

# Chapter 392-157 WAC

## CHILD NUTRITION—PRACTICES AND PROCEDURES

**WAC**

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**WAC 392-157-005 Authority.** The authority for this chapter is RCW 28A.235.100.

[Statutory Authority: RCW 28A.235.100. WSR 94-04-097 (Order 94-02), § 392-157-005, filed 2/1/94, effective 3/4/94.]

**WAC 392-157-010 Purposes.** The purposes of this chapter are to:

- (1) Encourage school districts to participate in the National School Lunch and School Breakfast Programs.
- (2) Provide policies and procedures for the budgeting and accounting for state appropriations for school breakfast and lunch programs in school districts.
- (3) Provide policies and procedures regarding the administration of state appropriated grants to school districts to increase participation in school breakfast and lunch programs, to improve program quality, and to improve the equipment and facilities used in the programs.
- (4) Provide policies and procedures regarding the administration of state appropriated grants to school districts and other eligible organizations to start summer food service programs and to help expand summer food services for children.

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(5) Formalize procedures currently in place for the apportionment of state match money for the National School Lunch Program and the state reimbursement for free and reduced price breakfasts.

[Statutory Authority: RCW 28A.235.100. WSR 94-04-097 (Order 94-02), § 392-157-010, filed 2/1/94, effective 3/4/94.]

**WAC 392-157-015 Definition—Child nutrition program.** As used in this chapter, the term "child nutrition program" means activities designed to provide nutritious meals and nutrition education to children.

[Statutory Authority: RCW 28A.235.100. WSR 94-04-097 (Order 94-02), § 392-157-015, filed 2/1/94, effective 3/4/94.]

**WAC 392-157-020 Definition—National school lunch program.** As used in this chapter, the term "national school lunch program" has the meaning defined in Title 7 of the Code of Federal Regulations (7 C.F.R.) Part 210.2.

[Statutory Authority: RCW 28A.235.100. WSR 94-04-097 (Order 94-02), § 392-157-020, filed 2/1/94, effective 3/4/94.]

**WAC 392-157-025 Definition—School breakfast program.** As used in this chapter, the term "school breakfast program" has the meaning defined in 7 C.F.R. Part 220.2.

[Statutory Authority: RCW 28A.235.100. WSR 94-04-097 (Order 94-02), § 392-157-025, filed 2/1/94, effective 3/4/94.]

**WAC 392-157-030 Definition—Summer food service program.** As used in this chapter, the term "summer food service program" means a program meeting the federal requirements defined in 7 C.F.R. Part 225.

[Statutory Authority: RCW 28A.235.100. WSR 94-04-097 (Order 94-02), § 392-157-030, filed 2/1/94, effective 3/4/94.]

**WAC 392-157-035 Definition—School food authority.** As used in this chapter, the term "school food authority" has the meaning defined in 7 C.F.R. Part 210.2 for the national school lunch program, 7 C.F.R. Part 220.2 for the school breakfast program and 7 C.F.R. Part 225.2 for the summer food service program.

[Statutory Authority: RCW 28A.235.100. WSR 94-04-097 (Order 94-02), § 392-157-035, filed 2/1/94, effective 3/4/94.]

**WAC 392-157-040 Definition—Summer food service program sponsor.** As used in this chapter, the term "summer food service program sponsor" has the meaning defined in 7 C.F.R. Part 225.2.

[Statutory Authority: RCW 28A.235.100. WSR 94-04-097 (Order 94-02), § 392-157-040, filed 2/1/94, effective 3/4/94.]

**WAC 392-157-045 Definition—Lunch.** As used in this chapter, the term "lunch" has the meaning defined in 7 C.F.R. Part 210.2.

[Statutory Authority: RCW 28A.235.100. WSR 94-04-097 (Order 94-02), § 392-157-045, filed 2/1/94, effective 3/4/94.]

**WAC 392-157-050 Definition—Free lunch.** As used in this chapter, the term "free lunch" has the meaning defined in 7 C.F.R. Part 210.2.

[Statutory Authority: RCW 28A.235.100. WSR 94-04-097 (Order 94-02), § 392-157-050, filed 2/1/94, effective 3/4/94.]

**WAC 392-157-055 Definition—Reduced price lunch.** As used in this chapter, the term "reduced price lunch" has the meaning defined in 7 C.F.R. Part 210.2.

[Statutory Authority: RCW 28A.235.100. WSR 94-04-097 (Order 94-02), § 392-157-055, filed 2/1/94, effective 3/4/94.]

**WAC 392-157-060 Definition—Breakfast.** As used in this chapter, the term "breakfast" has the meaning defined in 7 C.F.R. Part 220.2.

[Statutory Authority: RCW 28A.235.100. WSR 94-04-097 (Order 94-02), § 392-157-060, filed 2/1/94, effective 3/4/94.]

**WAC 392-157-065 Definition—Free breakfast.** As used in this chapter, the term "free breakfast" has the meaning defined in 7 C.F.R. Part 220.2.

[Statutory Authority: RCW 28A.235.100. WSR 94-04-097 (Order 94-02), § 392-157-065, filed 2/1/94, effective 3/4/94.]

**WAC 392-157-070 Definition—Reduced price breakfast.** As used in this chapter, the term "reduced price breakfast" has the meaning defined in 7 C.F.R. Part 220.2.

[Statutory Authority: RCW 28A.235.100. WSR 94-04-097 (Order 94-02), § 392-157-070, filed 2/1/94, effective 3/4/94.]

**WAC 392-157-075 Definition—Severe need school.** As used in this chapter, the term "severe need school" has the meaning defined in 7 C.F.R. Part 220.2 and 7 C.F.R. Part 220.9(e).

[Statutory Authority: RCW 28A.235.100. WSR 94-04-097 (Order 94-02), § 392-157-075, filed 2/1/94, effective 3/4/94.]

**WAC 392-157-080 Definition—Severe need breakfast reimbursement.** As used in the chapter, the term "severe need breakfast reimbursement" means an additional amount paid by the USDA for each breakfast served in qualifying school buildings identified as "severe need schools" in school districts, private schools and residential child care institutions participating in the school breakfast program.

[Statutory Authority: RCW 28A.235.100. WSR 94-04-097 (Order 94-02), § 392-157-080, filed 2/1/94, effective 3/4/94.]

**WAC 392-157-085 Definition—Accounting manual.** As used in this chapter, the term "accounting manual" means the most recently published accounting manual for public school districts in the state of Washington issued by the superintendent of public instruction and the state auditor.

[Statutory Authority: RCW 28A.235.100. WSR 94-04-097 (Order 94-02), § 392-157-085, filed 2/1/94, effective 3/4/94.]

**WAC 392-157-090 Definition—Object of expenditure.** As used in this chapter, the term "object of expenditure"

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shall be as defined in the accounting manual glossary of terms (i.e., "the article purchased or the services obtained").

[Statutory Authority: RCW 28A.235.100. WSR 94-04-097 (Order 94-02), § 392-157-090, filed 2/1/94, effective 3/4/94.]

**WAC 392-157-095 Definition—Activity.** As used in this chapter, the term "activity" shall be as defined in the accounting manual glossary of terms (i.e., "a specific and distinguishable service performed by a school district in order to accomplish a function for which the school district is responsible").

[Statutory Authority: RCW 28A.235.100. WSR 94-04-097 (Order 94-02), § 392-157-095, filed 2/1/94, effective 3/4/94.]

**WAC 392-157-100 Definition—Operating expenditure.** As used in this chapter, the term "operating expenditure" means the school district general fund direct expenditures and indirect expenditures allocated to Program 98 - Food Services as defined in the *Accounting Manual for Public School Districts in the State of Washington*.

[Statutory Authority: RCW 28A.235.100. WSR 94-04-097 (Order 94-02), § 392-157-100, filed 2/1/94, effective 3/4/94.]

**WAC 392-157-105 Meal requirements.** The following procedures shall be used by the superintendent of public instruction to apportion moneys appropriated by the legislature for school district meal reimbursements:

(1) National School Lunch Program state match reimbursements and adjustments to these reimbursements shall be apportioned by the superintendent of public instruction (SPI) in the same manner as provided in WAC 392-121-400.

(2) All other meal reimbursements shall be apportioned as follows:

(a) Allocations for each school year shall be based on a uniform statewide rate per meal.

(b) Allocations shall be made at a rate of ten percent per month for the months of September through June.

(3) Except as provided in subsection (2)(a) and (b) of this section allocations shall be made in the same manner as provided in WAC 392-121-400.

(4) During the month of January following the end of the school year, the reimbursements made to each school district during the preceding school year will be adjusted to the actual number of meals reported to the SPI child nutrition section during the preceding school year on Form F-398.

[Statutory Authority: RCW 28A.235.100. WSR 94-04-097 (Order 94-02), § 392-157-105, filed 2/1/94, effective 3/4/94.]

**WAC 392-157-110 Timely reporting.** Reimbursement claims for meals must be submitted in a timely manner in accordance with chapter 392-117 WAC and 7 C.F.R. Parts 210.8 and 220.11.

[Statutory Authority: RCW 28A.235.100. WSR 94-04-097 (Order 94-02), § 392-157-110, filed 2/1/94, effective 3/4/94.]

**WAC 392-157-115 Use of meal reimbursements.** Appropriations by the state legislature for school district meal reimbursements required as a state match in 7 C.F.R. Part 210.17 shall be used for any nonprofit school food service program purpose. Appropriations made under chapter

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28A.235 RCW shall be used by school districts to support the operating expenditures of school lunch and school breakfast programs, including food, labor, supplies, and capital expenditures unless specific appropriations for nonoperating expenditures are provided.

[Statutory Authority: RCW 28A.235.100. WSR 94-04-097 (Order 94-02), § 392-157-115, filed 2/1/94, effective 3/4/94.]

**WAC 392-157-120 Program operation.** All school districts that do not offer a school lunch program are encouraged to implement such a program. All school districts are encouraged to provide a breakfast program in all severe need schools as they become eligible.

[Statutory Authority: RCW 28A.235.100. WSR 94-04-097 (Order 94-02), § 392-157-120, filed 2/1/94, effective 3/4/94.]

**WAC 392-157-125 Time for meals.** The school breakfast and school lunch periods shall allow a reasonable amount of time for each child to take care of personal hygiene and enjoy a complete meal.

[Statutory Authority: RCW 28A.235.100. WSR 94-04-097 (Order 94-02), § 392-157-125, filed 2/1/94, effective 3/4/94.]

## STATE GRANTS FOR SCHOOL LUNCH AND BREAKFAST PROGRAMS

**WAC 392-157-130 General description.** Amounts appropriated by the state legislature for school districts to start up, improve and expand breakfast and lunch programs shall be awarded on a competitive basis. School districts, if eligible, shall first apply for any available USDA grants to start up, improve and expand breakfast and lunch programs prior to making application for state grants for these purposes. School districts, if eligible, shall also apply for the USDA severe need breakfast reimbursement prior to making applications for state grants to start up, improve, and expand breakfast and lunch programs. A state grant to start up, improve, and expand a school district breakfast or lunch program may be used for the following purposes which are listed in order of importance:

- (1) Purchase food service equipment.
- (2) Provide staff training.
- (3) Disseminate program information to students, families and school staff to encourage program participation.
- (4) Improve efficiency in the food service area.
- (5) Improve sanitation in the food service area.
- (6) Improve safety in the food service area.

State start up, improvement, and expansion grants shall not be used for the acquisition of land or existing buildings, improvement of grounds, construction of buildings, additions to buildings, or the remodeling of buildings to be consistent with 7 C.F.R. Part 210.14(a).

[Statutory Authority: RCW 28A.235.100. WSR 94-04-097 (Order 94-02), § 392-157-130, filed 2/1/94, effective 3/4/94.]

**WAC 392-157-135 Application procedure.** In order to apply for a state grant, a school food authority must submit a written description of its proposed purchase or project. The description must include:

- (1) Proposed purchase(s) or a description of the project.
- (2) The cost of each item or each part of the project.

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(3) How the item(s) purchased or how the results of the project will benefit the program.

(4) How the purchase(s) or the project will affect the breakfast and lunch programs, for example, increased participation, improved menus, and/or expenditure reductions.

(5) The number of students eligible for free or reduced price meals that would be affected.

(6) A timetable for the purchase and installation of equipment or a timetable for the project.

(7) An assurance that a USDA grant is not available or application has been made for a USDA grant for the proposed purchase(s) or project.

(8) An assurance that, if eligible, an application has been made for the severe need breakfast reimbursement from the USDA.

(9) An assurance that the program will be continued for at least three years after the grant is received.

[Statutory Authority: RCW 28A.235.100. WSR 94-04-097 (Order 94-02), § 392-157-135, filed 2/1/94, effective 3/4/94.]

**WAC 392-157-140 Evaluation of grant proposals.** A committee shall be established to apply the criteria for the evaluation of state grant proposals to start up, improve, and expand breakfast and lunch programs. A separate committee shall be established to apply the criteria for the evaluation of state grant proposals to improve and expand summer food service programs. Each committee's evaluations shall be forwarded to the superintendent of public instruction who will use the evaluations as grant award recommendations. Each committee shall consist of three or more representatives from selected organizations concerned with child nutrition such as the Washington School Food Service Association, the Washington School Directors' Association, the Washington Association of School Administrators, the Washington Association of School Principals, the Washington Association of School Business Officials and School Nurses of Washington. In addition, each committee shall include a representative from one or more child nutrition advocacy organizations, a representative from the office of the governor, and any other organization as the office of the superintendent of public instruction deems necessary. Members of the committee shall be selected by the superintendent of public instruction.

[Statutory Authority: RCW 28A.235.100. WSR 94-04-097 (Order 94-02), § 392-157-140, filed 2/1/94, effective 3/4/94.]

**WAC 392-157-145 Grant proposal evaluation criteria.** Proposals from all school districts will be evaluated and ranked by a committee established pursuant to WAC 392-157-140 based on the following criteria which are listed in descending order of importance:

(1) A program will be made available where there was no program before.

(2) The projected total number of students that will be affected by the purchase or project while allocating the funds to the greatest number of districts practical.

(3) The effect of the purchase or the project on the participation of students eligible for free and reduced price meals.

(4) Time frame in which a new program will be started and/or how quickly the improvements can be made as the result of the purchase or project.

(5) The availability of other sources of money for the proposed purchases or project.

(6) Necessary assurances provided by the school district for the continuation of the program after the purchases are made or the project is completed.

(7) The projected effect of the purchase or project on program quality.

(8) The amount of grant money available.

(9) The geographic dispersion of the grantees.

[Statutory Authority: RCW 28A.235.100. WSR 94-04-097 (Order 94-02), § 392-157-145, filed 2/1/94, effective 3/4/94.]

**WAC 392-157-150 Grant budgets.** School districts as part of the grant application process shall budget expenditures by object of expenditure and activity as described in the accounting manual for public schools in the state of Washington on forms provided by the superintendent of public instruction.

[Statutory Authority: RCW 28A.235.100. WSR 94-04-097 (Order 94-02), § 392-157-150, filed 2/1/94, effective 3/4/94.]

**WAC 392-157-155 Budget adjustments.** Budgeted expenditure adjustments may be made by increasing an approved activity-object expenditure amount by up to ten percent and decreasing others without filing a request for a budget revision with the superintendent of public instruction. These adjustments may be made only once for each grant and only if the increases, in total do not exceed ten percent of the total budgeted expenditures and do not increase total budgeted expenditures.

[Statutory Authority: RCW 28A.235.100. WSR 94-04-097 (Order 94-02), § 392-157-155, filed 2/1/94, effective 3/4/94.]

#### STATE GRANTS FOR SUMMER FOOD SERVICE PROGRAMS

**WAC 392-157-160 General description.** Amounts appropriated by the state legislature for summer food service programs shall be awarded on a competitive basis. Summer food service program sponsors shall apply for any federal grants to start up and expand summer food service programs prior to making application for state grants for these purposes. A state start up and expansion grant may be used to:

(1) Provide staff time for summer food service program development including the planning, designing and implementation of a new program or the expansion of an existing program.

(2) Purchase food service equipment.

(3) Provide staff training.

(4) Disseminate program information to students, families, school staff, and the community to encourage program participation.

State start up and expansion grants shall not be used for the acquisition of land or existing buildings, improvement of grounds, construction of buildings, additions to buildings, or the remodeling of buildings to be consistent with 7 C.F.R. Part 210.14(a).

[Statutory Authority: RCW 28A.235.100. WSR 94-04-097 (Order 94-02), § 392-157-160, filed 2/1/94, effective 3/4/94.]

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**WAC 392-157-165 Application procedure.** In order to apply for a state grant, a summer food service sponsor must submit a written description of its proposed purchase or project. The description must include:

(1) Proposed purchase(s) or a description of the project.

(2) The cost of each item or each part of the project.

(3) How the item(s) purchased or how the results of the project will benefit the program.

(4) If appropriate, a description of how staff will be used to develop the program.

(5) Impact the sponsor expects the purchase(s) or project to have on the number of children participating in the summer food service program.

(6) A timetable for the purchase and installation of equipment or a timetable for the project.

(7) An assurance that a USDA grant is not available or application has been made for a USDA grant for the proposed purchases or project.

(8) An assurance that the program will be continued for at least three years after the grant is received.

[Statutory Authority: RCW 28A.235.100. WSR 94-04-097 (Order 94-02), § 392-157-165, filed 2/1/94, effective 3/4/94.]

**WAC 392-157-170 Proposal evaluation criteria.** The proposals from all sponsors and potential sponsors will be evaluated by a committee established pursuant to WAC 392-157-140 and ranked based on the following criteria which are listed in descending order of importance:

(1) A program will be made available where there was no program before.

(2) The increased participation that is projected because of the proposed purchase or project.

(3) Time frame in which a program will be started or expanded and/or how quickly the improvements can be made as the result of the purchase or project.

(4) The availability of other sources of money for the proposed purchase or project.

(5) Necessary assurances provided by the sponsor for the continuation of the program after the purchases are made or the project is completed.

(6) The amount of grant money available.

(7) The geographic dispersion of the grantees.

[Statutory Authority: RCW 28A.235.100. WSR 94-04-097 (Order 94-02), § 392-157-170, filed 2/1/94, effective 3/4/94.]

**WAC 392-157-175 Grant budgets.** School districts as part of the grant application process shall budget expenditures by object of expenditure and activity as described in the *Accounting Manual for Public Schools in the State of Washington*. All summer food service program sponsors shall submit a budget on forms provided by the superintendent of public instruction.

[Statutory Authority: RCW 28A.235.100. WSR 94-04-097 (Order 94-02), § 392-157-175, filed 2/1/94, effective 3/4/94.]

**WAC 392-157-180 Budget adjustments.** Budgeted expenditure adjustments may be made by increasing an approved activity-object expenditure amount for school districts and a budgeted line item for all other summer food service program sponsors by up to ten percent and decreasing others without filing a request for a budget revision with the

superintendent of public instruction. These adjustments may be made only once for each grant and only if the increases, in total do not exceed ten percent of the total budgeted expenditures and do not increase total budgeted expenditures.

[Statutory Authority: RCW 28A.235.100. WSR 94-04-097 (Order 94-02), § 392-157-180, filed 2/1/94, effective 3/4/94.]