

**GENERAL DISTRIBUTION**

**WEST VIRGINIA  
DIVISION OF CORRECTIONS  
& REHABILITATION**

**NUMBER: 402.00**

**EFFECTIVE DATE: 15 August 2022**

**SUBJECT: FOOD SERVICE**

**FILED**

2022 JUL 28 A 9:52

OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

# **POLICY DIRECTIVE**

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**PURPOSE:**

To maintain appropriate guidelines and procedures for food service in Division of Corrections and Rehabilitation facilities.

**REFERENCE:**

National Commission on Correctional Health Care (NCCHC) §§P-D-05, J-D-05, and Y-F-05.

**RESPONSIBILITY:**

Superintendents shall be responsible for enacting Operational Procedures to ensure compliance with this Policy Directive.

**CANCELLATION:**

Any previous written instruction on the subject including DOC Policy Directive 402.00, dated 01 June 2014; DOC Policy Directive 4000.00, dated 01 September 2012; RJA Policy 11001, dated 28 March 2016; RJA Policy 11002, dated 28 March 2016; RJA Policy 11003, dated 28 March 2016; and DJS Policy 400.00, dated 01 April 2015.

**APPLICABILITY:**

All facilities within the Division of Corrections and Rehabilitation (DCR). This Policy is available for general distribution.

**DEFINITIONS:**

**Medical Diets:** Modified diets ordered for temporary or permanent health conditions, that modify the types, preparation, and/or amounts of food. Examples include diabetic/consistent carbohydrate, low sodium, low fat, celiac, renal, soft, liquid, pregnancy and nutritional supplementation.

**POLICY:**

- I. Comprehensive food service operations are provided for Division of Corrections and Rehabilitation (DCR) facilities by a contracted vendor.
  - A. All vendor staff must pass the criminal background check required by DCR.
  - B. The vendor shall obtain approval from the facility Superintendent/designee prior to making job offers to any applicant.
  - C. Vendor staff must attend orientation and facility training as required by DCR.
  - D. Vendor staff must, at all times, adhere to all agency policies and facility procedures, including displaying the agency issued ID card on their person and are subject to searches.
- II. Food service shall provide appetizing and nutritional food. Food service operations shall be hygienic and sanitary with standard methods of food preparation including the proper timing and temperature of all food storage, preparation and serving.
  - A. Food service will prepare and serve three (3) meals during each twenty-four (24) hour period, with no more than fourteen (14) hours between the evening meal and breakfast.
  - B. Food service shall prepare sufficient quantities of food for staff to purchase at all three (3) meals per day. Staff shall pay the food service vendor for said meals including appropriate sales tax.
  - C. Food service shall prepare and provide one (1) tray per meal to be given to a staff member, at no charge, so said staff member may test the quality of the food. Each facility will designate the staff member, per meal, to receive the tray.
  - D. Food service will also prepare a sample meal for testing purposes which shall be maintained for twenty-four (24) hours at each meal served. Said meal must be discarded upon the expiration of the 24-hour period.
  - E. Documentation of all meals served, including substitutions shall be maintained by the food service provider. They shall also maintain records of the number of meals served.
- III. Menus to meet all special dietary needs, including medically approved diets and religious diets will be provided.
  - A. Menus for juvenile and young adult offenders shall meet child nutrition guidelines.
  - B. Food service will provide medical diets as directed by the medical provider in writing. When an inmate or resident fails to adhere to medical diets, he or she is not disciplined but counseled. The decision to stop medical diets is a therapeutic decision.

- C. Food service shall prepare bagged snacks as medically ordered for inmates/residents identified by medical to receive an evening snack. The facility medical staff will direct the required nutritional components for the snack.
  - D. Religious diets will be provided as directed by the Religious Services Coordinator and in accordance with DCR Policy Directive 510.00 based on the individual religious belief.
  - E. All menus will be reviewed and certified by a registered dietitian. This service will be provided by the food service vendor. The dietician shall make an annual visit to each facility for consultation.
  - F. Food service will provide special holiday meals for Thanksgiving, Christmas, Super Bowl Sunday and Easter. In addition, the Superintendent can request two (2) additional special occasion meals per year. Food service will also provide meals for "open house events" conducted at some facilities.
- IV. In case of an emergency, food service shall maintain sufficient inventory of food to feed inmates/residents and staff for a period of five (5) days.
- V. Facilities will not use food as a disciplinary measure. Food shall not be withheld, nor the standard menu varied, as a disciplinary sanction. Alternative meal service may be provided to an inmate or resident who uses food or food service equipment in a manner that is hazardous to self, staff, or other inmates/residents. Alternative meal service shall be on an individual basis, shall be based on health or safety considerations only, shall meet basic nutritional requirements, and shall occur with the written approval of the Superintendent or designee and responsible health authority or designee. The substitution period shall not exceed seven (7) days.
- VI. Where appropriate, inmate or resident kitchen workers to assist in food service operations shall be provided and paid by the DCR. Prior to assignment, inmates/residents will receive a medical examination and periodic reexamination to ensure freedom from diarrhea, skin infections, and other illnesses transmittable by food or utensils. Inmate/resident kitchen workers are required to wear hairnets or caps while working, and clean, washable garments. They are also required to display proper hygiene.
- VII. Food service operations shall comply with all sanitation and health codes enacted by state or local authorities. All inspection reports shall be provided to the Superintendent or designee.

ATTACHMENT(S): None.

APPROVED SIGNATURE: \_\_\_\_\_

  
Betsy C. Jividen, Commissioner

7-27-22  
Date

**STATE OF WEST VIRGINIA**  
**DIVISION OF CORRECTIONS**  
**POLICY DIRECTIVE**

**NUMBER: 402.00**  
**DATE: 01 June 2014**  
**SUBJECT: Food Service**

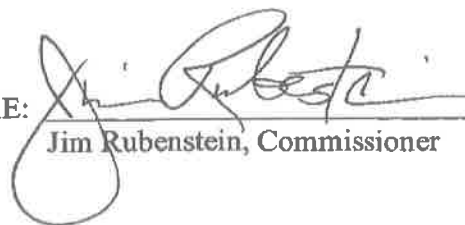
**AUTHORITY: WV Code 25-1-5  
and 62-13-4; ACA  
Standards 4-4313  
through 4-4328**

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- I. POLICY:** It is the policy of the West Virginia Division of Corrections (WVDOC) to maintain a mechanism that ensures that a well-balanced food service delivery system is provided for inmates confined in West Virginia State Correctional institutions/facilities/centers.
- II. CANCELLATION:** Policy Directive 402.00, dated 01 September 2012.
- III. DEFINITIONS:** None
- IV. APPLICABILITY:** All units within the Division of Corrections
- V. PROCEDURE:**
  - A.** All correctional institutions/facilities/centers shall provide a well-balanced food service for members of their inmate populations.
  - B.** The Warden/Administrator of each institution/facility/center shall ensure the development of appropriate Operational Procedures regarding food service.
    - 1.** Operational Procedures shall be consistent with the information contained within this policy.
    - 2.** Operational Procedures shall incorporate the appropriate ACA Standards for food service in adult correctional institutions/facilities/centers - ACA Standards 4-4313 through 4-4328, including any revisions of these standards or additional supplemental standards. (Attachment #1)

3. Operational Procedures shall be specific to the needs, security, and population of their respective institution/facility/center.

APPROVED SIGNATURE:

 June 1, 2014  
Jim Rubenstein, Commissioner Date

## **FOOD SERVICE**

**Principle:**     *Meals are nutritionally balanced, well-planned, and prepared and served in a manner that meets established governmental health and safety codes.*

### **Food Service Management**

**4-4313  
(Ref. 3-4294)**

**Food service operations are supervised by a full-time staff member who is experienced in food service management.**

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***Comment:***

The food service manager should have the resources, authority, and responsibility to provide complete food service for the institution, including three nutritionally adequate, palatable, and attractive meals a day produced under sanitary conditions and at reasonable costs. The food service manager should have a minimum of three years' experience in food service management.

### **Budgeting and Purchasing**

**4-4314  
(Ref. 3-4295)**

**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 and other favorable prices and conditions, when possible**
- **determination of and responsiveness to inmate eating preferences**
- **refrigeration of food, with specific storage periods**

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***Comment:***

None

**4-4315**  
**(Ref. 3-4296)**

**Written policy, procedure, and practice require that accurate records are maintained of all meals served.**

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*Comment:*

A uniform system should be established to record the number, cost, and type of meals served inmates, employees, guests, and visitors. Employees, guests, and visitors should be served the same food inmates are served. Food service records should include published menus, information on waste, food costs, and nutritional accounting, and notation of food products raised or produced in the system.

**Dietary Allowances**

**4-4316**  
**(Ref. 3-4297)**

**(MANDATORY) There is documentation that the institution's dietary allowances are reviewed at least annually by a qualified nutritionist or dietician to ensure that they meet the nationally recommended allowances for basic nutrition. Menu evaluations are conducted at least quarterly by institution food service supervisory staff to verify adherence to the established basic daily servings.**

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*Comment:*

Dietary allowances, as adjusted for age, sex, and activity, should meet or exceed the recommended dietary allowances published by the National Academy of Sciences. A qualified nutritionist or dietician is a person registered or eligible for registration by the American Dietetic Association or who has the documented equivalent in education, training, or experience, with evidence of relevant continuing education.

**Menu Planning**

**4-4317**  
**(Ref. 3-4298)**

**Written policy, procedure, and practice require that food service staff plan menus in advance and substantially follow the plan and that the planning and preparation of all meals take into consideration food flavor, texture, temperature, appearance, and palatability.**

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*Comment:*

All menus, including special diets, should be planned, dated, and available for review at least one week in advance. Any substitutions in the meals actually served should be noted and should be of equal nutritional value. A file of tested recipes adjusted to a yield appropriate for the facility's size should be maintained on the premises. Food should be served as soon as possible after preparation and at an appropriate temperature. Clinical diets should be approved by a qualified nutritionist or dietician and documented accordingly.

**Therapeutic Diets**

**4-4318  
(Ref. 3-4299)**

**(MANDATORY) Therapeutic diets are provided as prescribed by appropriate clinicians. A therapeutic diet manual is available in health services and food services for reference and information. Therapeutic diets should be specific and complete, furnished in writing to the food service manager, and rewritten annually, or more often as clinically indicated.**

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*Comment:*

Therapeutic diets are prepared and served to offenders according to the orders of the treating clinician or as directed by the responsible health authority. Therapeutic diets should be kept as simple as possible and should conform as closely as possible to the foods served other offenders.

**4-4319  
(Ref. 3-4300)**

**Written policy, procedure, and practice provide for special diets for inmates whose religious beliefs require the adherence to religious dietary laws.**

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*Comment:*

Religious diets should be approved by the chaplain. Religious diet prescriptions should be specific and complete, furnished in writing to the food service manager, and rewritten monthly. Special diets should be kept as simple as possible and should conform as closely as possible to the foods served other inmates.



4-4320  
(Ref. 3-4301)

**Written policy precludes the use of food as a disciplinary measure.**

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*Comment:*

All inmates and staff except those on special medical or religious diets should eat the same meals. Food should not be withheld, nor the standard menu varied, as a disciplinary sanction for an individual inmate. The standard does not preclude rewarding groups of inmates with special foods in return for special services or under special circumstances.

**Health and Safety Regulations**

4-4321  
(Ref. 3-4302)

**(MANDATORY) There is documentation by an independent, outside source that food service facilities and equipment meet established governmental health and safety codes; corrective action is taken on deficiencies, if any.**

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*Comment:*

Food service facilities and equipment should meet all standards and requirements set by qualified professional and/or governmental bodies. Food service personnel should be trained in accident prevention, first aid, use of safety devices, floor care, knife storage, and use of fire extinguishers. They should attend regular meetings to discuss accident prevention and analyze major accidents to prevent recurrence.

4-4321-1  
(NEW)

**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.**

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*Comment:*

None.

4-4322  
(Ref. 3-4303)

**(MANDATORY) Written policy, procedure, and practice provide for adequate health protection for all inmates and staff in the institution, and inmates and other persons working in the food service, including the following:**

- **Where required by the laws and/or regulations applicable to food service employees in the community where the**

facility is located, all persons involved in the preparation of food receive a preassignment 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.

- When the institution's food services are provided by an outside agency or individual, the institution has written verification that the outside provider complies with the state and local regulations regarding food service.
- All food service handlers are instructed to wash their hands upon reporting to duty and after using toilet facilities.
- Inmates and other persons working in food service are monitored each day for health and cleanliness by the director of food services (or designee).

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*Comment:*

All food service personnel should be in good health and free from communicable disease and open infected wounds; have clean hands and fingernails; wear hairnets or caps; wear clean, washable garments; and employ hygienic food-handling techniques. Federal facilities should apply appropriate regulations such as those of the U. S. Public Health Service.

**Inspections**  
**Food Products**

**4-4323**  
**(Ref. 3-4304)**

When required by statute, food products that are grown or produced within the system are inspected and approved by the appropriate government agency. There is a distribution system that ensures prompt delivery of foodstuffs to institution kitchens.

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*Comment:*

All such foodstuffs should meet or surpass government inspection levels, and the distribution system should ensure that they are delivered when fresh and in a condition for optimum food service. Government inspection of food grown in inmate gardens and used in food service is not required where the garden is not part of a larger agriculture operation and the inmate does not work full-time at food production for use by the inmate population; all garden-

grown food should, however, be inspected by food service personnel prior to use.

### **Facilities and Equipment**

**4-4324  
(Ref. 3-4305)**

**(MANDATORY)** Written policy, procedure, and practice require weekly inspections of all food service areas, including dining and food preparation areas and equipment, by administrative, medical, or dietary personnel; these may include the person supervising food service operations or his/her designee. Refrigerator and water temperatures are checked daily by administrative, medical, or dietary personnel.

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*Comment:*

All areas and equipment related to food preparation (for instance, ranges, ovens, refrigerators, mixers, dishwashers, garbage disposals) require frequent inspections to ensure their sanitary and operating condition. Water temperature on the final dishwasher rinse should be 180 degrees Fahrenheit; between 140 degrees Fahrenheit and 160 degrees Fahrenheit is appropriate if a sanitizer is used on the final rinse. The person conducting the inspection should have some training in food service operations.

**4-4325  
(Ref. 3-4306)**

Written policy, procedure, and practice provide that stored shelf goods are maintained at 45 degrees to 80 degrees Fahrenheit, refrigerated foods at 35 degrees to 40 degrees Fahrenheit, and frozen foods at 0 degrees Fahrenheit or below, unless national or state health codes specify otherwise.

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*Comment:*

None.

### **Meal Service**

**4-4326  
(Ref. 3-4307)**

**Written policy, procedure, and practice provide that meals are served under conditions that minimize regimentation, although there should be direct supervision by staff members.**

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*Comment:*

Cafeteria facilities are preferable to inmate waiter service. The dining area should provide normal group eating facilities, and conversation should be permitted during dining hours. When possible, there should be "open" dining hours, thus eliminating traditional waiting lines and forced seating by housing, assignment, and so on. Full cutlery services should be provided based on a control system. All meals should be served under the direct supervision of staff.

**4-4328  
(Ref. 3-4309)**

**Written policy, procedure, and practice require that at least three meals (including two hot meals) are provided at regular meal times during each 24-hour period, with no more than 14 hours between the evening meal and breakfast. Variations may be allowed based on weekend and holiday food service demands provided basic nutritional goals are met.**

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*Comment:*

When inmates are not routinely absent from the institution for work or other purposes, at least three meals should be provided at regular times during each 24-hour period.