

 <p style="text-align: center;">Massachusetts Department Of Correction POLICY</p>	Effective Date <p style="text-align: center;">2/8/2021</p>	Responsible Division <p style="text-align: center;">Deputy Commissioner, Administration</p>
	Annual Review Date <p style="text-align: center;">2/8/2021</p>	
Policy Name <p style="text-align: center;">103 DOC 760 FOOD SERVICE POLICY</p>	M.G.L. Reference: M.G.L. c. 124, §. 1 (c) & (q); 801 CMR 21; 105 CMR 590	
	DOC Policy Reference: 103 DOC 158; 103 DOC 224; 103 DOC 339; 103 DOC 340; 103 CMR 471; 103 DOC 631; 103 DOC 761	
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Attachments Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Inmate Library Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Applicability: Staff/Inmates
Public Access Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Location: Department Central policy file Each Institution's policy file	
<p>PURPOSE: To establish Department of Correction (“Department”) policy concerning food service.</p> <p>RESPONSIBLE STAFF FOR IMPLEMENTATION AND MONITORING OF POLICY: Commissioner Deputy Commissioner of Administration Superintendents Departmental Food Service Director</p> <p>CANCELLATION: 103 DOC 760.00 cancels all previous Department policy statements, bulletins, directives, orders, notices, rules and/or regulations regarding food services which are inconsistent with this policy.</p> <p>SEVERABILITY CLAUSE: If any part of 103 DOC 760.00 for any reason, is held to be in excess of the authority of the Commissioner, such decision shall not affect any other part of this policy.</p>		

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760.01 **Department Policy**

The Department is committed to the following food services objectives:

1. To provide all inmates with nutritionally adequate meals that are of appropriate quantity and quality through the use of a seasonally adjusted cyclical menu;
2. To provide all inmates assigned to food service with the opportunity through training and education to acquire skills and abilities that may assist in obtaining gainful employment after release;
3. To assure that food service operations are conducted in conformity with established security, safety and sanitation regulations;
4. To manage food service operations as efficiently and effectively as possible;
5. To assure all staff, contractors, and inmate workers who work in the food service department are trained in the use of food service equipment and in safety procedures to be followed in the food service department.

760.02 **Responsibilities**

Central Office of the Department of Correction

The Commissioner, through the Deputy Commissioner of Administration and the Departmental Director of Food Services, is responsible for the promulgation of procedures for the delivery of food services as specified in this policy.

The Departmental Director of Food Services shall monitor the food service administration at the Departmental and institutional levels. His/Her duties shall include but not be limited to:

1. Monitoring institutional food service policies and procedures for compliance with 103 DOC 760, *Food Service* including periodic on site reviews of all Department facilities;
2. Conducting periodic compliance review of contracted food services at each institution;
3. Coordinating and implementing the cycle menu accounting for therapeutic and religious diet menus;

4. Departmental liaison with the Operational Services Division as head of the food procurement team;
5. Monitoring food cost throughout the Department;
6. Providing technical assistance in all aspects of food service to departmental sites and regulatory agencies as required;
7. Coordinating Serve Safe and Therapeutic Diet training for the Food Service Department;
8. Assisting in the monitoring of outside consultants and vendor contracts in the area of food services.

Institutions

Each Superintendent is responsible for assuring that the food service policy is implemented at his/her respective institution in accordance with appropriate rules and regulations in effect in the Commonwealth of Massachusetts Policies 103 DOC 760, *Food Service*, 103 CMR 761, *Access to Therapeutic Diets and Medical Care* and 105 CMR 590, *State Sanitary Code Chapter X, Minimum Sanitation Standards for Food Establishments*. Each Superintendent may delegate the operational responsibility for the daily administration of the food service policy to an institutional food service director.

760.03

Food Service Supervision

Each institution shall employ a full-time qualified staff member who is responsible to provide for the institution's complete food service.

760.04

Institutional Food Service Directors Duties & Responsibilities

Each institutional Food Service Director shall oversee the daily preparation and delivery of all meals. His/Her duties shall include, but not limited to:

1. Assure compliance with departmental policies/procedures and all ACA standards regarding food service;
2. Providing nutritionally adequate meals, properly prepared and attractively served in accordance with the departmental cycle menus and corresponding recipes;

3. Assuring compliance with 105 CMR 590.00, *State Sanitary Code Chapter X, Minimum Sanitation Standards for Food Establishments*;
4. Providing proper supervision and maintaining adequate scheduling of all food service staff.

760.05 **Menu Requirements**

Each institution shall ensure that inmates are provided nutritionally adequate meals by:

1. Having the planned cycle menu reviewed by a registered dietician on at least a bi-annual basis to ensure that food allowances required for basic nutrition are met, as defined by the nationally Recommended Dietary Allowance, the Food and Nutrition Board, the National Academy of Sciences, the National Research Council, and the American Correctional Association.
2. Recording any substitution(s) or addition(s) in food actually served, ensuring that the substitution is in accordance with the approved departmental substitution guidelines.
3. Ensuring that documentation of the menus actually served are maintained on a weekly basis by the food service supervisor. These documents are stored in accordance with 103 DOC 158, *Disposal of Outdated Documents*.
4. Evaluating menus at least quarterly to verify adherence to the established basic daily servings.

760.06 **Advanced Menu Planning and Preparation**

Each institution shall follow a departmental seasonally adjusted cyclical menu which meets inmates' nutritional needs. These menus shall be followed in accordance with the following schedule:

Fall/Winter Cycle Menu:

Shall commence on the first Sunday immediately following the last Saturday in October and shall end on the last Saturday in April.

Spring/Summer Cycle Menu:

Shall commence on the first Sunday immediately following the last Saturday in April and shall end on the last Saturday in October.

Food preparation shall be planned by the institutional Food Service Director at least one (1) week in advance using the food production form and formulated using approved yield-adjusted recipes, good food handling and food service sanitation techniques.

760.07 **Food Inspection**

Each institution shall maintain appropriate food storage facilities. All shelf goods are to be maintained at 41 to 80 degrees Fahrenheit. All refrigerated storage areas are to be maintained at 41 degrees Fahrenheit or below. All frozen storage areas are to be maintained at 0 degrees Fahrenheit or below.

760.08 **Therapeutic Diets**

Each Superintendent shall develop written procedures regarding the preparation and provision of therapeutic diets which shall be consistent with 103 CMR 761.00, *Access to Therapeutic Diets and Medical Care*.

760.09 **Religious Diets**

It is the policy of the Department of Correction to provide at each institution special diets accommodating inmates whose religion places restrictions on diets. Each Superintendent shall develop written procedures regarding the preparation and provision of religious diets which are consistent with 103 CMR 471, *Religious Programs and Services*.

760.10 **Health & Hygiene Protection**

Each institution shall maintain a written procedure to provide for adequate health protection for all inmates and staff in the institution, moreover, said procedures shall specifically address adequate health protection for inmates and staff working in food service. These procedures shall be written in accordance with 103 DOC 620.10 and 105 CMR 590, *State Sanitary Code Chapter X, Minimum Sanitation Standards for Food Establishments*.

*For further information on health protection, see 103 DOC 631, *Communicable Diseases*.

760.11 **Wash Facilities**

Institutions shall have toilet and washbasin facilities available to food service personnel and inmates in the vicinity of the food preparation area. These facilities shall be provided and maintained in accordance with 105 CMR 590.00, *State Sanitary Code Chapter X, Minimum Sanitation Standards for Food Establishments*.

760.12 **Health and Safety Inspections**

There shall be documentation by the Department of Public Health and the Accreditation Standards Compliance Unit at least annually, that food service facilities and equipment meet established public health and safety codes, and that corrective action is taken on deficiencies, if any.

The Superintendent of each facility shall maintain documentation, provided by the Department of Public Health or the Department of Correction's Policy and Development Compliance Unit, updated annually, indicating that his/her facility and the food service equipment contained therein has met established public health and safety codes, and that corrective action was taken on any deficiencies that may have occurred.

760.13 **Weekly Inspections in Food Service Areas**

Each institution shall have a written policy and procedure which shall require weekly inspections of all food service areas including dining and food preparation areas and equipment. Refrigerator and water temperatures shall be checked and recorded on a daily basis by food service personnel.

760.14 **Serving & Scheduling Meals**

1. Each institution shall have a written policy and procedure which insures that meals are served under conditions that minimize regimentation; however, there should be direct supervision by staff members. Space shall be provided for group dining except when security or safety considerations justify otherwise. Inmates shall be afforded the opportunity to have at least 20 minutes of dining time for each meal.
2. Each institution shall have a written policy which states that at least three (3) meals, two (2) of which are hot meals, are provided at regular meal times during each twenty-four (24) hour period, with no more than fourteen (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.

760.15 **Use of Food as Disciplinary Measure**

Each institution shall have a written policy which precludes the use of food as a disciplinary measure. All inmates, except those on special medical or religious diets, should eat the same foods.

760.16 **Alternate Feeding**

Standard food services shall be made available to inmates in Restrictive Housing Units, provided their participation is consistent with the safety and security of the institution and its employees. Alternative meal service may be provided to an inmate in Restrictive Housing or any other unit who uses food or food service equipment in a manner that is hazardous or otherwise disruptive to self, staff, or other inmates. Alternative meal service is provided on an individual basis, based on health or safety considerations only, meets basic nutritional requirements, and occurs with the approval of the Superintendent, or designee and responsible health authority, or designee. Inmates on alternate feeding status shall receive the same meals as those given to the population. Alternate feeding is considered the method to deliver and retrieve the food from the inmate and not an adjustment to the meal itself. The alternative feeding status shall not exceed seven (7) days unless it is extended with the review of the authorizing administrator and the approval of the health care practitioner.

1. The Restrictive Housing Unit officer in charge or shift commander may place an inmate on alternate feeding pending the approval of the Superintendent and the Health Services Administrator or designee.
2. The Restrictive Housing Unit officer in charge or shift commander shall submit a copy of the disciplinary report with an alternate feeding request form (103 DOC 760, Attachment #1) to the Superintendent, stating the reasons why alternate feeding is requested.
3. The Superintendent shall return approved requests for alternate feeding to the Restrictive Housing Unit officer in charge (OIC).
4. The Restrictive Housing Unit OIC shall ensure the Alternate Feeding button is checked as yes on the SHU/RHU/DDU Inmate Information screen on IMS.

Once alternate feeding is implemented, the following feeding procedure shall be followed:

If the physical design of the cell door allows for the delivery of food without

inmate contact i.e., the delivery of the meal through the leg iron restraint slot without the need to breach the cell door, this shall be the preferred method of delivery. However, if the physical design of the door does not allow for the delivery of food in such a manner, the following procedure shall be adhered to:

1. Two (2) staff members shall be utilized and the cell light shall be turned on.
2. The inmate shall be asked to willingly comply with alternate feeding procedures.
3. If the inmate is willing to comply, the food slot shall then be opened, the inmate shall be ordered to turn around and back up to the door, be placed in hand cuffs and ordered to sit down on the bed. Once the inmate is sitting on the bed, the door to the cell shall be opened and the meal shall be placed in the cell. The door to the cell shall be re-secured and the inmate shall be ordered to turn around and back up to the door so the restraints can be removed. Once the meal is consumed the same process shall be utilized to retrieve all food and equipment. No food/utensils shall remain in the cell.
4. If the inmate refuses to comply with any of these feeding procedures, it shall constitute a refusal to accept the meal and an incident report shall be submitted. The refusal shall also be noted on the inmate's activity sheet/IMS RHU Daily Log screen and in the unit logbook/IMS Unit/Activity Log screen.
5. When removing the inmate from alternate feeding, the Restrictive Housing Unit OIC or shift commander shall submit a written request (103 DOC 760, Attachment #1) to the "Superintendent or designee and the Health Services Administrator or designee" prior to removing the inmate from alternate feeding.

All inmates placed on alternate feeding shall be asked to comply with institutional procedures after each meal. If the inmate does not comply, he/she shall be reviewed after five (5) days to determine further alternate feeding status. Any extension request for alternate feeding past seven (7) days shall be submitted in a written request (103 DOC 760 Attachment A) to the authorizing administrator and health care practitioner.

The Superintendent, or designee and the Health Services Administrator, or designee, are the approving authority for removing an inmate from alternate feeding status. The authorizing administrator and health care

practitioner are the approving authority for extending an inmate on alternative feeding status past seven (7) days.

NOTE: Inmates on therapeutic or religious diets shall be afforded the same food values in accordance with their therapeutic or religious diets while on alternate feeding status. In these instances, the institutional Food Service Director shall consult with the respective dietitian.

760.17 **Satellite Feeding**

Each institution shall have a written procedure that provides instructions for satellite feeding. These instructions shall include but are not limited to the following:

1. Visual inspection and recording of food quality, quantity, and accuracy of food(s) upon receipt;
2. Taking and recording of food temperatures upon receipt of said food items;
3. A comprehensive set of serving instructions, inclusive of required portion sizes;
4. Meal evaluation procedures to include acceptability, shortages, leftovers, etc.
5. Procedures for obtaining additional food as necessary;
6. Instructions on proper and safe food handling techniques.

760.18 **Food Service Budgeting, Purchasing, and Accounting Practices**

The institutional Food Service Director shall use budgeting, purchasing and accounting practices that include, but are not limited to the following:

1. A Food expenditure cost accounting system designed to determine cost per meal per inmate, such as; the Food Service Directors shall keep an accurate record of per inmate/ per day feeder costs at the end of each month with the intention of remaining within their budgeted food account. Accurate monthly food inventories shall be compiled in accordance with departmental guidelines in 103 DOC 339, *Materials and Supplies*

Inventory and Control, Sections .09 .10 and .12 and forwarded in a timely manner to the fiscal unit;

2. Projection of food service funding requirements;
3. Purchase of supplies shall be made in accordance with departmental and state purchasing mandates in accordance with 103 DOC 340, *Departmental Purchasing Procedures*, sections .01 and .02 and 801 CMR 21.00.
4. Refrigeration and storage of food, with specific storage periods.

The food service operation shall follow written budgeting, purchasing, and accounting procedures to ensure nutritional and economical meals and minimum waste.

760.19 **Meal Counts and Records**

Each institution shall have a written policy and procedure detailing how the number of actual meals served to inmates, employees, and guests is to be documented. In all cases, counts are to be only the number of complete meals actually served. This figure is in no way intended to include the number of meals prepared.

The above is required for fiscal accounting, food purchasing purposes and budget planning. Food service records shall include published menus, information on waste, food costs and nutritional accounting.

760.20 **Food Service Uniforms**

Regulation uniforms for all food service personnel shall conform to the provisions as set forth in departmental policy 103 DOC 224, *Uniforms*.

760.21 **Responsible Staff**

The Deputy Commissioner of Administration shall be responsible for the implementation of 103 DOC 760 as it relates to food services.

Each Superintendent shall be responsible for the implementation of this policy and for the development of any and all necessary institutional procedures and policies.

Approved: _____
Medical Practitioner **Date**

Therapeutic/Religious Diet: Yes _____ No _____

Day	Date	Breakfast	Lunch	Dinner	OIC Review
1					
2					
3					
4					
5					
6					
7					

Indicate “C” for compliance with feeding and “R” for refusing to comply with feeding.

Authorization for Removal:

Approved: _____
Superintendent **Date**

Approved: _____
Medical Authority **Date**

Forward to inmate’s case file upon completion.

**ATTACHMENT TO 103 DOC 760, FOOD SERVICES POLICY
CULINARY ARTS PROGRAM – MILFORD HEADQUARTERS**

Purpose: To establish standard operating guidelines for the Culinary Arts Program (“Program”) located at Milford Headquarters.

I. OVERVIEW

The Program shall provide food services to all Department of Correction (“Department”) and Military Division staff employed at the Milford Headquarters. Inmates shall learn skills in the areas of food preparation, food serving and health/sanitation. The Division of Administration shall maintain supervision over the Program.

The program shall provide breakfast and lunch from Monday thru Friday. The Program Supervisor shall determine the normal hours of operation and shall ensure that the hours are posted in the general area of the cafeteria.

Inmate workers shall be restricted to the immediate cafeteria and food preparation area. Access to any other part of Milford Headquarters is prohibited unless accompanied by the proper Department staff person.

II. STAFFING

This program shall be staffed with two (2) Educational Specialists positions, one (1) being the Program Supervisor. These two (2) staff shall report to the Department Director of Food Services. The Department Director of Food Services shall maintain Form 30’s detailing the duties of these two (2) positions. The Director of Food Services shall review the Form 30’s on an annual basis and update them as necessary. The Educational Specialists shall receive annual training in accordance with department training requirements. In addition to standard food service training, the staff shall receive training in areas involving the security of inmates in the workplace. The Director of Food Services shall coordinate this training.

III. INMATE WORKERS

Inmate workers shall be inmates assigned from the Pondville Correctional Center. Up to eight (8) inmate workers may be assigned to the culinary arts program at Milford. More than eight (8) inmates may be assigned for special functions or weekend drills with prior approval from the Departmental Director of Food Services or the Director of Administrative Services. Inmate workers from Pondville Correctional Center interested in

enrolling in the culinary arts program must meet the program criteria as established by institution policy on inmate work programs. The Education Specialists and the Job Assignment Officer shall communicate on all issues involving the assignment of inmates to the program. Inmate workers shall be assigned to the program for the purpose of attaining certification(s) in the area of food service operations. Inmates shall be certified in "Serve Safe" and in "Professional Cooking". The Educational Specialists shall maintain written procedures relative to the administration of training and examinations necessary to attain these certifications. The Program Supervisor shall review these procedures on an annual basis and revise as needed. Inmates enrolled in the Culinary Arts Program shall be transported from the Pondville Correctional Center to Milford by a designated Correctional Program Officer from the Pondville Correctional Center. Inmates shall arrive at 5:30 AM and be released to the custody of the Education Specialists. Inmate Workers shall depart the Milford kitchen as soon as possible after their work day is completed. The arrival times and departure times of the inmate workers shall be coordinated through the Education Specialist and the institution.

The length of time an inmate worker may stay in the program is limited to the length of time necessary to complete the certification program, approximately six (6) months. The Educational Specialists shall develop and maintain written program guidelines that will result in certifications being attained within a six (6) month period. Upon completion of the program, the Educational Specialist(s) shall notify Pondville Correctional Center that the inmate has completed the program and a replacement is needed. The inmate worker shall be replaced within two (2) weeks of this notification. Inmate workers shall be prohibited from staying in the program for any period longer than what is detailed, unless approved by either the Director of Food Services or the Director of Administrative Services. The Education Specialist(s) shall coordinate with the Job Assignment Officer to replace / rotate inmates in the program at the rate of two (2) at a time in order to maintain continuity in the Culinary Arts Program.

Inmate workers shall be neat and clean in appearance and shall wear food service clothing, as issued. Issued hats or hairnets are to be worn at all time when working in the food preparation or serving area.

Inmate workers shall be supervised at all times by the Educational Specialists. Inmates shall not be allowed to sit with, eat with, or in any manner, interact/fraternize with staff in the dining room or food service area(s). Specific areas to be utilized by inmate workers during break or lunch periods shall be designated by the Educational Specialists.

IV. SECURITY

Inmate's access to the building shall be limited to the food preparation area, the serving area and dining room areas. Inmates in other areas, such as trash pick-ups and function set-ups, shall be escorted by an Education Specialist or other approved staff person.

Whenever an inmate becomes problematic, uncooperative, or acts suspiciously the incident shall be documented on IMS via a written incident report and the inmate may be terminated from the Program. The Office of Investigative Services shall be notified in writing in all these instances. The Office of Investigations shall be contacted for all instances requiring immediate assistance for a security related matter involving an inmate worker.

The Educational Specialist shall be required to report in writing any and all suspicious or unusual behavior by inmates or Milford staff to the Office of Investigative Services and to the Director of Food Services and/or Director of Administrative Services via GroupWise.

V. GENERAL

Menus for the Milford Café shall be generated by the Education Specialist and may change without notice. Menus shall be posted on Monday for the entire week.

The Director of Food Services shall approve changes in menu pricing.

Functions and any special food set-ups must be submitted to the Director of Food Services and/or the Director of Administrative Services for approval seven (7) days prior to the event.

VI. REVENUE

All revenues generated from the Milford Café shall be used as follows:

- for expenses related to the operation of the cafeteria program
- for expenses for inmate programs
- for expenses for employee benefit
- any other expense approved by the Commissioner

All operating expenses for the cafeteria, except the salaries of the staff, shall be paid by the program revenues. The program goal is to be “self-sufficient” for all operating expenses, except the salaries of staff.

The Director of Administrative Services, or his/her designee, shall be the approving authority for all expenditures related to the operation of the cafeteria. The Director of Administrative Services shall be the approving authority for all transfers of cafeteria revenue to the Inmate Program Account. The Director of Administrative Services shall be the approving authority for employee benefit expenditures less than \$10,000. The Commissioner shall approve all employee benefit expenditures exceeding \$10,000.

Review: This attachment shall be reviewed on an annual basis by the Educational Specialists, the Director of Food Services and the Director of Administrative Services and revised as needed.