

**Elementary  
Campuses**

Elementary campuses are campuses with a combination of students in EE–grade 6.

Food of Minimum  
Nutritional Value  
(FMNV)

Elementary school campuses may not serve or provide access for students to FMNV and all other forms of candy at any time anywhere on the school premises until the end of the last scheduled class.

FMNV may not be sold or given away to students on school premises by school administrators or staff (principals, coaches, teachers, and the like), students, student groups, parents or parent groups, guest speakers, or any other person, company or organization. This includes soft drinks, vending machine food, as well as items listed in section 26.6 of the Texas Public School Nutrition Policy (TPSNP) effective February 26, 2009.

Elementary campuses may not provide students with food items that do not meet the USDA nutritional and portion standards as outlined in section 26.3 of the TPSNP effective February 26, 2009, at any time for any reason. This includes such items as pizza. Meals provided to a student during a meal period must be a reimbursable meal catered or provided by the school food services department.

In-Classroom  
Birthday Parties

All student birthday celebrations held in a classroom may include a serving of store-bought cake that may be served with 100 percent juice, milk, or water, but not candy, punch, or soft drinks. Birthday parties must be held after the class lunch period.

Three Event Days  
Per Year

Three times a year a campus may provide students with candy, cake, and the like. These dates must be reported to the Food Services Manager by September.

Competitive Food

Elementary campuses may not serve competitive foods (or provide access to them through direct or indirect sales) to students anywhere on school premises throughout the school day until the end of the last scheduled class except for those food items made available by the school food service department. All foods, beverages, and snack items must comply with the nutrition standards and portion size restrictions.

The Child Nutrition Program (CNP) will provide the campus on request a list of food items that meet the USDA nutritional and portion standards.

These standards do not apply to food served in the teachers' workroom for adult consumption.

All field trips and school-sponsored events are covered under this regulation.

**Middle and Junior  
High School  
Campuses**

Food of Minimal  
Nutritional Value

Middle school campuses are campuses with a combination of grades 6, 7, and 8. Junior high school campuses are campuses with either grades 7 and 8 or grades 7, 8, and 9.

Middle school and junior high campuses may not serve or provide access for students to FMNV and all other forms of candy at any time anywhere on school premises until after the end of the last scheduled class.

FMNV may not be sold or given away to students on school premises by school administrators or staff, (principals, coaches, teachers, and the like) students or student groups, parents or parent groups, guest speakers, or any other person, company, or organization. This includes soft drinks, vending machine food, as well as items that are listed in section 26.6 of the TPSNP effective February 26, 2009.

Middle school and junior high campuses may not provide students with food items that do not meet the USDA nutritional and portion standards as outlined in the TPSNP dated February 26, 2009, at any time for any reason. This includes such items as pizza. Meals provided to a student during a meal period must be a reimbursable meal catered or provided by the school food services department.

In-Classroom  
Birthday Parties

All student birthday celebrations held in a classroom may include a serving of store-bought cake that may be served with 100 percent juice, milk, or water but not candy, punch, or soft drinks. Birthday parties must be held after the last lunch period.

Three Event Day  
Per Year

Three times a year a campus may provide students with candy, cake, and the like. These dates must be reported to the Food Service Manager by September.

Competitive Food

Middle school and junior high campuses may not serve competitive foods (or provide access to them through direct or indirect sales) to students anywhere on school premises from 30 minutes before to 30 minutes after meal periods, except for those food items made available by the school food service department. All foods, beverages, and snacks must comply with the nutrition standards and portion size restrictions.

The CNP will provide the campus on request a list of food items that meet the USDA nutritional and portion standards.

These standards do not apply to food served in the teachers' workroom for adult consumption.

All field trips and school-sponsored events are covered under this regulation.

**High School  
Campuses**

High school campuses are defined as campuses containing a combination of grades 9, 10, 11, and 12.

Foods of Minimal  
Nutritional Value

High schools may not serve or provide access to FMNV and all other forms of candy at any time anywhere on school premises until the end of the last scheduled class.

Such foods and beverages may not be sold or given away to students on school premises by school administrators or staff, (principals, coaches, teachers, and the like), students or student groups, parents or parent groups, guest speakers or any other person, company, or organization. This includes soft drinks and vending machine foods, as well as items that are listed in section 26.6 of the TPSNP effective February 26, 2009.

High school campuses may not provide students with food items that do not meet the USDA nutritional and portions standards as outlined in section 26.5 of the TPSNP effective February 26, 2009. Meals provided to students during the meal period must be a reimbursable meal catered/provided by the school food service department.

Three Event Day  
Per Year

Three times a year, a campus may provide students with candy, cake, and the like. These days must be reported to the Food Service Manager by September.

Competitive Food

High schools may not serve competitive foods (or provide access to them through direct or indirect sales) to students during meal periods in areas where reimbursable meals are served and/or consumed, except for those food items made available by the school food service department. All foods, beverages, and snack items must comply with nutrition standards and portion size restrictions.

The CNP will provide the campus, on request, a list of food items that meet the USDA nutritional and portion standards.

These standards do not apply to food served in the teachers' workroom for adult consumption.

All field trips and school-sponsored events are covered under this regulation.

All foods for fund-raising will be store-bought products or food prepared on the premises. Home-cooked foods will not be sold to students by anyone at anytime or any place on the school premises. Proof of purchase or food labels may be requested by a school authority when deemed necessary.

**Medical Notes**

USDA regulations require substitutions or modifications in school meals for children whose disabilities restrict their diets. Food substitutions will be supported when a licensed physician provides the child with the disability a medical note that identifies:

1. The child's disability;
2. A brief explanation of why the disability restricts the child's diet;
3. The major life activity affected by the disability; and
4. Food or foods to be omitted from the child's diet and food or choices of foods that must be substituted or allowable.

Generally, a child's food allergy or intolerance does not constitute a disability. This situation does not require the CNP to make food substitutions.

**Food Allergy**

If a food allergy is assessed by the licensed physician as life threatening because ingestion may result in anaphylactic reactions, the prescribed substitution must be specific in nature. For instance, not milk but juice; not fluid milk but all cheeses and ice cream are allowable.

**Special Dietary Needs**

Any other dietary request must be supported by a medical note signed by a recognized medical authority such as a physician, physician assistant, or an advanced practice nurse.

The medical note must include:

1. An identification of the medical or special dietary condition that restricts the child's diet; and
2. Food or foods to be omitted and/or choice of foods that may be substituted.

The CNP must ensure that diet orders reflect the current dietary needs of the child. Any questions about the child's medical note must be discussed with the attending medical authority, registered/licensed dietitian, or the state agency. Diagnosing a health condition; performing a nutritional assessment; prescribing a nutritional requirement; or interpreting, revising, or changing a diet order are prohibited functions of the CNP.

Medical notes must be updated every year and must be submitted to the CNP Food Service Manager.

The CNP must establish a system that would identify children without overtly identifying the medical condition or allergies at the point of service.

**Field Trips**

Requests for meals for field trips must be submitted to the Campus Food Service Specialist (CFSS) two weeks before the event. A two-day cancellation to CNP is required.

Students must be offered all meal components including milk. Students must take the main dish and will have the option to take two sides on any given day.

A copy of the attendance roster must be submitted to the CFSS everyday for counting and claiming purposes.

**Meals for Students  
Visiting Another  
Campus**

Reimbursable meals will be available at no charge to a District student visiting another campus within the District for competition purposes or to attend a class or classes. For purposes of counting and claiming these meals, the following information will be needed from the campus of origin:

1. Name or identification number of the student;
2. Campus of origin; and
3. Special conditions pertaining to food restrictions in case of a disability or medical condition.

Should a special meal be of interest such as a pizza day for these visiting students, arrangements must be made two weeks in advance with the CFSS.

Meals for visiting students from outside of the District will be available at a la carte prices.

**Civil Rights**

The Administrator's Reference Manual (ARM) of the Texas Department of Agriculture states there is no discrimination allowed in eating periods, seating arrangements, serving lines, or eating areas based on race, color, national origin, age, sex, or disability.

Withholding a meal to discipline a child or a disciplinary action that results directly in the loss of a meal is inconsistent with the law and is not allowed.

Any person alleging discrimination based on race, color, national origin, sex, age, or disability has a right to file a complaint. Complaints may be made in written format or verbally. All CNP complaints, written or verbal, will be accepted by the District CNP Food Service Manager, who will forward the complaint to the Texas Department of Agriculture.

A complaint may be filed with the USDA, Director, Office of Adjudication and Compliance, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410 or call (202) 260-1026, (866) 632-9992, or (202) 401-0216 (TDD).