

FOOD SERVICES MANAGEMENT

CO  
(LEGAL)

MINIMUM STANDARDS  
FOR SCHOOL  
NUTRITION PROGRAM  
DIRECTORS

Each district must ensure that all newly hired school nutrition program directors meet minimum hiring standards and ensure that all new and existing directors have completed the minimum annual training/education requirements for school nutrition program directors, as set forth in the Code of Federal Regulations. *7 C.F.R. 210.30*

TEXAS DEPARTMENT  
OF AGRICULTURE  
SCHOOL NUTRITION  
POLICIES

Districts must comply with rules adopted by the Texas Department of Agriculture (TDA), which administers federal and state nutrition programs including the National School Lunch Program (NSLP) under 42 U.S.C. Section 1751 et seq.; and the School Breakfast Program (SBP) under 42 U.S.C. Section 1773. *Agriculture Code 12.0025*

DEFINITIONS

“School day” means the midnight before, to 30 minutes after, the end of the official school day.

“School campus” means all areas of the property under the jurisdiction of the school that are accessible to students during the school day.

*4 TAC 26.1*

EXEMPT  
FUNDRAISERS

Schools that participate in the NSLP or SBP may sell food and beverages that do not meet nutritional standards outlined in 7 C.F.R. Parts 210 and 220 as part of a fundraiser, during the school day, for up to six days per school year on each school campus, provided that no specially exempted fundraiser foods or beverages may be sold in competition with school meals in the food service area during the meal service. *4 TAC 26.2*

LIMITATION ON  
SANCTIONS

TDA may not impose on a district a sanction, including disallowing meal reimbursement, based on the sale to students at a high school of food of minimal nutritional value, if the sale is approved in advance by the school and is made:

1. Outside of a school area designated for food service or food consumption or during a period other than a school meal service period; and
2. For the purpose of raising money for a student organization or activity sponsored or sanctioned by the school or the school district in which the school is located.

*Agriculture Code 12.0028*

INSUFFICIENT MEAL  
CARD BALANCE

A district that allows students to use a prepaid meal card or account to purchase meals served at the school shall adopt a grace period policy regarding the use of the cards or accounts. The policy:

1. Must allow a student whose meal card or account balance is exhausted or insufficient to continue, for a period determined by the district, to purchase meals by:
  - a. Accumulating a negative balance on the student's card or account; or
  - b. Otherwise receiving an extension of credit from the district;
2. Must require the district to notify the parent of or person standing in parental relation to the student that the student's meal card or account balance is exhausted;
3. May not permit the district to charge a fee or interest in connection with meals purchased under item 1, above; and
4. May permit the district to set a schedule for repayment on the account balance as part of the notice to the parent or person standing in parental relation to the student.

*Education Code 33.908*

LAUREN'S LAW

A district may not adopt any rule, policy, or program under Education Code 28.002 that would prohibit a parent or grandparent of a student from providing any food product of the parent's or grandparent's choice to:

1. Children in the classroom of the child on the occasion of the child's birthday; or
2. Children at a school-designated function.

*Education Code 28.002(l-3)(2)*