/22

ORCUTT UNION SCHOOL DISTRICT  
Orcutt, California