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SUMMARY OF REVISION/REVIEW

Policy Directives 025-002 and 025-017 incorporated. PROCESS - VI.D.2. – Language updated.
 VI.F. – Language updated. Minor grammar changes throughout.

APPROVED:

Rob Jeffreys

Rob Jeffreys (Nov 14, 2025 13:12:14 CST)

Rob Jeffreys, Director
 Nebraska Department of Correctional Services

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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).

In order to implement fully the policy of NDCS, the primary objective of the food service management department 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 within budgetary limitations.

PROCESS

I. ADMINISTRATION

- A. Each facility responsible for the provision of food service shall employ a full-time team 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 are expected to regularly attend scheduled quarterly food service director meetings.
- C. Written policy, procedure, and practice specify the food service budgeting, purchasing, and accounting practices, including but not limited to the following systems: (ACI-5C-02)
 - 1. Food expenditure cost accounting designed to determine cost per meal per incarcerated individual. Each facility's food service director is responsible for maintaining accurate records of all meals served. (ACI-5C-03)
 - 2. Estimation of food service equipment requirements
 - 3. Purchase of supplies at wholesale or other prices and conditions, when possible
 - 4. Determination of and responsiveness to incarcerated individual eating preferences
 - 5. Storage, including refrigeration, of food with specific storage (ACI-5C-03)
 - 6. A uniform system shall be used to record the number, cost, and type of meal served to incarcerated individuals/students, team members, guests and visitors
 - 7. 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.
 - a. Inventory

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

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Inventory procedures must comply with Policy 113.05 *Fiscal Management, Purchasing, & Inventory Control Supplies*. (ACI-1B-13)

b. Meal Count

Meal count shall be recorded by counting each meal served to incarcerated individuals, team members, and visitors.

c. Procurement

The procurement of food service items shall be conducted in accordance with Policy 113.06 *Procurement*. Copies of procurement and receiving documents shall be kept on file. Copies may be hard copy or in electronic format.

d. 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. Whenever annual or substantial revisions are made to the five-week cycle menu, updated copies will be provided to NDCS purchasing.

e. 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 facility shall plan and prepare meals from a five-week cycle "master menu" that has been reviewed at least annually by a registered dietitian to ensure that the nationally recommended allowances for basic nutrition have been met. Dietary allowances, as adjusted for age, sex and activity, should meet or exceed the recommended dietary allowances published by the National Academy of Sciences. (ACI-5C-04, ACRS-4A-01)
- B. Written policy, procedure, and practice require food service team members 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. (ACI-5C-05)
- 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 incarcerated individuals 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.

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- 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 facility food service supervisory team member to verify adherence to the established basic daily servings. (ACRS-4A-01)
- F. Written policy, procedure, and practice of each facility provides adequate support for incarcerated individuals whose religious beliefs require adherence to special dietary laws. All facilities will provide a nutritionally adequate diet by Recommended Daily Allowances (RDA) standards to all incarcerated individuals. If an incarcerated individual feels that the agency's five-week cycle menu does not meet their religious needs, they may request placement on the agency's religious diet program/menu. (ACI-5C-07, ACRS-4A-03)
- G. Each facility shall establish procedures for incarcerated individuals and team members 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 team member who shall be responsible for ensuring the serving of established portion sizes. Meals taken by team members, guests, and visitors shall be consumed in designated dining areas. Meals served to team members, guests, and visitors shall be the same food served to the incarcerated individuals. The charge for team member meals shall be no less than the price determined by the director. (ACI-5C-15, ACRS-4A-05)
- H. Each facility 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, holiday, or documented emergency demands provided basic nutritional needs are met. (ACI-5C-16)
- I. Food should not be withheld, nor the standard menu varied, as a disciplinary sanction for an individual incarcerated individual. If an incarcerated individual uses food or food service equipment in a manner hazardous to themselves, team members, or incarcerated individuals, 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 incarcerated individual(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 team member 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. (See Policy 210.01 *Restrictive Housing*) (ACI-4A-18, ACI-5C-08)

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III. INSPECTION STANDARDS

- A. Each facility 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. (ACRS-4A-04)
- B. A food preparation schedule shall be utilized to ensure that food is served as soon after completion of preparation as possible.
- C. Each facility's food service areas are to be inspected on a weekly basis, except for refrigerator and dish machine water temperatures, which are checked daily by an administrative, medical, or dietary team member. This will include: (ACI-5C-13, ACRS-4A-07)
 - 1. Space for food preparation based on population size, type of food preparation and methods of meal service. (ACI-2E-06, ACRS-4A-05)
 - 2. Sanitary and properly ventilated temperature-controlled facilities for the storage of foods. (ACI-2E-06, ACRS-4A-06)
 - 3. Toilet and wash basin facilities are available to food service personnel and incarcerated individuals in the vicinity of food preparation area. (ACI-2E-07, ACRS-4A-08)
 - 4. Shelf goods are maintained 45° - 80° F. Refrigerated goods are maintained at 41° F or less per the Nebraska Food Code 3-501.17. Frozen foods are maintained at 0° F or below. (ACI-5C-14)
 - 5. 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, each NDCS food service facility shall be inspected annually by a qualified, independent outside source. 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. (ACI-5C-09)
- E. Each facility shall provide health screening for incarcerated individuals.
 - 1. All incarcerated individuals 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 team members of both team member and incarcerated individual food service workers shall take place.
- F. When required by statute, food products that are grown or produced within NDCS are inspected and approved by the appropriate government agency. (ACI-5C-12)

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G. Sample Food Trays

One sample food tray shall be stored from each meal served. The sample tray shall be clearly marked with the date, time and a brief description of the content, and be stored in a freezer located in the food service department for a minimum of 72 hours.

H. Health Protection (ACI-5C-11)

Written policy, procedure, and practice provide for adequate health protection for all incarcerated individuals and team members in the facility, and incarcerated individuals and other persons working in the food service, including the following:

1. Where required by the laws and/or regulations applicable to food service team members in the community where the facility is located, all persons involved in the preparation of food receive a pre-assignment medical examination and periodic reexaminations to ensure freedom from diarrhea, skin infections, and other illnesses transmissible by food or utensils; all examinations are conducted in accordance with local requirements.
2. When the facility's food services are provided by an outside agency or individual, NDCS has written verification that the outside provider complies with the state and local regulations regarding food service.
3. All food handlers are instructed to wash their hands upon reporting to duty and after using toilet facilities.
4. Incarcerated individuals and NDCS team members working in food service are monitored each day for health and cleanliness by the food services director/designee.

IV. MEDICAL/THERAPEUTIC DIETS

- A.** A Written policy, procedure, and practice must provide for therapeutic diets (also known as medical diet prescriptions) as prescribed by appropriate medical or dental personnel. Specific diets should be prepared and served to incarcerated individuals in accordance with the specific medical/dental order. Medical/dental 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 facility food service director/designee and re-authorized monthly or as needed by health services on a *Medical Diet Prescription* (Attachment A) form. If therapeutic diets 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. (ACI-5C-06)

- B.** Menus for the most common and frequently used therapeutic diets/medical diet prescriptions shall be established by modifying the regular menu. This menu shall be reviewed by a registered dietitian before implementation. These menus shall be available in the facility food service director/designee's office for review by team members or health professionals. The menus should be kept as simple as possible and should conform as closely as possible to the foods served to other incarcerated individuals.

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- C. Written policy, procedure, and practice of each facility provides adequate support for incarcerated individuals whose religious beliefs require adherence to special dietary laws. All facilities will provide a nutritionally adequate diet by Recommended Daily Allowances (RDA) standards to all incarcerated individuals. If an incarcerated individual feels that the agency's five-week cycle menu does not meet their religious needs, they may request placement on the agency's religious diet program/menu (see religious diet program in PROCESS VI.). (ACI-5C-07, ACRS-4A-03)
- D. Therapeutic and Special Diets
1. Therapeutic diets will be provided as prescribed by appropriate clinicians. Prescriptions for the therapeutic and medical diets should be specific and complete, furnished to the facility food service director/designee, and rewritten annually or more often as clinically indicated. These prescribed diets shall be filed for a minimum of three years. (ACRS-4A-02)
 2. Incarcerated Individual Request for a Medical Diet
 3. An incarcerated individual requesting a medical diet must submit an Incarcerated individual Interview Request Form to the Medical Department requesting to begin the medical diet.
 4. The medical provider will review canteen purchases and may schedule sick call prior to ordering a medical diet.
 5. Prior to ordering the medical diet the medical provider will have the patient complete the Medical Diet Application and Agreement form.
 6. On the date the medical diet is ordered and the agreement is signed the medical provider (or assigned team member) will forward a copy of the diet order to the facility food service director/designee. Food service team members will begin the medical diet as soon as feasible. The patient may obtain a copy of their medical diet prescription upon request.
 7. A medical diet order may be denied if there is no medical necessity noted by the medical provider.
- E. Medical Diet Guidelines
1. An incarcerated individual provided with a therapeutic diet must follow the conditions set forth in the *Therapeutic Diet Application and Agreement* (Attachment B). Any exceptions must be approved ordering provider. An incarcerated individual provided a therapeutic diet must further comply with all other applicable NDCS rules and regulations.
 2. An incarcerated individual may voluntarily choose to cancel a therapeutic diet by requesting a *writing an inmate interview request to medical*.
 - a. Once medical receives the *inmate interview request* to terminate therapeutic diet medical will forward the cancellation to the food service director/designee on the same day received. The food service director/designee will discontinue the therapeutic diet as soon as feasible.

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3. In the event the incarcerated individual does not meet 85% compliance monthly, the medical provider will send written notification to the incarcerated individual that they will be removed from the therapeutic diet.

4. The medical provider will notify the incarcerated individual in writing of the length of time of the removal, and the patient must reapply for reinstatement on the diet.

5. Incarcerated individuals who voluntarily withdraw or are removed from the therapeutic diet program must wait the following time periods, as applicable, before reapplying for a therapeutic diet.

Voluntary withdrawals or removal:

a. 1st voluntary withdrawal or removal - 90 days

b. 2nd voluntary withdrawal or removal - 90 days

c. 3rd voluntary withdrawal or removal - 6 months

d. 4th voluntary withdrawal or removal - terminated

6. Removal from the medical diet program provides an opportunity for the incarcerated individual and team members to reevaluate the medical necessity of meeting the incarcerated individual's needs. Should an incarcerated individual wish to contest removal from the therapeutic diet program, they can file a grievance pursuant to the Nebraska Department of Correctional Services Rules and Regulations, Title 68, Nebraska Administrative Code, Chapter 2.

V. FOOD SERVICE

All team members and incarcerated individual 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. (ACI-5C-10, ACRS-4A-04-1)

VI. DOCUMENTATION ROUTING SCHEDULE

All documents shall be maintained in a master file at the facility and distributed as follows.

A. Master Menu

1. Warden
2. Registered Dietician
3. Facility Medical Department
4. NDCS Purchasing

B. Menu "as served"

1. Facility Food Service

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C. Therapeutic Diet Menu

1. Facility Medical Department

D. Monthly Food Cost Summary

1. Wardens
2. NDCS Budget Management Analyst
3. Food Service Directors
4. Deputy Directors
5. Business Managers

E. NDCS Sanitation Inspection Reports

1. Warden

F. State Health Department Sanitation Report or Contractor Food Service Inspection Reports

1. Warden
2. NDCS Safety/Sanitation Coordinator

G. Deficiency Correction Report

1. Warden

VII. RELIGIOUS DIET PROGRAM

The religious diet program is designed to provide incarcerated individuals with meals that are consistent with each incarcerated individual'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.

A. Incarcerated Individual Request for a Religious Diet

1. An incarcerated individual requesting a religious diet must submit an Incarcerated individual Interview Request Form to the facility religious coordinator (or assigned team member) requesting to begin the religious diet.
2. Before responding to the incarcerated individual, and within two working days after the day of receipt of incarcerated individual's request, the religious coordinator (or assigned team member) 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 incarcerated individual. Should food services have a therapeutic diet order the religious coordinator (or assigned team member) will refer the incarcerated individual to Health Services team members for further review. The

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religious coordinator (or assigned team member) will need to determine if the medical conflict has been resolved before proceeding further with the process (i.e. the incarcerated individual 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, they will send the incarcerated individual a copy of the Religious Diet Application and Agreement for completion and return to the religious coordinator.
4. The religious coordinator (or assigned team member) will make a reasonable effort to either approve or recommend denying the incarcerated individual's request for the religious diet within two working days after receiving the application from the incarcerated individual. On the date approved, the religious coordinator (or assigned team member) will forward a copy of the signed *Religious Diet Application and Agreement* (Attachment C) to the food service director. The food service director will begin the religious diet as soon as feasible. The religious coordinator (or assigned team member) will forward a copy of the signed *Religious Diet Application and Agreement* (Attachment C) to the incarcerated individual as soon as practicable.
5. The religious coordinator (or assigned team member) may deny the incarcerated individual's request for placement on the religious diet program following consultation with the Central Office chair of the religion study committee (RSC). Should the incarcerated individual's request be denied, the religious coordinator (or assigned team member) will notify the incarcerated individual in writing of the reason for denial. Should an incarcerated individual wish to contest his or her denial to participate in the religious diet program, he or she may file a grievance pursuant to the NDCS Rules and Regulations [Title 68, Nebraska Administrative Code].

B. Religious Diet Guidelines

1. An incarcerated individual provided with a religious diet must follow the conditions set forth in the *Religious Diet Application and Agreement* (Attachment C). Any exceptions must be approved by the chair of the RSC. An incarcerated individual provided a religious diet must further comply with all other applicable NDCS rules and regulations. This policy does not apply to incarcerated individual requests for food to be used or eaten during a religious or cultural ceremony. Such requests will follow the procedures in Policy 208.01 *Religious Services*.
2. An incarcerated individual may voluntarily choose to cancel a religious diet by requesting a *Religious Diet Cancellation Request* (Attachment D) form from either a food service team member or the facility's religious coordinator (or assigned team member). After signing the *Religious Diet Cancellation Request* (Attachment D) form the incarcerated individual will return the cancellation form to either a food service team member or the facility's religious coordinator (or assigned team member).
 - a. Should a food service team member 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

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coordinator on the same day received, and discontinue the religious diet as soon as feasible.

- b. Should the religious coordinator (or assigned team member) receive the form directly from the incarcerated individual, they will forward a signed copy of the *Religious Diet Cancellation Request* (Attachment D) 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. In the event the incarcerated individual reaches four documented violations within 30 days, the religious coordinator (or assigned team member) will send written notification to the incarcerated individual that they will be removed from the religious diet in 48 hours from the date of the notification if the incarcerated individual does not contact the religious coordinator and give a valid reason for having four documented violations within 30 days. Should the incarcerated individual 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 team member) will notify the incarcerated individual in writing of the length of time of the removal, and that the incarcerated individual must reapply for reinstatement on the diet.
- 5. Incarcerated individuals 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:

- a. 1st voluntary withdrawal or removal - 60 days
- b. 2nd voluntary withdrawal or removal - 120 days
- c. 3rd voluntary withdrawal or removal - 6 months
- d. 4th voluntary withdrawal or removal - 1 year
- e. After the 4th stoppage, each subsequent voluntary withdrawal or Removal – 1 year
- 6. Removal from the religious diet program provides an opportunity for the incarcerated individual and team members to reevaluate the program's appropriateness for meeting the incarcerated individual's needs. Should an incarcerated individual wish to contest removal from the religious diet program, they can file a grievance pursuant to the Nebraska Department of Correctional Services Rules and Regulations, Title 68, Nebraska Administrative Code.

C. Food Service and Team Member Guidelines

- 1. The food service director (or designee) will develop a process for tracking incarcerated individuals' acceptance of their religious diet meal.

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2. Should team members 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 team member).

D. Incarcerated Individual Transfers Guidelines

1. When an incarcerated individual who is presently on the religious diet transfers to another facility, it will be the responsibility of the incarcerated individual to notify the religious coordinator of the receiving facility of what facility they transferred from and that they wishes to continue the religious diet.
2. The religious coordinator of the receiving facility will check with the religious coordinator of the sending facility, to verify that the incarcerated individual 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.

REFERENCE

- I. STATUTORY REFERENCE AND OTHER AUTHORITY
 - A. Title 68, Neb. Admin. Code
- II. NDCS POLICIES
 - A. Policy 113.05 *Fiscal Management, Purchasing & Inventory Control Supplies*
 - B. Policy 113.06 *Procurement*
 - C. Policy 208.01 *Religious Services*
 - D. Policy 210.01 *Restrictive Housing*
- III. ATTACHMENTS
 - A. Medical Diet Prescription (DCS-A-med-049)
 - B. Therapeutic Diet Application and Agreement
 - C. Religious Diet Application and Agreement (DCS-A-inm-008-pc)
 - D. Religious Diet Cancellation Request (DCS-A-inm-009-pc)
- IV. AMERICAN CORRECTIONAL ASSOCIATION (ACA)
 - A. Expected Practices for Adult Correctional Institutions (ACI) (5th edition): 5-ACI-1B-13, 5-ACI-2E-06, 5-ACI-2E-07, 5-ACI-4A-18, 5-ACI-5C-02, 5-ACI-5C-03, 5-ACI-5C-04, 5-ACI-5C-05, 5-ACI-5C-06, 5-ACI-5C-07, 5-ACI-5C-08, 5-ACI-5C-09, 5-ACI-5C-10, 5-ACI-5C-11, 5-ACI-5C-12, 5-ACI-5C-13, 5-ACI-5C-14, 5-ACI-5C-15, 5-ACI-5C-16

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- B. Standards for Adult Community Residential Services (ACRS) (4th edition): 4-ACRS-4A-01, 4-ACRS-4A-02, 4-ACRS-4A-03, 4-ACRS-4A-04, 4-ACRS-4A-04-1, 4-ACRS-4A-05, 4-ACRS-4A-06, 4-ACRS-4A-07, 4-ACRS-4A-08