



CHAPTER 115C
ARTICLE 17 - SUPPORTING SERVICES

N.C.G.S. § 115C-264.

Operation.

SOURCE General Statutes of North Carolina, as published by the General Assembly	LAST AMENDMENT IN THIS TEXT S.L. 2025-89, s. 2A.8(a) — thirteenth act in the lineage	RETRIEVED 21 September 2026, 04:14 UTC	SOURCE FINGERPRINT 5b2b518a844cbe5382673a33 - 8fa96cf50ee4bde0a6b1b507 - d8095fc84c53838f
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§ 115C-264(a) Local boards of education operating school nutrition programs shall participate in the National School Lunch Program established by the federal government. School nutrition programs shall be under the jurisdiction of the Division of School Nutrition of the Department of Public Instruction.

§ 115C-264(a1) Local boards of education operating school nutrition programs shall provide school meals at no cost to students who qualify for reduced-price meals under the federal National School Lunch Program or School Breakfast Program. If funds from alternate sources are insufficient to provide school meals at no cost to students who qualify for reduced-price meals, the Department of Public Instruction may use funds appropriated to the State Aid for Public Schools Fund for this purpose. For the purposes of this section, "school meal" includes school lunch and, if the local board of education participates in the School Breakfast Program, school breakfast.

§ 115C-264(b) For nutritional purposes, schools shall not do any of the following:

- (1) Use cooking oils in their school nutrition programs that contain trans-fatty acids.
- (2) Sell processed foods containing trans-fatty acids that were formed during the commercial processing of the foods.

§ 115C-264(c) All school nutrition services shall be operated on a nonprofit basis, and any earnings therefrom over and above the cost of operation as defined herein shall be used to reduce the cost of food, to serve more nutritious food, or to provide free or

reduced-price meals to economically disadvantaged children and for no other purpose. The term "cost of operation" means the actual cost incurred in the purchase and preparation of food, the salaries of all personnel directly engaged in providing nutrition services, and the cost of nonfood supplies as outlined under standards adopted by the State Board of Education. "Personnel" means school nutrition supervisors or directors, bookkeepers or other staff directly engaged in nutrition services record keeping, and those persons directly involved in preparing and serving food. School nutrition personnel shall be paid from the funds of the school nutrition program only for services rendered on behalf of the school nutrition program. Any cost incurred in the provisions and maintenance of school nutrition services over and beyond the cost of operation shall be included in the budget request filed annually by local boards of education with boards of county commissioners. Local boards of education are not required to comply with G.S. 115C-522(a) in the purchase of supplies and food for such school nutrition services.

- § 115C-264(d)
- Governing bodies of public school units shall not impose administrative penalties on a student for unpaid school meal debt. Administrative penalties include the following:
- (1)

Withholding student records, including transcripts, report cards, attendance records, and health records.
- (2)

Not allowing a student to participate in graduation or receive a diploma.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
13 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.

1955

1965

1975

1990

2025

TICK HEIGHT = ACTS IN THAT YEAR DASHED = RECODIFICATION, NOT AMENDMENT

Nº	YEAR	ACT	CHARACTER
01	1955	c. 1372, art. 5, s. 34	ENACTED
02	1965	c. 912	AMENDED
03	1967	c. 990	AMENDED
04	1975	c. 384	AMENDED

05	1981	c. 423, s. 1	AMENDED
06	1981	1991 (Reg. Sess., 1992), c. 900, s. 78	AMENDED
07	2003	S.L. 2003-147, s. 5	AMENDED
08	2004	S.L. 2004-124, s. 7.29(a)	AMENDED
09	2004	S.L. 2004-203, ss. 72(a), (b)	AMENDED
10	2005	S.L. 2005-253, s. 1	AMENDED
11	2022	S.L. 2022-71, s. 2.4(c)	AMENDED
12	2023	S.L. 2023-134, s. 7.60(a)	AMENDED
13	2025	S.L. 2025-89, s. 2A.8(a)	AMENDED

APPARATUS II
1 AUTHORITY

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 115C-522(a)	(c)	<i>"are not required to comply with"</i>

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 115C-264 (2025).

PINPOINT

N.C. Gen. Stat. § 115C-264(a) (2025).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

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This is not the official text. The official text is published by the General Assembly of North Carolina.

HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1955, c. 1372, art. 5, s. 34; 1965, c. 912; 1967, c. 990; 1975, c. 384; 1981, c. 423, s. 1; 1991 (Reg. Sess., 1992), c. 900, s. 78; 2003-147, s. 5; 2004-124, s. 7.29(a); 2004-203, ss. 72(a), (b); 2005-253, s. 1; 2022-71, s. 2.4(c); 2023-134, s. 7.60(a); 2025-89, s. 2A.8(a).)

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