

UTAH DIVISION OF JUVENILE JUSTICE AND YOUTH SERVICES POLICY AND PROCEDURES		
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FOOD SERVICE		
<p>RATIONALE: Child nutrition is an important component in treating minors who are in the custody of the Division. Nutritious and well-balanced meals and snacks promote the physical, mental and emotional well-being of minors. Food preparation must be handled in a safe manner to protect minors and staff from the spread of disease and food borne illnesses. Additionally, adherence to national nutrition standards qualifies the Division for significant federal funding. Noncompliance can result in the loss of these funds to participating facilities, programs and the Division.</p> <p><i>Related Policies, Applicable Standards, Statutes: 7 CFR Part 210.11, JJYS Policy Policy 03-05, 04-01, 04-07 Safety and Health Standards</i></p>		
Original Effective: October 2, 2013	Revision: June 2, 2023	Next Review Due: June 2, 2026

I. DESCRIPTION

Division staff working in programs and facilities participating in the National School Breakfast Program, National School Lunch Program and After School Snack Program shall comply with national nutrition standards and local health department food safety regulations.

II. DEFINITIONS

The following terms are defined for this policy as:

- A. **United States Department of Agriculture (USDA):** is the federal agency that regulates and administers the National School Breakfast Program, National School Lunch Program, and the After School Snack Program. The USDA also reimburses qualifying participants for meals that meet the prevailing requirements.

- B. **National School Breakfast Program (NSBP):** is a program administered by the USDA. The goal is to provide minors with one quarter of their nutritional requirements for the day based on the “Dietary Guidelines for Americans.”
- C. **National School Lunch Program (NSLP):** is a program administered by the USDA. The goal is to provide minors with one-third of their nutritional requirements for the day based on the “Dietary Guidelines for Americans.”
- D. **After School Snack Program (ASSP):** is a program administered by the USDA. The goal is to provide minors additional nutrition.
- E. **Point of Service:** is the point in the meal service where it can be accurately determined that a federally reimbursable meal has been served to the minor.
- F. **Reimbursable Meal:** is a meal that meets the federal guidelines for reimbursement under the NSBP, NSLP or ASSP.
- G. **Hazard Analysis and Critical Control Point (HACCP):** is a required plan that each participating facility must have in place that documents the safe storage, handling and preparation of food.

III. POLICY

- A. Meal Service: Staff involved with meal planning and preparation shall stay up-to-date with the current USDA standards. Meal planning and preparation for breakfasts, lunches and after school snacks shall be done in accordance with current standards and regulations mandated by the USDA.
- B. Special Diets: In compliance with USDA regulations, staff shall allow for food substitutions for minors that need to have special diets due to the following:
 - 1. Disability:
 - a) USDA’s nondiscrimination regulations make it clear that substitutions to the regular meal must be made for minors who are unable to eat school meals due to disabilities, when that need is certified by a licensed physician. The term “child with a disability” under Part B of the Individuals with Disabilities Education Act (IDEA) means a child evaluated in accordance with IDEA as having one or more of the recognized thirteen disability categories and who, by reason thereof, needs special education and related services. A severe allergy may constitute a disability if it affects a major life activity. In the event of a disability, kitchen staff shall make accommodations for minors.

- b) The determination of whether or not a minor has a disability which may restrict his or her diet shall be made by a licensed physician. A written statement signed by a licensed physician is required. This statement shall identify the minor's disability; an explanation of why the disability restricts the minor's diet; the major life activity affected by the disability; and the food or foods to be omitted from the minor's diet and the food or food choice that shall be substituted. This statement is to be placed in the minor's file and a copy is to be given to the kitchen staff.
- c) When a minor states she or he has a severe food allergy, staff shall rely on that declaration and accommodate the special dietary need while awaiting an official signed statement from a licensed physician. Under no circumstances shall Division staff revise or change a diet prescription or medical order.

2. Special Dietary Needs:

- a) Kitchen staff shall make accommodations for minors identified as having special dietary needs. When a minor has food allergies or food intolerances, a statement must be completed and signed by a licensed medical physician and shall identify the minor's disability; an explanation of why the disability restricts the minor's diet; the major life activity affected by the disability; and the food or foods to be omitted from the minor's diet and the food or food choice that shall be substituted. This statement is to be placed in the minors file and a copy is to be given to the kitchen staff (see medical statement form).
- b) When a minor states she or he has a severe food allergy, staff shall rely on that declaration and accommodate the special dietary need while awaiting an official signed statement from a licensed medical physician. Under no circumstances shall Division staff revise or change a diet prescription or medical order.

3. Special Dietary Choices:

- a) Minors may request special diets based on religious practices or lifestyle choices. These requests shall be handled in accordance with Policy 04-01 Rights and Responsibilities of Minors.

- C. Daily and Monthly Meal Counts: Staff shall perform the daily and monthly meal counts with due diligence and integrity. A meal count shall be taken at

every breakfast, lunch, and after school snack every day at the point of service. Meal counts are the basis for federal reimbursement.

1. Reimbursable Meal: Division staff who prepare and serve meals, staff who eat with the minors, and staff who record meal counts, shall be able to identify a federally reimbursable meal at the point of service. All of the components that are required for a reimbursable meal shall be made available to the minor. This information is available from the Division Child Nutrition Program (CNP) Administrator.
 2. Daily Meal Count: Staff shall complete and maintain a daily meal count sheet for breakfast, lunch, and after school snack. Meal counts shall be completed accurately and immediately after each meal is served. The count shall not be completed ahead of time nor shall the count be neglected. The staff who is assuming responsibility for the accuracy of the meal count shall initial next to the total meal count for breakfast, lunch, and after school snack.
 3. Monthly Meal Count: Each month, a designated staff shall be assigned to gather and compile the daily meal count tallies from each unit. The staff shall reconcile the count of meals served with the count of meals prepared and will resolve any discrepancies. Each month, the staff shall report the counts to the designated administrative staff.
- D. Food Safety: It is essential that food preparation is handled in a safe manner so that the transmission of diseases and food borne illnesses can be prevented.
1. Hazard Analysis and Critical Control Point (HACCP): Each facility that participates in the CNP is required to have a documented HACCP plan. Staff involved with food preparation shall ensure and document compliance with the HACCP plan. They shall ensure that the plan is kept up to date according to regulations that are currently in place.
 2. The HACCP plan shall have the following components:
 - a) Temperature control of food including storage, preparation and holding
 - b) Cleaning and sanitizing food contact surfaces and cooking implements
 - c) Personal Hygiene
 - d) Preventing contamination and cross contamination
 - e) Verification and record keeping
 3. Staff and minors (see Division Policy 04-07 Safety and Health Standards): Staff and minors responsible for the preparation and handling of food shall be in good health and free from communicable

disease and open infectious wounds. They will have clean hands and fingernails, wear hairnets or caps, wear clean washable garments and employ hygienic food handling techniques.

4. Food Handlers Permits: Staff and minors involved in food service shall have current food handler's permits as dictated by local health department rules regardless of whether they participate in the CNP. The Division will pay the cost of the food handler's permit.
5. Health Inspections: In accordance with CNP requirements, the Division will request two health department inspections each year. A copy of the health inspection documents must be sent to the designated staff at the Division Administrative Office. Any and all exceptions shall be addressed by the facility Assistant Program Director (APD) with all due diligence.

E. Vending Machines:

1. Minors shall not have access to any competitive foods, including but not limited to vending machines or canteens, or as defined in 7 CFR Part 210.11, during the time period between 12:00 AM midnight and 4:30 PM on school days, and during any breakfast or lunch period on non-school days.

F. Wellness Policy

1. In conjunction with participation in the CNP, the Division is required by federal law to have a Wellness Policy (03-05 Juvenile Wellness). The wellness policy shall include the following:
 - a) Goals for nutrition education
 - b) Goals for physical activity
 - c) Activities to promote minor wellness
 - d) A plan for measuring the effectiveness of the Wellness Policy
2. The development of the Wellness Policy must involve those who are stakeholders in the wellness of the minors. This can include Kitchen Staff, Line staff as appropriate, Supervisors, APD, Program Directors (PD), Deputy Director, and Division Director.

G. Civil Rights:

1. All forms of communication and printed information, in regards to the food services, must include the following statement:
 - a) "In accordance with federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability. To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence

Avenue S.W., Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TTY). USDA is an equal opportunity provider and employer.”

2. If the full statement cannot be accommodated in the material, at a minimum, the following statement must be included in print no smaller than the main text:
 - a) “This institution is an equal opportunity provider.”
3. The facility is required to provide reasonable accommodations for persons with disabilities unless the accommodation would impose undue hardship on the operation of its program or place of business. The protected classes under the USDA CNP include race, color, national origin, age, sex, and disability. Additionally, other protected classes include gender identity, religion, reprisal, political beliefs, marital status, familial or parental status, sexual orientation, all or part of an individual’s income and protected genetic information.
4. All facilities participating in the CNP are required to display the official “And Justice for All” poster in all areas where food is served and/or eaten as well as the lobby of each facility. Each participating facility must also have a grievance process in place for minors to report any alleged violations of their civil rights as it relates to the CNP.
5. All participating facilities and every staff member that interacts with minors during meal services are required to have the USDA/Utah State Board of Education (USBE) Civil Rights training once each year. This training can be held in conjunction with reviews of Division Policy 04-01 Rights and Responsibilities of Minors and 04-02 Religious Programs; however, it is a separate and distinct training from Civil Rights training offered through DHHS. The names of the staff participating in the training shall be recorded in the Learning Portal. The completed form shall be sent to the Division CNP Administrator. The Division CNP Administrator shall maintain the training record.

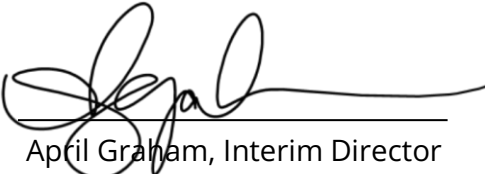
H. Compliance Reviews and Audits:

1. Each Division site that participates in the CNP will receive a compliance review at least annually from Division administrative personnel. These reviews are mandated by the USDA and CNP. In addition, the USBE CNP may conduct audits and reviews of selected Division sites. Division staff are expected to cooperate fully with these reviews and audits. Any and all findings will be addressed by the facility with all due diligence.

IV. Continuous Renewal

This policy shall be reviewed every three (3) years to determine its effectiveness and appropriateness. This policy may be reviewed before that time to reflect substantive change.

This policy has been reviewed by the Division of Juvenile Justice and Youth Services Executive Management Team and is approved upon the signature of the director.



April Graham, Interim Director
Division of Juvenile Justice and Youth Services

06/02/2023
Signature Date