

School Meal Program Requirements

[School Nutrition Program Sponsor Support Assignments](#)
[NSLP At-a-Glance Annual Calendar](#)

Buy American

Local Education Authorities (LEAs) must purchase, to the maximum extent practicable, domestic commodities or products. When a domestic product is not available, LEAs must have an exception form on file documenting the circumstances that required the use of a foreign product.

Due: Ongoing

Tools: [NSLP Buy American Documentation](#)
[7 CFR 210.21\(d\)](#)

Civil Rights

LEAs must administer program services and benefits in accordance with all laws, regulations, instructions, policies, and guidance related to nondiscrimination in program delivery. Any staff, including supervisory staff, interacting with program applicants or participants must receive training. USDA nondiscrimination statement must be included on all material mentioning USDA or any Child Nutrition Program.

Due: Ongoing/training annually
Update complaint form and logs annually
“And Justice for All” posters are displayed anywhere program benefits are available

Tools: [Civil Rights at a Glance](#)
[Civil Rights Training Presentation](#)
[USDA Civil Rights webpage](#)
[ODE Civil Rights webpage](#) (Complaint form, log, and additional resources available.)
[FNS Instruction 113-1](#)

Claims for Reimbursement

LEAs must submit meal counts of students participating in school meal programs to claim applicable state and federal reimbursements. Each school food authority must review the meal counts under its jurisdiction to ensure the accuracy of the monthly claim for reimbursement. Claim data is entered in CNPweb.

Due: Monthly, within 60 days of the last day of the claim month

Tools: [Meal Counting and Claiming Systems at a Glance](#)
[Child Nutrition Programs Claim Timelines](#)
[CNPweb](#)
[CNPweb Sponsor Claim Instructions](#)
[CNPweb Site Claim Instructions](#)

Direct Certification

LEAs must conduct direct certification and certify categorically eligible children for free meals.

Due: LEAs are required to perform direct certification at least three times per year. This requirement applies to schools operating standard counting and claiming as well as schools participating in Provision 2 breakfast or lunch, but not both.

- At the beginning of the school year
- Three months after the beginning of the school year

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- Six months after the beginning of the school year

CEP schools and schools participating in Provision 2 for breakfast and lunch are required to conduct direct certification at least once per school year.

Tools: [ODE Direct Certification webpage](#)
[Direct Certification Download Instructions](#)
[Direct Certification Login page](#)
[Eligibility Manual for School Meals](#)
[Eligibility Tool Kit](#)
[7 CFR 210.9\(b\)\(19\)](#)

Eligibility

LEAs participating in NSLP, SBP or the Special Milk Program must determine eligibility annually for free and reduced price meals. Sponsors eligible for Student Success Act Funds must also determine eligibility using Oregon Expanded Income Guidelines (EIG), which provides household eligibility up to 300% of the federal poverty level.

Due: Ongoing

Tools: [Eligibility Manual for School Meals](#)
[Eligibility Tool Kit](#)
[7 CFR 245](#)
[Eligibility Training 101](#)
[Oregon EIG At a Glance](#)
[Student Success Act webpage](#)

Excess Operating Balance

LEAs must ensure that the nonprofit food service account complies with all financial management regulations. This includes the requirement that sponsors limit their net cash resources (i.e. year-end balance) to an amount that does not exceed three months' average expenditures for their nonprofit food service program.

Due: Reporting due annually

Tools: [7 CFR 210.9\(b\)\(2\)](#)
[7 CFR 220.7\(e\)\(1\)\(iv\)](#)

Food Safety Inspections

LEAs must have two food safety inspections conducted at each site that prepares and/or serves meals. If two inspections do not take place, the LEA must be able to show documentation that two were requested. The most recent food safety inspection must be posted in a publically visible location.

Due: Twice annually, -Hazard Analysis Critical Control Points (HACCP) based inspection Food safety inspections are conducted by local county health departments.

Tools: [Food Safety Inspections at a Glance](#)
[Sample Letter to Public Health Official](#)
[7CFR 210.13](#) and [7 CFR 220.7](#)
[SP 45-2011](#)

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Food Safety Program

LEAs must have a School Food Safety Program that addresses food safety in all aspects of meal preparation and service and is based on the HACCP principles.

Due: Ongoing

Tools: [Food Safety Program at a Glance](#)
[ODE Food Safety webpage](#)
[SP 37-2013](#)

Meal Charge Policy

LEAs must have a written and clearly communicated meal charge policy.

Due: Ongoing

Tools: [Meal Charge Policy at a Glance](#)
[Oregon HB 3454 "Lunch Shaming Ban" Q & A](#)

Menu Planning (Lunch & Breakfast) and Production Records

LEAs must plan, prepare, and document breakfast and/or lunch meals that meet meal pattern requirements.

Due: Ongoing

Tools: [Meal Pattern and Nutritional Quality webpage](#)
[Production Records Workbook for School Breakfast and Lunch](#)

Milk Substitution

LEAs must request approval from an ODE CNP Program Specialist in CNPweb to provide a milk substitution for children who have medical or special dietary needs. See section below on *Meal Accommodation or Modification*.

Due: As needed

Tools: [Milk Substitutions at a Glance](#)
[ODE Meal Accommodations and Modifications webpage](#)
[SP 07-210 Q & As; Milk Substitution for Children with Medical or Special Dietary Needs \(Non-Disability\)](#)
[7 CFR 210.10](#)

On-Site Monitoring

LEAs that operate the National School Lunch Program (NSLP) meals at more than one site, must conduct an on-site lunch review of each site and 50% of breakfast sites. All breakfast sites must be reviewed minimally every two years. The purpose of the review is to evaluate counting and claiming procedures. Additionally, LEAs that operate the Afterschool Snack Program (ASSP) must complete monitoring two times a year with the first review conducted within the first four weeks that the site is in operation.

Due: NSLP/SBP- Annually by February 1st, if applicable a follow up review with 45 days.
ASSP- Within the first four weeks of operation and one additional time.

Tools: [On-Site Monitoring at a Glance](#)
[SNP On-Site Monitoring Form](#)
[Afterschool Snack Program Monitoring Form](#)

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Paid Lunch Equity

LEAs that operate the NSLP must ensure sufficient funds are provided to the nonprofit school food service account for meals served to students not eligible for free or reduced-price meals. There are two ways to meet this requirement: either through the prices charged for “paid” meals or through other non-federal sources provided to the nonprofit school food service account.

Due: Annual calculation

Tools: [Paid Lunch Equity at a Glance](#)
[ODE Resource Management webpage](#)- Paid Lunch Equity (PLE) Tool, for the current school year PLE tool
[7 CFR 210.14](#)

Point of Service

Point of service is the point in the food operation where a determination can accurately be made that a reimbursable free, reduced-price, or paid meal or snack has been served to an eligible child. Point of service meal counts must be taken at the end of the food service line after students have had access to all meal components, unless otherwise approved by the state agency. This includes identifying what constitutes a reimbursable meal. LEAs are required to establish a point of service system that yields an accurate meal count by category and prevents overt identification.

Due: Ongoing

Tools: [Meal Counting and Claiming Systems at a Glance](#)
[Archived FNS 270 Meal Counting and Claiming Manual](#)

Procurement Practices

LEAs using federal funds must follow procurement guidelines. Procurement is the process of purchasing of goods and services, which involves planning, drafting specifications, bid advertisement, and awarding and managing the contract.

Due: Ongoing

Tools: [ODE Procurement webpage](#)

Professional Standards for School Nutrition Employees

LEAs operating the NSLP must ensure minimal education standards are met when hiring a School Food Service Director and that annual training requirements are met for all school nutrition employees. School Nutrition Program Directors are the individuals responsible for the operation of school nutrition programs for all schools under the local educational agency (LEA) and are designated in CNPweb as the ‘CNP Program Manager’. This must be an employee of the district or organization.

Due: Ongoing

Tools: [Professional Standards at a Glance](#)
[USDA Professional Standards webpage](#)
[Professional Standards Learning Objectives \(USDA\)](#)
[7 CFR 210.30](#)

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Record Retention

Child Nutrition Program records must be retained in accordance with 7 CFR 210.15.

Due: Ongoing

Tools: [7 CFR 210.15](#)

Revenue from Non-Program Foods

LEAs must complete revenue calculations to determine if the revenue from non-program foods generates at least the same proportion of revenue as they contribute to the LEAs food cost. If the proportion of non-program food revenue is less than the proportion of non-program food costs, LEAs must increase the prices of non-program foods or cover the cost with non-federal funds.

Due: Report due annually but monitoring is ongoing

Tools: [Revenue from Non-Program Foods at a Glance](#)
[ODE Resource Management webpage](#)
[USDA Non-Program Food Revenue Tool](#)
[7 CFR 210.10.14\(f\)](#)

School Breakfast Program

Schools participating in the School Breakfast Program (SBP) must inform families of the availability of breakfast. The ODE CNP website has many resources available to help build a successful SBP as well as outlines different breakfast models including Breakfast After the Bell, Breakfast in the Classroom, and Grab & Go Breakfast. In accordance with the Student Success Act, some schools operating SBP are required to offer Breakfast After the Bell.

Due: Ongoing

Tools: [Meal Pattern and Nutritional Quality webpage](#) includes information on:

- Breakfast After the Bell Implementation
- Meal Pattern Requirements
- Menu Planning Requirements

Smart Snacks

All foods and beverages sold on the school campus during the school day must meet standards for fat, saturated fat, trans fat, sugar, and sodium, and have whole grains, low fat dairy, fruits, vegetables or protein foods as their main ingredient.

Due: Ongoing

Tools: [ODE Smart Snack webpage](#)
[Oregon Smart Snacks At a Glance](#)
[Oregon Smart Snacks Q and A](#)

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Special Dietary Needs

LEAs must make reasonable modifications to meal(s) on a case-by-case basis to accommodate disabilities that restrict a child's diet. See section above on ***Milk Substitution***.

Due: Ongoing

Tools: [Child Nutrition Program Meal Accommodations and Modifications webpage](#)
[Medical Statement to Request Special Meals and/or Accommodations](#)
[Meal Accommodations Quick Guide for Sponsors and Providers](#)
[Meal Accommodations Decision Tree](#)
[Section 504 of the Rehabilitation Act](#)
[Title II and Title III of the Americans with Disabilities Act \(ADA\)](#)
[SP 40-2017](#)
[SP 26-2017](#)
[SP 59-2016](#)

Summer Outreach

Schools must conduct outreach and advertise the availability of summer meals. This applies to all school districts, even if there is not a summer feeding program in your community.

Due: Annually, before the end of the school year

Tools: [Summer Food Service Program webpage](#)
[7 CFR 210.12](#)

Verification

LEAs not operating under Community Eligibility Provision, Provision 2 non-base year, or Residential Child Care Institutions (RCCI) without day students, must verify eligibility of children from a sample of household applications approved for free and reduced-price meals.

All LEAs, regardless of whether they completed the application verification process, must submit the [FNS-742](#) annually.

Due: Annually; start on October 1st and continuing until November 15th; summary report due by February 1st

Tools: [Verification at a Glance](#)
[ODE Meal Access and Reimbursement webpage](#)
[Eligibility Tool Kit](#)

Wellness Policy

LEAs participating in NSLP must establish and implement, for all schools under its jurisdiction, a local school wellness policy that meet minimum standards designed to promote sound nutrition, student health, reduce childhood obesity, and provide transparency to the public on the school nutrition environment.

Due: Ongoing, along with a full assessment due triennially

Tools: [Wellness Policy at a Glance](#)
[ODE Wellness Policy webpage](#)
[7 CFR 210.31](#)

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School Nutrition Program Regulations	
Oregon Revised Statutes (ORS)	<p>Chapter 326.051 Board function and rules</p> <p>Chapter 327</p> <ul style="list-style-type: none"> • 327.527 Summer breakfast and lunch reimbursement, grants and contracts; rules • 327.532 School lunch program • 327.535 School breakfast program; reimbursement; rules • 327.537 Provision of reimbursable meals; prohibitions and requirements when student owes money <ul style="list-style-type: none"> ▪ Enrolled HB 3454 (2017) ▪ Oregon HB 3454 “Lunch Shaming Ban” Q and A • 327.540 After-school meal and snack program; grants; rules • 327.545 Oregon Expanded Income Guidelines <p>Chapter 336</p> <ul style="list-style-type: none"> • ORS 336.423 Oregon Smart Snacks, standards for food and beverage sold in schools • ORS 336.445 Use of polystyrene foam in meal service; rules
Oregon Administrative Rules (OAR)	<p>Chapter 581 Division 51</p> <ul style="list-style-type: none"> • 581-051-0100 School Nutrition Programs • 581-051-0400 Breakfast Programs • 581-051-0305 to 581-051-0310 Food Safety Inspections • 581-051-0350 to 581-051-0365 Use of Polystyrene <ul style="list-style-type: none"> ▪ Polystyrene Foam Q & A ▪ Districts Financial Hardship Application instructions ▪ Polystyrene Use Financial Hardship Application • 581-051-0500 to 581-051-0590 Food Service Management Companies • 581-051-0600 Breakfast After the Bell Requirement and Exemption Process • 581-051-0605 Breakfast After the Bell Equipment Grant • 581-051-0610 Community Eligibility Provision Incentive Reimbursement Program • 581-051-0615 Expanded Income Eligibility Group Reimbursement Program
Federal Regulations	<p>Specific Programs</p> <ul style="list-style-type: none"> • 7 CFR Part 210 - National School Lunch Program • 7 CFR Part 220 - School Breakfast Program • 7 CFR Part 245 - Determining Eligibility for Free and Reduced Price Meals and Free Milk in Schools • 7 CFR Part 215 - Special Milk Program • 7 CFR Part 250 - Commodity Food Distribution Program <p>Program-Wide</p> <ul style="list-style-type: none"> • 2 CFR, Chapters II -- All Sponsors

The Washington Office of Superintendent of Public Instruction created this document. The Oregon Department of Education modified the document to apply to Oregon.