Status: ADOPTED

Superintendent Policy 3555: Nutrition Program Compliance

Original Adopted Date: 04/22/2016 | Last Revised Date: 08/31/2022 | Last Reviewed Date: 08/31/2022

The County Superintendent of Schools recognizes the responsibility of the County Office of Education (COE) to comply with state and federal nondiscrimination laws as they apply to child nutrition programs. The COE shall not deny any individual the benefits or service of any nutrition program or discriminate on any basis prohibited by law.

Compliance Coordinator

The COE shall designate a compliance coordinator for nutrition programs, who may also be the compliance officer(s) specified in the COE's uniform complaint procedures (UCP), to ensure compliance with the laws governing the COE's nutrition programs.

The responsibilities of the compliance coordinator include, but are not limited to:

- Providing the name of the compliance coordinator, and the Section 504 coordinator and Title IX coordinator if different from the compliance coordinator, to the California Department of Education (CDE) and other interested parties
- 2. Annually providing mandatory civil rights training to all frontline staff who interact with program applicants or participants and to those who supervise frontline staff
 - The subject matter of such training shall include, but not be limited to, collection and use of data, effective public notification systems, complaint procedures, compliance review techniques, resolution of noncompliance, requirements for reasonable accommodation of persons with disabilities, requirements for language assistance, conflict resolution, and customer service.
- 3. Establishing admission and enrollment procedures that do not restrict enrollment of students on the basis of race, ethnicity, national origin, or disability, including preventing staff from incorrectly denying applications and ensuring that such persons have equal access to all programs
- 4. Sending a public release announcing the availability of the child nutrition programs and/or changes in the programs to public media and to community and grassroots organizations that interact directly with eligible or potentially eligible participants
- 5. Communicating the program's nondiscrimination policy and applicable complaint procedures, as provided in the section "Notifications" below
- 6. Providing appropriate translation services when a significant number of persons in the surrounding population have limited English proficiency
- 7. Ensuring that every part of a facility is accessible to and usable by persons with disabilities and that participants with disabilities are not excluded from the benefits or services due to inaccessibility of facilities
- 8. Ensuring that special meals are made available to participants with disabilities who have a medical statement on file documenting that their disability restricts their diet
- 9. Implementing procedures to process and resolve civil rights (discrimination) complaints and program-related complaints, including maintaining a complaint log, working with the appropriate person to resolve any complaint, and referring the complainant to the appropriate state or federal agency when necessary
- 10. Developing a method, which preferably uses self-identification or self-reporting, to collect racial and ethnic data for potentially eligible populations, applicants, and participants

Notifications

The U.S. Department of Agriculture's (USDA) "And Justice for All" civil rights poster or a substitute poster approved by the USDA's Food and Nutrition Service shall be displayed in areas visible to the COE's nutrition program participants, such as food service areas and school offices.

The COE shall notify the public, all program applicants, participants, and potentially eligible persons of their rights and responsibilities and steps necessary to participate in the nutrition programs. Applicants, participants, and the public shall also be advised of their right to file a complaint, how to file a complaint, the complaint procedures, and that a complaint may be file anonymously or by a third party.

In addition, all forms of communication available to the public regarding program availability shall contain, in a prominent location, a statement provided by USDA about the COE's status as an equal opportunity provider and the address of the agency with responsibility to handle complaints made against the COE.

Forms of communication requiring this nondiscrimination statement include, but are not limited to, web sites, public information releases, publications, and posters, but exclude items such as cups, buttons, magnets, and pens that identify the program when the size or configuration makes it impractical. The nondiscrimination statement need not be included on every page of program information on the COE's or school's web site, but the statement or a link to the statement shall be included on the home page of the program information.

A short version of the nondiscrimination statement, as provided by USDA, may be used on pamphlets, brochures, and flyers in the same print size as the rest of the text.

Complaints of Discrimination

Pursuant to 5 CCR 15582, a complaint alleging discrimination in the COE's nutrition program(s) on the basis of race, color, national origin, sex, age, or disability shall, within 180 days of the alleged discriminatory act, be filed or referred to USDA at:

U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410, (866) 632-9992, (800) 877-8339 (Federal Relay Service - English, deaf, hard of hearing, or speech disabilities), (800) 845-6136 (Federal Relay Service - Spanish), fax (202) 690-7442, or email program.intake.usda.gov

All other complaints alleging discrimination in any COE child nutrition program shall be investigated and resolved using the COE's UCP.

Complaints Regarding Noncompliance with Program Requirements

A complaint alleging noncompliance with child nutrition program requirements may be filed by a student or the student's parent/guardian by phone, email, or letter. The complaint shall be submitted within one year from the date of the alleged violation and shall include the following: (5 CCR 15581)

- 1. A statement that the COE has violated a law or regulation relating to its child nutrition program
- 2. The facts on which the statement is based
- 3. The name of the COE or the school against which the allegations are made
- 4. The complainant's contact information
- 5. The name of the student if alleging violations regarding a specific student

The COE shall investigate and prepare a written report in accordance with 5 CCR 4631. The report shall be sent to the complainant within 60 days of the COE's receipt of the complaint, unless extended by written agreement with the complainant. (5 CCR 4631, 15583)

If the complainant is not satisfied with the findings in the COE's report, the complainant may appeal the decision to CDE by filing a written appeal within 30 days of receiving the decision. (5 CCR 4632)

Any complaint alleging that the COE has not complied with program requirements pertaining to meal counting and claiming, reimbursable meals, eligibility of a child or adult, use of cafeteria funds and allowable expenses shall be

Federal References	Description
20 USC 1400-1482	Individuals with Disabilities Education Act
20 USC 1681-1688	Title IX of the Education Amendments of 1972; discrimination based on sex
28 CFR 35.101-35.190	Americans with Disabilities Act
28 CFR 36.303	Auxiliary aids and services
29 USC 794	Rehabilitation Act of 1973, Section 504
34 CFR 100.1-100.13	Nondiscrimination in federal programs, effectuating Title VI
34 CFR 104.1-104.39	Section 504 of the Rehabilitation Act of 1973
34 CFR 106.1-106.61	Discrimination on the basis of sex, effectuating Title IX
34 CFR 106.9	Severability
42 USC 12101-12213	Equal opportunity for individuals with disabilities
42 USC 2000d-2000d-7	Title VI, Civil Rights Act of 1964
42 USC 2000e-2000e-17	Title VII, Civil Rights Act of 1964, as amended
7 CFR 210.23	National School Lunch Program, district responsibilities
7 CFR 215.14	Special Milk Program, nondiscrimination
7 CFR 215.7	Special Milk Program, requirements for participation
7 CFR 220.7	School Breakfast Program, requirements for participation
7 CFR 225.3	Summer Food Service Program, administration
7 CFR 225.7	Summer Food Service Program, program monitoring
Management Resources References	Description
Management Resources References CA DOE Publication	Description Civil Rights and Complaint Procedures for the U.S. Department of Agriculture Child Nutrition Programs, rev. November 2015
-	Civil Rights and Complaint Procedures for the U.S. Department of
CA DOE Publication	Civil Rights and Complaint Procedures for the U.S. Department of Agriculture Child Nutrition Programs, rev. November 2015
CA DOE Publication U.S. DOE Office for Civil Rights Publication	Civil Rights and Complaint Procedures for the U.S. Department of Agriculture Child Nutrition Programs, rev. November 2015 Notice of Non-Discrimination, August 2010 Civil Rights Compliance and Enforcement - Nutrition Programs and
CA DOE Publication U.S. DOE Office for Civil Rights Publication USDA, Food & Nutrition Service Publication	Civil Rights and Complaint Procedures for the U.S. Department of Agriculture Child Nutrition Programs, rev. November 2015 Notice of Non-Discrimination, August 2010 Civil Rights Compliance and Enforcement - Nutrition Programs and Activities, FNS Instruction 113-1, November 2005 U.S. Department of Education, Office for Civil Rights -
CA DOE Publication U.S. DOE Office for Civil Rights Publication USDA, Food & Nutrition Service Publication Website	Civil Rights and Complaint Procedures for the U.S. Department of Agriculture Child Nutrition Programs, rev. November 2015 Notice of Non-Discrimination, August 2010 Civil Rights Compliance and Enforcement - Nutrition Programs and Activities, FNS Instruction 113-1, November 2005 U.S. Department of Education, Office for Civil Rights - https://simbli.eboardsolutions.com/SU/HrN4mDOsAx53TBZ2HPwBvQ== U.S. Department of Agriculture, Office for Civil Rights -
CA DOE Publication U.S. DOE Office for Civil Rights Publication USDA, Food & Nutrition Service Publication Website Website	Civil Rights and Complaint Procedures for the U.S. Department of Agriculture Child Nutrition Programs, rev. November 2015 Notice of Non-Discrimination, August 2010 Civil Rights Compliance and Enforcement - Nutrition Programs and Activities, FNS Instruction 113-1, November 2005 U.S. Department of Education, Office for Civil Rights - https://simbli.eboardsolutions.com/SU/HrN4mDOsAx53TBZ2HPwBvQ== U.S. Department of Agriculture, Office for Civil Rights - https://simbli.eboardsolutions.com/SU/J1WoJCyzrMoaKekNi26slshjw== U.S. Department of Agriculture, Food and Nutrition Service -
CA DOE Publication U.S. DOE Office for Civil Rights Publication USDA, Food & Nutrition Service Publication Website Website Website	Civil Rights and Complaint Procedures for the U.S. Department of Agriculture Child Nutrition Programs, rev. November 2015 Notice of Non-Discrimination, August 2010 Civil Rights Compliance and Enforcement - Nutrition Programs and Activities, FNS Instruction 113-1, November 2005 U.S. Department of Education, Office for Civil Rights - https://simbli.eboardsolutions.com/SU/HrN4mDOsAx53TBZ2HPwBvQ== U.S. Department of Agriculture, Office for Civil Rights - https://simbli.eboardsolutions.com/SU/J1WoJCyzrMoaKekNi26slshjw== U.S. Department of Agriculture, Food and Nutrition Service - https://simbli.eboardsolutions.com/SU/tslshsLNiLk4O4XqtNHLolX0g== California Department of Education, Nutrition Services Division -
CA DOE Publication U.S. DOE Office for Civil Rights Publication USDA, Food & Nutrition Service Publication Website Website Website Website	Civil Rights and Complaint Procedures for the U.S. Department of Agriculture Child Nutrition Programs, rev. November 2015 Notice of Non-Discrimination, August 2010 Civil Rights Compliance and Enforcement - Nutrition Programs and Activities, FNS Instruction 113-1, November 2005 U.S. Department of Education, Office for Civil Rights - https://simbli.eboardsolutions.com/SU/HrN4mDOsAx53TBZ2HPwBvQ== U.S. Department of Agriculture, Office for Civil Rights - https://simbli.eboardsolutions.com/SU/J1WoJCyzrMoaKekNi26slshjw== U.S. Department of Agriculture, Food and Nutrition Service - https://simbli.eboardsolutions.com/SU/tslshsLNiLk4O4XqtNHLolX0g== California Department of Education, Nutrition Services Division - https://simbli.eboardsolutions.com/SU/O5xpn2rTFL2uz0BslshlorGXQ==
CA DOE Publication U.S. DOE Office for Civil Rights Publication USDA, Food & Nutrition Service Publication Website Website Website State References	Civil Rights and Complaint Procedures for the U.S. Department of Agriculture Child Nutrition Programs, rev. November 2015 Notice of Non-Discrimination, August 2010 Civil Rights Compliance and Enforcement - Nutrition Programs and Activities, FNS Instruction 113-1, November 2005 U.S. Department of Education, Office for Civil Rights - https://simbli.eboardsolutions.com/SU/HrN4mDOsAx53TBZ2HPwBvQ== U.S. Department of Agriculture, Office for Civil Rights - https://simbli.eboardsolutions.com/SU/J1WoJCyzrMoaKekNi26slshjw== U.S. Department of Agriculture, Food and Nutrition Service - https://simbli.eboardsolutions.com/SU/tslshsLNiLk4O4XqtNHLolX0g== California Department of Education, Nutrition Services Division - https://simbli.eboardsolutions.com/SU/O5xpn2rTFL2uz0BslshlorGXQ==
CA DOE Publication U.S. DOE Office for Civil Rights Publication USDA, Food & Nutrition Service Publication Website Website Website State References 1400-1482	Civil Rights and Complaint Procedures for the U.S. Department of Agriculture Child Nutrition Programs, rev. November 2015 Notice of Non-Discrimination, August 2010 Civil Rights Compliance and Enforcement - Nutrition Programs and Activities, FNS Instruction 113-1, November 2005 U.S. Department of Education, Office for Civil Rights - https://simbli.eboardsolutions.com/SU/HrN4mDOsAx53TBZ2HPwBvQ== U.S. Department of Agriculture, Office for Civil Rights - https://simbli.eboardsolutions.com/SU/J1WoJCyzrMoaKekNi26slshjw== U.S. Department of Agriculture, Food and Nutrition Service - https://simbli.eboardsolutions.com/SU/tslshsLNiLk4O4XqtNHLolX0g== California Department of Education, Nutrition Services Division - https://simbli.eboardsolutions.com/SU/O5xpn2rTFL2uz0BslshlorGXQ== Description Individuals with Disabilities in Education Act
CA DOE Publication U.S. DOE Office for Civil Rights Publication USDA, Food & Nutrition Service Publication Website Website Website State References 1400-1482 2000e-2000e-17	Civil Rights and Complaint Procedures for the U.S. Department of Agriculture Child Nutrition Programs, rev. November 2015 Notice of Non-Discrimination, August 2010 Civil Rights Compliance and Enforcement - Nutrition Programs and Activities, FNS Instruction 113-1, November 2005 U.S. Department of Education, Office for Civil Rights - https://simbli.eboardsolutions.com/SU/HrN4mDOsAx53TBZ2HPwBvQ== U.S. Department of Agriculture, Office for Civil Rights - https://simbli.eboardsolutions.com/SU/J1WoJCyzrMoaKekNi26slshjw== U.S. Department of Agriculture, Food and Nutrition Service - https://simbli.eboardsolutions.com/SU/tslshsLNiLk4O4XqtNHLolX0g== California Department of Education, Nutrition Services Division - https://simbli.eboardsolutions.com/SU/O5xpn2rTFL2uz0BslshlorGXQ== Description Individuals with Disabilities in Education Act Title VII, Civil Rights Act of 1964 as amended
CA DOE Publication U.S. DOE Office for Civil Rights Publication USDA, Food & Nutrition Service Publication Website Website Website State References 1400-1482 2000e-2000e-17 5 CCR 15580-15584	Civil Rights and Complaint Procedures for the U.S. Department of Agriculture Child Nutrition Programs, rev. November 2015 Notice of Non-Discrimination, August 2010 Civil Rights Compliance and Enforcement - Nutrition Programs and Activities, FNS Instruction 113-1, November 2005 U.S. Department of Education, Office for Civil Rights - https://simbli.eboardsolutions.com/SU/HrN4mDOsAx53TBZ2HPwBvQ== U.S. Department of Agriculture, Office for Civil Rights - https://simbli.eboardsolutions.com/SU/J1WoJCyzrMoaKekNi26slshjw== U.S. Department of Agriculture, Food and Nutrition Service - https://simbli.eboardsolutions.com/SU/tslshsLNiLk4O4XqtNHLolX0g== California Department of Education, Nutrition Services Division - https://simbli.eboardsolutions.com/SU/O5xpn2rTFL2uz0BslshlorGXQ== Description Individuals with Disabilities in Education Act Title VII, Civil Rights Act of 1964 as amended Child nutrition programs complaint procedures Applicability of uniform complaint procedures to complaints regarding

Ed. Code 200-262.4	Educational equity; prohibition of discrimination on the basis of sex - https://simbli.eboardsolutions.com/SU/ytTLslshoozWGUAbNL6kKkgxQ==
Ed. Code 48985	Notices to parents in language other than English
Ed. Code 49060-49079	Student records
Ed. Code 49490-49590	Child nutrition programs
Pen. Code 422.6	Crimes, harassment
Cross References	Description
3550	Food Service/Child Nutrition Program - https://simbli.eboardsolutions.com/SU/slshLIPNcfDmKQ3R5XsOImg2g==
3550	Food Service/Child Nutrition Program - https://simbli.eboardsolutions.com/SU/3MFLXzedornnWtD9LLHX5Q==
3551	Food Service Operations/Cafeteria Fund - https://simbli.eboardsolutions.com/SU/woTslshyuc01Jqz8i3YDW9slshAw==
3551	Food Service Operations/Cafeteria Fund - https://simbli.eboardsolutions.com/SU/wMbplusw206rgazeMZAg2HXTg==
3553	Free And Reduced Price Meals - https://simbli.eboardsolutions.com/SU/jpkiybXkV4JxPvhISR9wDw==
3553	Free And Reduced Price Meals - https://simbli.eboardsolutions.com/SU/othSgh595y3dGLdnKJVEag==

Status: ADOPTED

County Office Regulation 3551: Food Service Operations/Cafeteria Fund

Original Adopted Date: 04/22/2016 | Last Revised Date: 08/31/2022 | Last Reviewed Date: 08/31/2022

Payments for Meals

The County Superintendent of Schools or designee shall maintain a system for accurately recording payments received and tracking meals provided to each student.

At the beginning of the school year, the County Superintendent of Schools or designee shall communicate the County Office of Education's (COE's) meal payment policies through multiple methods, including, but not limited to:

- 1. Explaining the meal charge policy within registration materials provided to parents/guardians at the start of the school year
- 2. Including the policy in print versions of student handbooks, if provided to parents/guardians annually
- 3. Providing the policy whenever parents/guardians are notified regarding the application process for free and reduced-price meals, such as in the distribution of eligibility forms at the start of the school year
- 4. Posting the policy on the COE's web site

Reimbursement Claims

The County Superintendent of Schools or designee shall maintain records of the number of meals served each day by school site and by category of free and reduced-price meals. The County Superintendent of Schools or designee shall submit reimbursement claims for school meals to the California Department of Education (CDE) using the online Child Nutrition Information and Payment System.

Donation of Leftover Food

To minimize waste and reduce food insecurity, the COE may provide sharing tables where students and staff may return appropriate unused cafeteria food items to be made available to students during the course of a regular school meal time. If food on the sharing tables is not taken by a student, the school cafeteria may donate the food to a food bank or any other nonprofit charitable organization. (Health and Safety Code 114079)

Food that may be donated includes prepackaged, nonpotentially hazardous food with the packaging still intact and in good condition, whole uncut produce that complies with Health and Safety Code 113992, unopened bags of sliced fruit, unopened containers of milk that are immediately stored in a cooling bin maintained at 41 degrees Fahrenheit or below, and perishable prepackaged food if it is placed in a proper temperature-controlled environment. The preparation, safety, and donation of food shall be consistent with Health and Safety Code 113980. (Health and Safety Code 114079)

Cafeteria Fund and Account

All proceeds from food sales and other services offered by the cafeteria shall be deposited in the cafeteria fund as provided by law. (Education Code 38090, 38093)

The cafeteria fund shall be used only for those expenditures authorized by the County Board of Education as necessary for the operation of school cafeterias in accordance with Education Code 38100-38103, 2 CFR Part 200 Appendix VII, and the California School Accounting Manual.

The COE may use cafeteria funds to supplement the provision of a nutritionally adequate breakfast and/or lunch to COE students when permitted by law.

Any charges to, or transfers from, a food service program shall be dated and accompanied by a written explanation of the purpose of and basis for the expenditure. (Education Code 38101)

Indirect costs charged to the food service program shall be based on either the COE's prior year indirect cost rate as approved by CDE or the statewide average approved indirect cost rate for the second prior fiscal year, whichever is

less. (Education Code 38101)

Net cash resources in the nonprofit school food service shall not exceed three months' average expenditures. (7 CFR 210.14, 220.7)

U.S. Department of Agriculture Foods

The COE shall provide facilities for the storage and control of foods received through the U.S. Department of Agriculture (USDA) that protect against theft, spoilage, damage, or other loss. Such storage facilities shall maintain donated foods in sanitary conditions, at the proper temperature and humidity, and with adequate air circulation. The COE shall comply with all federal, state, or local requirements related to food safety and health and procedures for responding to a food recall, as applicable, and shall obtain all required health inspections. (7 CFR 250.14)

The County Superintendent of Schools or designee shall maintain inventories of USDA foods in accordance with 7 CFR 250.59 and CDE procedures, and shall ensure that foods are used before their expiration dates.

USDA donated foods shall be used in school lunches as far as practicable. USDA foods also may be used in other nonprofit food service activities, including, but not limited to, school breakfasts or other meals, a la carte foods sold to students, meals served to adults directly involved in the operation and administration of the food service and to other school staff, and training in nutrition, health, food service, or general home economics instruction for students, provided that any revenues from such activities accrue to the COE's nonprofit food service account. (7 CFR 250.59)

Contracts with Outside Services

The term of any contract for food service management or consulting services shall not exceed one year. Any renewal of the contract or further requests for proposals to provide such services shall be considered on a year-to-year basis. (Education Code 45103.5; 7 CFR 210.16)

Any contract for management of the food service operation shall be approved by CDE and comply with the conditions in Education Code 49554 and 7 CFR 210.16 as applicable. The COE shall retain control of the quality, extent, and general nature of its food services. (Education Code 49554; 42 USC 1758; 7 CFR 210.16)

Any contract for consulting services shall not result in the supervision of food service classified staff by the management consultant, nor shall it result in the elimination of any food service classified staff or position or have any adverse effect on the wages, benefits, or other terms and conditions of employment of classified food service staff or positions. All persons providing consulting services shall be subject to applicable employment conditions related to health and safety as listed in Education Code 45103.5. (Education Code 45103.5)

Federal References	Description
2 CFR 200	Appendix VII Indirect cost proposals
2 CFR 200.318-200.326	Procurement standards
2 CFR 200.400-200.475	Cost principles
2 CFR 200.56	Indirect costs, definition
42 USC 1751-1769j	School Lunch Program
42 USC 1771-1793	Child nutrition
42 USC 1773	School Breakfast Program
7 CFR 210.1-210.31	National School Lunch Program
7 CFR 210.1-210.33	National School Lunch Program
7 CFR 220.1-220.21	National School Breakfast Program
7 CFR 220.1-220.22	National School Breakfast Program
7 CFR 245.8	Nondiscrimination practices for students eligible for free and reduced price meal and free milk
7 CFR 250.1-250.70	USDA foods

Management Resources References	Description
CA DOE Publication	Unpaid Meal Charges April 2017
CA DOE Publication	Storage and Inventory Management of U.S. Department of Agriculture Foods, NSD Management Bulletin, FDP-01-2018, January 2018
CA DOE Publication	Senate Bill 250: Child Hunger Prevention and Fair Treatment Act of 2017 and USDA Meal Charge Policy Requirements, NSD Management Bulletin, SNP-05-2018
CA DOE Publication	Procuring and Monitoring of Food Service Management Contracts, NSD Management Bulletin, SNP-13-2015, January 2015
CA DOE Publication	Paid Lunch Equity Requirement, NSD Management Bulletin, USDA-SNP-16-2012, October 2012
CA DOE Publication	Paid Lunch Equity Requirement and Calculation Tool-Updated Guidance for School Year 2019-20, NSD Management Bulletin, SNP-11-2019, May 2019
CA DOE Publication	Food Distribution Program Administrative Manual
CA DOE Publication	Clarification for the Use of Alternate Meals in the National School Lunch and School Breakfast Programs, May 2015
CA DOE Publication	Cafeteria FundsAllowable Uses, NSD Management Bulletin, NSD-SNP-07-2013, May 2013
CA DOE Publication	Adult and Sibling Meals in the National School Lunch and School Breakfast Programs, NSD Management Bulletin 00-111, July 2000
California Department of Education Publication	California School Accounting Manual
U.S. Department of Agriculture Publication	Unpaid Meal Charges: Local Meal Charge Policies, SP 46-2016, July 2016
U.S. Department of Agriculture Publication	Unpaid Meal Charges: Guidance and Q&A, SP 23-2017, March 2017
U.S. Department of Agriculture Publication	School Meals - FAQs
U.S. Department of Agriculture Publication	Overcoming the Unpaid Meal Challenge: Proven Strategies from Our Nation's Schools, SP 29-2017, September 2016
U.S. Department of Agriculture Publication	Indirect Costs: Guidance for State Agencies and School Food Authorities SP 60-2016, September 2016
U.S. Department of Agriculture Publication	Discretionary Elimination of Reduced Price Charges in the School Meal Programs, SP 17-2014, January 2014
U.S. Department of Agriculture Publication	Compliance with and Enforcement of the Buy American Provision in the National School Lunch Program, SP 24-2016, February 2016
Website	U.S. Department of Agriculture, Food and Nutrition Service - https://simbli.eboardsolutions.com/SU/tslshsLNiLk4O4XqtNHLolX0g==
Website	California School Nutrition Association - https://simbli.eboardsolutions.com/SU/KnWOpY7WknrOcdh5fJ85QQ==
Website	California Department of Education, Nutrition Services Division - https://simbli.eboardsolutions.com/SU/O5xpn2rTFL2uz0BslshlorGXQ==
State References	Description
5 CCR 15550-15565	School lunch and breakfast programs
Ed. Code 38080-38086	School meals
Ed. Code 38090-38095	Cafeterias, funds and accounts
Ed. Code 38100-38103	Cafeterias, allocation of charges
Ed. Code 42646	Alternate payroll procedure
Ed. Code 45103.5	Contracts for management consulting services; restrictions
Ed. Code 49490-49493	School breakfast and lunch programs

Ed. Code 49500-49505	School meals
Ed. Code 49550-49562	Meals for needy students
Ed. Code 49554	Contract for services
Ed. Code 49580-49581	Food recovery program
F&A Code 58595	Preference for California-grown agricultural products
H&S Code 113700-114437	California Retail Food Code, sanitation and safety requirements
Pub. Cont. Code 2000-2002	Responsive bidders
Pub. Cont. Code 20111	Contracts over \$50,000; contracts for construction; award to lowest responsible bidder
Cross References	Description
3230	Federal Grant Funds - https://simbli.eboardsolutions.com/SU/FL4bHy2S65AUr4FazozcfQ==
3230 3230	
	https://simbli.eboardsolutions.com/SU/FL4bHy2S65AUr4FazozcfQ== Federal Grant Funds -
3230	https://simbli.eboardsolutions.com/SU/FL4bHy2S65AUr4FazozcfQ== Federal Grant Funds - https://simbli.eboardsolutions.com/SU/M02f7jLy6kzbh407slshBAVQQ== Food Service/Child Nutrition Program -
3230 3550	https://simbli.eboardsolutions.com/SU/FL4bHy2S65AUr4FazozcfQ== Federal Grant Funds - https://simbli.eboardsolutions.com/SU/M02f7jLy6kzbh407slshBAVQQ== Food Service/Child Nutrition Program - https://simbli.eboardsolutions.com/SU/slshLIPNcfDmKQ3R5XsOlmg2g== Food Service/Child Nutrition Program -
3230 3550 3550	https://simbli.eboardsolutions.com/SU/FL4bHy2S65AUr4FazozcfQ== Federal Grant Funds - https://simbli.eboardsolutions.com/SU/M02f7jLy6kzbh407slshBAVQQ== Food Service/Child Nutrition Program - https://simbli.eboardsolutions.com/SU/slshLIPNcfDmKQ3R5XsOlmg2g== Food Service/Child Nutrition Program - https://simbli.eboardsolutions.com/SU/3MFLXzedornnWtD9LLHX5Q== Summer Meal Program -
3230 3550 3550 3552	https://simbli.eboardsolutions.com/SU/FL4bHy2S65AUr4FazozcfQ== Federal Grant Funds - https://simbli.eboardsolutions.com/SU/M02f7jLy6kzbh407slshBAVQQ== Food Service/Child Nutrition Program - https://simbli.eboardsolutions.com/SU/slshLIPNcfDmKQ3R5XsOImg2g== Food Service/Child Nutrition Program - https://simbli.eboardsolutions.com/SU/3MFLXzedornnWtD9LLHX5Q== Summer Meal Program - https://simbli.eboardsolutions.com/SU/0g9Q6liZ3VPolKeKEHU5tw== Summer Meal Program -

3550	Food Service/Child Nutrition Program - https://simbli.eboardsolutions.com/SU/3MFLXzedornnWtD9LLHX5Q==
3552	Summer Meal Program - https://simbli.eboardsolutions.com/SU/0g9Q6liZ3VPolKeKEHU5tw==
3552	Summer Meal Program - https://simbli.eboardsolutions.com/SU/tslshwPy5d2t3L6U6KqoRykqA==
3553	Free And Reduced Price Meals - https://simbli.eboardsolutions.com/SU/jpkiybXkV4JxPvhISR9wDw==
3553	Free And Reduced Price Meals - https://simbli.eboardsolutions.com/SU/othSgh595y3dGLdnKJVEag==
3554	Other Food Sales - https://simbli.eboardsolutions.com/SU/N8splusqOIh4yCceNDtXpFk3g==
3554	Other Food Sales - https://simbli.eboardsolutions.com/SU/2Fikygdc2vymMjcBeyRHBA==
3555	Nutrition Program Compliance - https://simbli.eboardsolutions.com/SU/vkZ6beplusjnYslsh8b4vH0UECyg==
3555	Nutrition Program Compliance - https://simbli.eboardsolutions.com/SU/8slshUkl6LxVeKLqTvZslshxqUkA==
3580	County Office Of Education Records - https://simbli.eboardsolutions.com/SU/kJydplusmy6H25mdyBQLINH9A==
5030	Student Wellness - https://simbli.eboardsolutions.com/SU/Eums4AZ8bVeJ6GJ3XwW6TQ==
5145.6	Parental Notifications - https://simbli.eboardsolutions.com/SU/vpzAsPlbZnl7MgUHykxJ9g==
5145.6-E(2)	Parental Notifications - https://simbli.eboardsolutions.com/SU/eiPjPxjsoUh6EEE7aQrraw==

County Policy Manual San Luis Obispo County Office of Education

Exhibit (PDF) 3555: Nutrition Program Compliance

Original Adopted Date: 08/31/2022 | Last Reviewed Date: 08/31/2022

See PDF on the next page.

Status: ADOPTED

San Luis Obispo County Office of Education School Nutrition Program (SNP) Civil Rights Complaint Acceptance Procedure

• Civil rights complaints should be directed to:

Lara Mattson, Principal or Jacob Marshall, Director SNP
Loma Vista Community School
2494 Pennington Creek Rd.
San Luis Obispo, CA. 93405

- Complaints can be made verbally, in writing, or anonymously. If a complaint is anonymous or transcribed the following details must be included:
 - o Name, address, phone number of complainant
 - \circ The nature of the incident/action that is believed to be discriminatory
 - o The basis on which the complainant believes discrimination exists
 - \circ The contact information of any persons believed to have information

witnessed the discriminatory action

or to have

- o The date the action occurred
- Complaint forms are available, but not required for a complaint to be accepted,
 forms are available at: Loma Vista Community School or online at: Parent and Public Resources | San Luis Obispo County Office of Education (slocoe.org)
- Complaints will be forwarded to the following agencies:
 - o Child Nutrition Program, CDE
 - USDA Office of Civil Rights
- Resources:
 - California Department Of Education Civil Rights and Complaints web
 page

https://www.cde.ca.gov/ls/nu/cr

o USDA FNS Civil Rights web page

http://www.fns.usda.gov/civil-rights

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race,

color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the <u>USDA Program Discrimination Complaint</u> Form, (AD-3027) found online at: <u>How to File a Complaint</u>, and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter 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;
 - (2) fax: (202) 690-7442; or
 - (3) email: program.intake@usda.gov.

This institution is an equal opportunity provider.

Federal References	Description
20 USC 1400-1482	Individuals with Disabilities Education Act
20 USC 1681-1688	Title IX of the Education Amendments of 1972; discrimination based on sex
28 CFR 35.101-35.190	Americans with Disabilities Act
28 CFR 36.303	Auxiliary aids and services
29 USC 794	Rehabilitation Act of 1973, Section 504
34 CFR 100.1-100.13	Nondiscrimination in federal programs, effectuating Title VI
34 CFR 104.1-104.39	Section 504 of the Rehabilitation Act of 1973
34 CFR 106.1-106.61	Discrimination on the basis of sex, effectuating Title IX
34 CFR 106.9	Severability
42 USC 12101-12213	Equal opportunity for individuals with disabilities
42 USC 2000d-2000d-7	Title VI, Civil Rights Act of 1964
42 USC 2000e-2000e-17	Title VII, Civil Rights Act of 1964, as amended
7 CFR 210.23	National School Lunch Program, district responsibilities
7 CFR 215.14	Special Milk Program, nondiscrimination
7 CFR 215.7	Special Milk Program, requirements for participation
7 CFR 220.7	School Breakfast Program, requirements for participation
7 CFR 225.3	Summer Food Service Program, administration
7 CFR 225.7	Summer Food Service Program, program monitoring
Management Resources References	Description
	2000.1900.
CA DOE Publication	Civil Rights and Complaint Procedures for the U.S. Department of Agriculture Child Nutrition Programs, rev. November 2015
CA DOE Publication U.S. DOE Office for Civil Rights Publication	Civil Rights and Complaint Procedures for the U.S. Department of
U.S. DOE Office for Civil Rights	Civil Rights and Complaint Procedures for the U.S. Department of Agriculture Child Nutrition Programs, rev. November 2015
U.S. DOE Office for Civil Rights Publication USDA, Food & Nutrition Service	Civil Rights and Complaint Procedures for the U.S. Department of Agriculture Child Nutrition Programs, rev. November 2015 Notice of Non-Discrimination, August 2010 Civil Rights Compliance and Enforcement - Nutrition Programs and
U.S. DOE Office for Civil Rights Publication USDA, Food & Nutrition Service Publication	Civil Rights and Complaint Procedures for the U.S. Department of Agriculture Child Nutrition Programs, rev. November 2015 Notice of Non-Discrimination, August 2010 Civil Rights Compliance and Enforcement - Nutrition Programs and Activities, FNS Instruction 113-1, November 2005 U.S. Department of Education, Office for Civil Rights -
U.S. DOE Office for Civil Rights Publication USDA, Food & Nutrition Service Publication Website	Civil Rights and Complaint Procedures for the U.S. Department of Agriculture Child Nutrition Programs, rev. November 2015 Notice of Non-Discrimination, August 2010 Civil Rights Compliance and Enforcement - Nutrition Programs and Activities, FNS Instruction 113-1, November 2005 U.S. Department of Education, Office for Civil Rights - https://simbli.eboardsolutions.com/SU/HrN4mDOsAx53TBZ2HPwBvQ= U.S. Department of Agriculture, Office for Civil Rights -
U.S. DOE Office for Civil Rights Publication USDA, Food & Nutrition Service Publication Website Website	Civil Rights and Complaint Procedures for the U.S. Department of Agriculture Child Nutrition Programs, rev. November 2015 Notice of Non-Discrimination, August 2010 Civil Rights Compliance and Enforcement - Nutrition Programs and Activities, FNS Instruction 113-1, November 2005 U.S. Department of Education, Office for Civil Rights - https://simbli.eboardsolutions.com/SU/HrN4mDOsAx53TBZ2HPwBvQ= U.S. Department of Agriculture, Office for Civil Rights - https://simbli.eboardsolutions.com/SU/J1WoJCyzrMoaKekNi26slshjw= U.S. Department of Agriculture, Food and Nutrition Service -
U.S. DOE Office for Civil Rights Publication USDA, Food & Nutrition Service Publication Website Website	Civil Rights and Complaint Procedures for the U.S. Department of Agriculture Child Nutrition Programs, rev. November 2015 Notice of Non-Discrimination, August 2010 Civil Rights Compliance and Enforcement - Nutrition Programs and Activities, FNS Instruction 113-1, November 2005 U.S. Department of Education, Office for Civil Rights - https://simbli.eboardsolutions.com/SU/HrN4mDOsAx53TBZ2HPwBvQ= U.S. Department of Agriculture, Office for Civil Rights - https://simbli.eboardsolutions.com/SU/J1WoJCyzrMoaKekNi26slshjw= U.S. Department of Agriculture, Food and Nutrition Service - https://simbli.eboardsolutions.com/SU/tslshsLNiLk4O4XqtNHLolX0g= California Department of Education, Nutrition Services Division -

Individuals with Disabilities in Education Act

Title VII, Civil Rights Act of 1964 as amended

Child nutrition programs complaint procedures

1400-1482

2000e-2000e-17

5 CCR 15580-15584

5 CCR 3080	Applicability of uniform complaint procedures to complaints regarding students with disabilities
5 CCR 4600-4670	Uniform complaint procedures
5 CCR 4900-4965	Nondiscrimination in elementary and secondary education programs
Ed. Code 200-262.4	Educational equity; prohibition of discrimination on the basis of sex - https://simbli.eboardsolutions.com/SU/ytTLslshoozWGUAbNL6kKkgxQ==
Ed. Code 48985	Notices to parents in language other than English
Ed. Code 49060-49079	Student records
Ed. Code 49490-49590	Child nutrition programs
Pen. Code 422.6	Crimes, harassment

Cross References	Description
3550	Food Service/Child Nutrition Program - https://simbli.eboardsolutions.com/SU/slshLIPNcfDmKQ3R5XsOImg2g=
3550	Food Service/Child Nutrition Program - https://simbli.eboardsolutions.com/SU/3MFLXzedornnWtD9LLHX5Q==
3551	Food Service Operations/Cafeteria Fund - https://simbli.eboardsolutions.com/SU/woTslshyuc01Jqz8i3YDW9slshAw==
3551	Food Service Operations/Cafeteria Fund - https://simbli.eboardsolutions.com/SU/wMbplusw206rgazeMZAg2HXTg==
3553	Free And Reduced Price Meals - https://simbli.eboardsolutions.com/SU/jpkiybXkV4JxPvhISR9wDw=
3553	Free And Reduced Price Meals - https://simbli.eboardsolutions.com/SU/othSgh595y3dGLdnKJVEag==