

GENERAL PROGRAM REQUIREMENTS

Qualifications of the Institution

RCCIs can receive full benefits of School Nutrition Programs provided that the institution:

- 1) is public or nonprofit private;
- 2) operates principally for the care of children;
- 3) is residential;
- 4) if private, is "tax exempt" under Section 501(c)(3) of the Internal Revenue Code of 1954;
- 5) if private, is licensed by the State to provide residential child care.

A public institution is one which is operated by and primarily responsible to any level of Federal, State or local government. A private, nonprofit institution is one which is not public and is tax-exempt for federal income tax as described above.

Institutions qualifying as an RCCI eligible for full benefits include, but are not limited to:

- homes for the mentally retarded, emotionally disturbed, physically handicapped or unmarried mothers and their infants;
- group homes;
- halfway houses;
- orphanages;
- temporary shelters for abused and/or runaway children;
- long-term care facilities for chronically ill children;
- juvenile detention centers.

NOTE: Boarding schools are **not** considered to be RCCIs.

States may not impose any additional eligibility requirements. Of course, as with schools currently participating, inability to comply with program regulations would disqualify an institution from participation.

Agreement with the State Agency (SA)

To become a sponsor of NSLP and SBP you must request an agreement from the SA. The first year can start at any time, but there is an annual renewal process after that effective every year on July 1. The agreement, which includes sponsor and site applications, a Policy Statement, and Civil Rights information sets forth the terms, conditions, and covenants necessary to comply with government regulations of the programs. When the RCCI administration is convinced that the responsibilities can be correctly executed, the agreement is signed by the RCCI Director and returned to the SA for consideration. It is signed at the state level, thus becoming the agreement or legal, binding contract. A copy of the signed agreement is returned to the RCCI. It is the responsibility of the RCCI administrative staff to oversee the programs to assure that they are carried out successfully within the framework of the contract. It is imperative that food service employees in administrative and supervisory capacities become familiar with this document and with the Policy Statement.

Policy Statements for Non Pricing Institutions

All RCCIs participating must have a policy statement. Pricing programs (where children pay for the meals) most often found in schools, require a lengthy policy statement as outlined in 7 CFR Part 245.10. Non pricing programs, such as found in most RCCIs, may have a simplified version of the required policy statement. To qualify as a non-pricing program, RCCIs may not charge children for any meals served.

Any policy statement for non-pricing programs must contain the following: that the entire enrollment is being served the same meal at no charge and without discrimination against any child in the course of the meal service. A suggested template will be sent to new sponsors to sign prior to approval. For renewing sponsors, it is found on the CNPweb in the Sponsor Summary Packet list.

Questions about Policy Statements

Q: In RCCIs with non-pricing situations, is the RCCI required to reduce tuition, board or other fees paid by the parents of children who qualify for free or reduced price benefits by the amount of the benefits they would have received in a pricing situation?

A: No, RCCIs operating non pricing SNPs are not permitted to administer such a price reduction.

Q: What are the requirements for submitting a policy statement for RCCIs with students who attend an RCCI during the day, but do not reside in the institution?

A: RCCIs with day students in attendance must submit the Pricing policy statement.

Food Safety

The National School Lunch Act requires that two food safety inspections per school year be conducted by the State or local governmental agency responsible for inspections. All sponsors of National School Lunch Programs should request these from their local county health department and keep documentation of the request. If a health inspection is requested and completed, the latest health inspection should be posted in a public place. Also, all RCCIs are required to create and implement a food safety plan. More details on these requirements are on our website <http://www.doe.in.gov/nutrition/food-safety>.

Wellness Policy

All RCCIs are required to create and implement a Wellness Policy. A Wellness Policy is a set of goals for nutrition education, physical activity, campus food provision, and other school-based activities designed to promote student wellness. For more information, see our website <http://www.doe.in.gov/nutrition/scn-wellness-policy-resources>.

Civil Rights

Any materials disseminated by an RCCI regarding the School Meal Programs such as the free and reduced price meal application for Day Students, must include the following statement:

The U.S. Department of Agriculture prohibits discrimination against its customers, employees, and applicants for employment on the bases of race, color, national origin, age, disability, sex, gender identity, religion, reprisal, and where applicable, political beliefs, marital status, familial or parental status, sexual orientation, or all or part of an individual's income is derived from any public assistance program, or protected genetic

information in employment or in any program or activity conducted or funded by the Department. (Not all prohibited bases will apply to all programs and/or employment activities.)

If you wish to file a Civil Rights program complaint of discrimination, complete the [USDA Program Discrimination Complaint Form](#), found online at http://www.ascr.usda.gov/complaint_filing_cust.html, or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at program.intake@usda.gov.

Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339; or (800) 845-6136 (Spanish).

USDA is an equal opportunity provider and employer

Children should not be required to use a separate dining area, go through a separate serving line, enter the dining area through a separate entrance or consume their meals at a separate time based on their race, sex, color, national origin, age, or disability.

RCCIs must also have on file data on the racial/ethnic makeup of the children applying and participating in the School Meal Programs. The method of collecting data can be developed by the RCCI. Methods include observation, personal knowledge or voluntary self-identification by the applicant.

The “...And Justice for All” nondiscrimination poster must be displayed prominently where participating children can see it. The poster can be obtained by contacting our office.

RCCIs must also have a written compliant procedure, complaint log, and complaint form. For templates, visit our website located below.

Annually at least one person at the sponsor level must take the online Civil Rights Training and in turn provide the training to the food service employees. See our website for access to the training site:
<http://www.doe.in.gov/nutrition/scn-civil-rights-requirements>.

Common Questions about Civil Rights

Q. Is it necessary for an RCCI to be accessible to children with disabilities?

A. Regulations state that all Child Nutrition Programs must be accessible to children with disabilities. However, structural alterations are not required for participation in any Child Nutrition Program. Therefore, an RCCI need not make structural alterations to its facilities to accommodate an individual. The RCCI should work toward making its facilities accessible to all and, until that time, refer children to facilities that are properly equipped.

Q. How do I handle a civil rights complaint?

A. A civil rights complaint form is available on the Department of Education website:
<http://www.doe.in.gov/nutrition/scn-civil-rights-requirements>.

Calendar of Due Dates

For all sponsors on any of the School Nutrition Programs, there are several items to be completed during each year. See Appendix A for the list of due dates for those things most applicable to RCCIs.