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### 581-051-0100 School Nutrition Programs

(1) Authority and direction for the operation of school nutrition programs in Oregon shall be derived from the United States Department of Agriculture, the Oregon Revised Statutes, Oregon Administrative Rules and rules of district school boards.

(2) Claims for reimbursement by schools participating in the USDA School Nutrition Programs:

~~(a) Shall be submitted in a form and manner designated by the Oregon Department of Education; and~~

~~(b) Must be received in the Oregon Department of Education by the fifteenth day of the month following the month for which claim is made.~~

(3) Food sold in competition with the School Breakfast Program or National School Lunch program shall not be allowed during the breakfast and/or lunch periods unless the funds accrue to the nonprofit food service program, the school or student organizations as may be defined by the district school board.

(a) The sale of items from the USDA Categories of Foods of Minimal Nutritional Value 7 CFR 210. Appendix B during the breakfast and/or lunch periods in the food service area is prohibited. However, if approved by the school district board, foods of minimal nutritional value may be sold outside the food service area during the breakfast and/or lunch periods.

(A) "Foodservice Area" means any area on school premises where NSLP and SBP meals are both served and eaten. Areas where students eat NSLP and SBP meals that are completely separate from the serving area are also part of the foodservice area.

(B) Financial penalties to the school food service program resulting from FMNV being served during meal time in the food service area by school policy or practice will be repaid to the non-profit food service fund ~~program~~ from the general operating or other district funds.

(b) A copy of the Board action of approval must be filed with the School Nutrition Programs Section, Oregon Department of Education.

Statutory/Other Authority: ORS 326 & 327 & 7 CFR 210

Statutes/Other Implemented: ORS 327.137

History:

ODE 17-2004, f. & cert. ef. 8-10-04

1EB 2-1986, f. 1-7-86, ef. 1-8-86