

**RULES
OF
THE STATE BOARD OF EDUCATION**

**CHAPTER 0520-01-06
CHILD NUTRITION PROGRAMS**

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0520-01-06-.01 GENERAL REGULATIONS.

The State Board of Education adopts by reference the Compilation of Federal Regulations at 7 C.F.R. Parts 210 and 220 in their entirety unless otherwise provided herein as the policies and procedures for administration of nutrition programs and services in the state.

Authority: T.C.A. §§ 49-41-320 and 49-6-2303. **Administrative History:** Original rule certified June 10, 1974. Repeal and new rule filed April 15, 1983; effective May 16, 1983. Repeal and new rule filed May 21, 1987; effective August 29, 1987. Repeal and new rule filed March 16, 1992; effective June 29, 1992. Repeal and new rule filed May 26, 2015; effective August 24, 2015.

0520-01-06-.02 SCHOOLS ELIGIBLE TO RECEIVE FEDERAL ASSISTANCE FOR CHILD NUTRITION PROGRAMS.

- (1) The State Department of Education shall determine which schools are eligible to participate in the national school lunch, school breakfast, and other food service programs based upon an application submitted by the local board of education.
- (2) The State Department of Education shall enter into a USDA approved standard form of agreement with the appropriate local board of education. The agreement shall cover the operation of the national school lunch program, school breakfast program, and any other applicable child nutrition programs. This agreement shall contain all of the conditions prescribed in the federal-state agreement. The State Department of Education shall not reimburse a school in the absence of an agreement nor permit retroactive agreements.

Authority: T.C.A. § 49-6-2301 et seq. **Administrative History:** Original rule certified June 10, 1974. Repeal and new rule filed April 15, 1983; effective May 16, 1983. Repeal and new rule filed May 21, 1987; effective August 29, 1987. Repeal and new rule filed March 16, 1992; effective June 29, 1992.

0520-01-06-.03 MINIMUM REQUIREMENTS FOR EACH PARTICIPATING SCHOOL.

Facilities and equipment for the storage, preparation, and serving of food shall be maintained by the local school system.

Authority: T.C.A. § 49-6-2301 et seq. **Administrative History:** Original rule certified June 10, 1974. Repeal and new rule filed April 15, 1983. Repeal and new rule filed May 21, 1987; effective August 29, 1987.

0520-01-06-.04 SPECIAL EXEMPTIONS FOR INFREQUENT SCHOOL-SPONSORED FUNDRAISERS.

Local Education Agencies may make special exemptions for the sale of food and/or beverages that do not meet the competitive food standards for the purpose of conducting an infrequent school-sponsored fundraiser. Such specially exempted fundraisers shall take place on no more than thirty (30) days within a school year per school site. No specially exempted fundraiser foods or beverages may be sold in

(Rule 0520-01-06-.04, continued)

competition with school meals in the food service area during the meal service. The principal of the school shall ensure that the thirty (30) day limit is not exceeded.

Authority: T.C.A. §§ 49-1-302, 49-6-2303, 78 Fed. Reg. 125 (June 28, 2013). **Administrative History:** Original rule filed May 25, 2005; effective August 8, 2005. Amendment filed November 30, 2007; effective March 28, 2008. Repeal and new rule filed May 26, 2015; effective August 24, 2015.