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This Administrative Regulation is to be made available in law libraries or other inmate resource centers.

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SUMMARY of REVISION/REVIEW

Changes to IV. Religious Diet Program, C. Food Service and Staff Guidelines

APPROVED:



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PURPOSE

To provide an efficient and consistent approach to Food Service Management by establishing specific standards of operation for food service programs throughout the Nebraska Department of Correctional Services (NDCS).

GENERAL

In order to implement fully the policy of NDCS, the major objective of the Food Service Management section is to ensure that all persons confined within NDCS are offered meals which are nutritionally adequate, properly prepared and attractively served in a sanitary manner and within budgetary limitations.

PROCEDURES

I. ADMINISTRATION

- A. Each institution responsible for the provision of food service shall employ a full time staff member who is experienced in food service management to manage the total food service operation in accordance with the established policies and procedures.
- B. Food Service Directors shall conduct quarterly meetings and all Food Service Directors should attend.
- C. Written policy, procedure and practice specify the food service budgeting, purchasing and accounting practices, including but not limited to the following systems:
 - Food expenditure cost accounting designed to determine cost per meal per inmate
 - Estimation of food service requirements
 - Purchase of supplies at wholesale or other prices and conditions, when possible
 - Determination of and responsiveness to inmate eating preferences
 - Storage, including refrigeration, of food with specific storage periods
 - Each institution's food service director is responsible for maintaining accurate records of all meals served
 - A uniform system shall be used to record the number, cost and type of meal served to inmates/students, employees, guests and visitors
 - Food Service records should include menus posted, documentation of food as served, including modifications for medical and religious diets and notification of food products raised or produced in the system.
- 1. Inventory

All transactions occurring in the inventory shall be recorded on a daily basis. Inventory records shall be used for recording all changes.

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References to transaction documents (including, but not limited to invoices, Material Request for Purchase Form, Intra-Institution Transfer Form and Inter-Institution Requisition Form) shall be used to document changes in the inventory.

Property and equipment inventories are conducted at time periods stipulated by applicable statutes, but at least every two years. Current and complete inventory records should be maintained for all property and equipment. Property records should include the following information: purchase date and price; source of funds; current value (if applicable); unit and location to which assigned; and name of person charged with custody.

2. Meal Count

Meal count shall be recorded by counting each meal served to inmate and staff and visitors.

3. Procurement

The procurement of food service items shall be conducted in accordance with Administrative Regulation 113.06 *Purchasing Procedures*. Copies of procurement and receiving documents shall be kept on file. Whenever annual or substantial revisions are made to the five-week cycle menu, updated copies will be provided to NDCS Purchasing.

4. Therapeutic and Special Diets

Therapeutic diets will be provided as prescribed by appropriate clinicians. Prescriptions for the therapeutic diets should be specific and complete, furnished to the food service department and rewritten annually or more often as clinically indicated. These prescribed diets shall be filed for a minimum of three years.

5. Menu Changes

Menu changes shall be kept to a minimum. When changes are required, they shall be recorded in the weekly menu "as served". Substitutions on the menu shall be of like item and equal nutritional value.

6. Food Cost

Food cost computations shall be performed on a monthly basis. This computation shall be provided for accurate per meal costs. The reports should be forwarded to the NDCS Budget Management Analyst, Warden and Facility Business Manager.

II. MENU AND MEAL PLANNING

- A. Each institution shall plan and prepare meals from a five-week cycle "master menu" that has been reviewed at least annually by a registered dietician to ensure that the nationally recommended allowances for basic nutrition have been met. Dietary

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allowances, as adjusted for age, sex and activity, should meet or exceed the recommended dietary allowances published by the National Academy of Sciences.

- B. Written policy, procedure and practice require Food Service staff plan menus in advance and substantially follow the plan; the planning and preparation of all meals take into consideration food flavor, texture, appearance, temperature, palatability and culturally diverse foods.
- C. All menus, including menus for medically restricted diets, should be planned, dated and available for review at least one week in advance. Food or snacks shall be provided to inmates entering a facility after regular hours.
- D. Menu items shall be prepared using tested and standardized recipes which are adjusted to the needs of the facility. A file of tested recipes adjusted to a yield appropriate for the number and size of portions served by the facility should be maintained on the premises. These recipes should provide for the production of menu items within facility limitations of equipment and personnel.
- E. The Agency's five-week cycle master menu shall be reviewed and approved annually by a registered dietician. Major changes or revisions to the menu shall be reviewed and approved by the registered dietician prior to implementation. Any substitutions made on the menu shall be of like item and equal nutritional value, and shall be recorded on the menu "as served". Menu evaluations shall be conducted at least quarterly by institution Food Service supervisory staff to verify adherence to the established basic daily servings.
- F. Written policy, procedure and practice must provide for therapeutic diets as prescribed by appropriate medical or dental personnel. Specific diets should be prepared and served to inmates in accordance with the specific medical order. Medical prescriptions should be specific and complete as to the level of specific nutrient(s) or calories permitted per day or the modification of texture that is appropriate. These orders must be furnished in writing to the Food Service administration and re-authorized monthly. If therapeutic diets as prescribed by appropriate medical and dental personnel meet the nutritional and caloric requirements as prescribed under the Agency's five-week cycle master menu, no food substitutions will be provided.
- G. Menus for the most common and frequently used therapeutic diets shall be established by modifying the regular menu. This menu shall be reviewed by a registered dietician before implementation. These menus shall be available in the Food Service office for review by staff or health professional. The menus should be kept as simple as possible and should conform as closely as possible to the foods served to other inmates.
- H. Written policy, procedure and practice of each facility provides adequate support for inmates whose religious beliefs require adherence to special dietary laws. All institutions will provide a nutritionally adequate diet by Recommended Daily Allowances (RDA) standards to all inmates. If an inmate feels that the agency's five-week cycle menu does not meet his/her religious needs, he/she may request placement on the agency's religious diet program/menu (see religious diet program beginning on page 6).

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- I. Each institution shall establish procedures for inmates and staff to be served with minimal regimentation in one dining room or groups of dining rooms, except when security or safety considerations justify otherwise. The serving of meals in the dining areas shall be supervised by a staff member who shall be responsible for ensuring the serving of established portion sizes. Meals taken by employee, guests and visitors shall be consumed in designated dining areas. Meals served to employees, guests and visitors shall be the same food served to the inmates. The charge for employee meals shall be no less than the price determined by the Director of NDCS.
 - J. Each institution shall provide three meals, two of which are hot, every 24 hours. The time between the serving of the evening meal and breakfast shall not exceed 14 hours. Variations will be allowed based on weekend and holiday food service demands provided basic nutritional needs are met.
 - K. Food should not be withheld, nor the standard menu varied, as a disciplinary sanction for an individual inmate. If an inmate uses food or food service equipment in a manner hazardous to self, staff, or inmates, or which creates a health/sanitation hazard, alternative meal service equipment may be utilized. Alternative meal service equipment shall consist of a silicone meal tray and a paperboard eating utensil (no drinking cups). The food served to the inmate(s) shall consist of the same food items served to the remainder of the population including applicable medical and religious diet orders. Authorization for use of the alternative meal service equipment shall be approved by the Deputy Warden or higher authority, shall be on an individual basis and shall be based on health and safety considerations only. A Restriction of Privileges/Rights form will be completed in accordance with established procedures. This restriction will be reviewed at a minimum of once a week by staff designated by the Warden, but may be reviewed more frequently. The restriction may only be removed by the authority of the Deputy Warden or higher authority and shall be based on the assessment of safety and health risks.
- III. INSPECTION STANDARDS
- A. Each institution shall be responsible for maintaining sanitary standards in the food service areas and shall comply with the requirements for sanitation and safety of the NDCS and applicable Federal, State and local sanitation and health codes.
 - B. A food preparation schedule shall be utilized to ensure that food is served as soon after completion of preparation as possible.
 - C. Each institution's food service areas are to be inspected on a weekly basis, except for refrigerator and water temperatures, which are checked daily by an administrative, medical or dietary staff member. This will include:
 - Space for food preparation based on population size, type of food preparation and methods of meal service
 - Sanitary, temperature controlled facilities for the storage of foods
 - Toilet and wash basin facilities are available to Food Service personnel and inmates in the vicinity of food preparation area

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-- Shelf goods are maintained 45° - 80° F. Refrigerated goods are maintained at 35° - 40° F. Frozen foods are maintained at 0° F or below.

-- Dishwasher rinse should be 180° F; between 140° F and 160° F is appropriate if a sanitizer is used on the final rinse. The person conducting the inspection should have some training in food service operations.

D. At a minimum, the State Health and Human Services System shall inspect each NDCS Food Service facility annually. The reports of inspections are to be filed with the respective Warden and the NDCS Central Office Safety/Sanitation Coordinator. The Food Service Director shall correct the sanitation deficiencies noted on all reports within five days of the inspection. The Food Service Director shall report the corrections made to the Warden.

E. Each institution shall provide health screening for inmates.

1. All inmates assigned to the food service area should be in good health and free from communicable disease/open wounds, have clean hands and fingernails, wear clean, washable garments and follow hygienic food-handling techniques.

2. Daily monitoring by supervisory staff of staff/inmate Food Service workers shall take place.

IV. All staff, contractors and inmate workers who work in the food service department are trained in the use of food service equipment and in the safety procedures to be followed in the food service department.

V. DOCUMENTATION ROUTING SCHEDULE (All items shall be maintained in a master file at the facility)

A.	Master Menu	Warden Registered Dietician Facility Medical Department NDCS Purchasing
B.	Menu "as served"	Facility Food Service
C.	Therapeutic Diet Menu	Facility Medical Department
D.	Monthly Food Cost Summary	Warden NDCS Purchasing
E.	NDCS Sanitation Inspection Reports	Warden
F.	State Health Department Sanitation Report	Warden NDCS Safety/Sanitation Coordinator
G.	Deficiency Correction Report	Warden

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VI. Religious Diet Program

The religious diet program is designed to provide inmates with meals that are consistent with each inmate's religious beliefs. The religious diet meals are vegetarian and meet recommended energy intake and nutritional requirements. The religious diet meals are prepared using certified kosher foods and an approved kosher process.

Procedure

A Inmate Request for a Religious Diet

1. An inmate requesting a religious diet must submit an Inmate Interview Request Form to his or her facility Religious Coordinator (or assigned staff) requesting to begin the religious diet.
2. Before responding to the inmate, and within two working days after the day of receipt of inmate's request, the Religious Coordinator (or assigned staff) will contact the facility's Food Service Director to determine if there is a current medical diet order from Health Services on record for the requesting inmate. Should Food Service have a medical diet order, the Religious Coordinator (or assigned staff) will refer the inmate to Health Services staff for further review. The Religious Coordinator (or assigned staff) will need to determine if the medical conflict has been resolved before proceeding further with the process (i.e. the inmate may sign a Refusal of Medical treatment form DCS-A-med-026).
3. Within two working days after the Religious Coordinator learns that no medical conflict exists, he/she will send the inmate a copy of the Religious Diet Application and Agreement for completion and return to the Religious Coordinator.
4. The Religious Coordinator (or assigned staff) will make a reasonable effort to either approve or recommend denying the inmate's request for the religious diet within two working days after receiving the application from the inmate. On the date approved, the Religious Coordinator (or assigned staff) will forward a copy of the signed Religious Diet Application and Agreement to the Food Service Director. The Food Service Director will begin the religious diet as soon as feasible. The Religious Coordinator (or assigned staff) will forward a copy of the signed Religious Diet Application and Agreement to the inmate as soon as practicable.
5. The Religious Coordinator (or assigned staff) may deny the inmate's request for placement on the religious diet program following consultation with the Central Office Administrative Chair of the RSC. Should the inmate's request be denied, the Religious Coordinator (or assigned staff) will notify the inmate in writing of the reason for denial. Should an inmate wish to contest his or her denial to participate in the religious diet program, he or she may file a grievance pursuant to the Nebraska Department of Correctional Services Rules and Regulations [Title 68 Nebraska Administrative Code] Chapter 2.

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B. Religious Diet Guidelines

1. An inmate provided with a religious diet must follow the conditions set forth in the Religious Diet Application and Agreement (Attachment A). Any exceptions must be approved by the Chair of the RSC. An inmate provided a religious diet must further comply with all other applicable NDCS rules and regulations. This policy does not apply to inmate requests for food to be used or eaten during a religious or cultural ceremony. Such requests will follow the procedures in Administrative Regulation 208.01, *Religious Services*.
2. An inmate may voluntarily choose to cancel a religious diet by requesting a Religious Diet Cancellation Form from either food service staff or the facility's Religious Coordinator (or assigned staff). After signing the Religious Diet Cancellation Request Form (Attachment B) the inmate will return the cancellation form to either food service staff or the facility's Religious Coordinator (or assigned staff).
 - a. Should food service staff receive the form, they will forward same to the facility's Food Service Director on the same day received. The Food Service Director will forward a copy of the form to the Religious Coordinator on the same day received, and discontinued the religious diet as soon as feasible.
 - b. Should the Religious Coordinator (or assigned staff) receive the form directly from the inmate, he/she will forward a signed copy of the Religious Diet Cancellation Request Form to the Food Service Director on the same day received. The Food Service Director will discontinue the religious diet as soon as feasible.
3. As soon as the inmate reaches four documented violations within 30 days, the Religious Coordinator (or assigned staff) will send written notification to the inmate that he/she will be removed from the religious diet in 48 hours from the date of the notification if the inmate does not contact the Religious Coordinator and give a valid reason for having four documented violations within 30 days. Should the inmate fail to contact the Religious Coordinator within 48 hours, the Religious Coordinator will email the Food Service Director and the religious diet will be stopped.
4. The Religious Coordinator (or assigned staff) will notify the inmate in writing of the length of time of the removal, and that the inmate must reapply for reinstatement on the diet.
5. Inmates who voluntarily withdraw or are removed from the religious diet program must wait the following time periods, as applicable, before reapplying for a religious diet.
Voluntary withdrawals or removal:
 - 1st voluntary withdrawal or removal - 60 days
 - 2nd voluntary withdrawal or removal - 120 days
 - 3rd voluntary withdrawal or removal - 6 months
 - 4th voluntary withdrawal or removal - 1 year

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- After the 4th stoppage, each subsequent voluntary withdrawal or Removal – 1 year
6. Removal from the religious diet program provides an opportunity for the inmate and staff to reevaluate this program's appropriateness for meeting the inmate's needs. Should an inmate wish to contest his or her removal from the religious diet program, he or she may file a grievance pursuant to the Nebraska Department of Correctional Services Rules and Regulations [Title 68 Nebraska Administrative Code] Chapter 2.
- C. Food Service and Staff Guidelines
1. The Food Service Director (or designee) will develop a process for tracking inmates' acceptance of their religious diet meal.
 2. Should staff become aware of a violation of the Religious Diet Application and Agreement, an incident report or email will be written, detailing the violation. A copy of all such incident reports and emails will be forwarded to the facility Religious Coordinator (or assigned staff).
- D. Inmate Transfers Guidelines
1. When an inmate who is presently on the religious diet transfers to another facility, it will be the responsibility of the inmate to notify the Religious Coordinator of the receiving facility of what facility they transferred from and that he/she wishes to continue the religious diet.
 2. The Religious Coordinator of the receiving facility will check with the Religious Coordinator of the sending facility ~~is~~ to verify that the inmate was on the religious diet. Once confirmed, the Religious Coordinator will contact the Food Service Director to begin the religious diet as soon as practical, and send e-mail notification to the Administrative Chair of the RSC at Central Office.

REFERENCE

I. ADMINISTRATIVE REGULATIONS

ADMINISTRATIVE REGULATION 113.06, *Purchasing Procedures*

ADMINISTRATIVE REGULATION 208.01, *Religious Services*

II. ATTACHMENTS

- A. Religious Diet Application and Agreement, DCS-A-inm-008-pc
- B. Religious Diet Cancellation Request, DCS-A-inm-009-pc

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III. AMERICAN CORRECTIONAL ASSOCIATION (ACA) STANDARDS

- A. Standards for Adult Correctional Institution (ACI) (4th edition): 4-4037, 4-4161, 4-4264, 4-4314, 4-4315, 4-4316, 4-4317, 4-4318, 4-4319, 4-4320, 4-4321, 4-4321-1, 4-4322, 4-4323, 4-4324, 4-4325, 4-2326, 4-4328
- B. Performance Based Standards for Adult Community Residential Services (ACRS) (4th edition): 4-ACRS-1B-02, 4-ACRS-4A-01, 4-ACRS-4A-04-1, 4-ACRS-4A-02, 4-ACRS-4A-03, 4-ACRS-4A-04, 4-ACRS-4A-05, 4-ACRS-4A-06, 4-ACRS-4A-07, 4-ACRS-4A-08