

Business and Noninstructional Operations

Nutrition Services Operations/Cafeteria Fund

The Board of Education believes that school nutrition services operations shall be self-supporting, and a not for profit program. To ensure program quality and increase cost effectiveness, the Superintendent or designee shall centralize and direct the purchasing of foods and supplies, the planning of menus, and the auditing of all food service accounts for the District.

The Superintendent or designee shall ensure that all nutrition services administrators and personnel possess appropriate qualifications and receive ongoing professional development related to the effective management and implementation of the District's nutrition services program in accordance with law.

At least once each year, food service administrators, other appropriate personnel who conduct or oversee administrative procedures, and other food service personnel shall receive training provided by the California Department of Education (CDE).

Meal Sales

Any student who requests a meal shall be served a nutritionally adequate breakfast and lunch free of charge, each school day. (Education Code 495015.5)

As permitted by law, additional or second meals, adult meals, and other nonprogram foods, such as smart snack compliant food and beverages sold in vending machines, may be sold to students. (Education Code 38082, 49501.5)

Meals may be sold to District employees, Board members, and employees or members of the fund or association maintaining the cafeteria. (Education Code 38082)

Meals may be sold to nonstudents, including parents/guardians, volunteers, students' siblings, or other individuals, who are on campus for a legitimate purpose. Any meals served to nonstudents shall not be subsidized by federal or state reimbursements, food service revenues, or U.S. Department of Agriculture (USDA) foods.

Meal prices, as recommended by the Superintendent or designee and approved by the Board, shall be based on the costs of providing food services and consistent with Education Code 38084 and 42 USC 1760.

The Superintendent or designee shall establish strategies and procedures for the collection of meal payments. Such procedures shall conform with 2 CFR 200.426 and any applicable CDE guidance. The Superintendent or designee shall clearly communicate these procedures to students and parents/guardians, and shall make this policy and the accompanying administrative regulation

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available to the public pursuant to Education Code 49557.5.

Cafeteria Fund

The Superintendent or designee shall establish a cafeteria fund independent of the District's general fund.

The wages, salaries, and benefits of nutrition services employees shall be paid from the cafeteria fund. (Education Code 38103)

The Superintendent or designee shall ensure that state and federal funds provided through school meal programs are allocated only for purposes related to the operation or improvement of nutrition services and reasonable and necessary indirect program costs as allowed by law.

Contracts with Outside Services

With Board approval, the District may enter into a contract for food service consulting services or management services in one or more District schools. (Education Code 45103.5; 42 USC 1758; 7 CFR 210.16)

Procurement of Foods, Equipment and Supplies

To the maximum extent practicable, foods purchased for use in school meals by the District or by any entity purchasing food on its behalf shall be domestic commodities or products. Domestic commodity or product means an agricultural commodity that is produced in the United States and a food product that is processed in the United States substantially using agricultural commodities that are produced in the United States. (42 USC 1760; 7 CFR 210.21)

A nondomestic food product may be purchased for use in the District's food service program only as a last resort when the product is not produced or manufactured in the United States in sufficient and reasonable quantities of a satisfactory quality, or when competitive bids reveal the costs of a United States product are significantly higher than the nondomestic product. In such cases, the Superintendent or designee shall retain documentation justifying the use of the exception.

Furthermore, the District shall accept a bid or price for an agricultural product grown in California before accepting a bid or price for an agricultural product grown outside the state, if the quality of the California-grown product is comparable and the bid or price does not exceed the lowest bid or price of a product produced outside of state. (Food and Agriculture Code 58595)

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Bid solicitations and awards for purchases of equipment, materials, or supplies in support of the District's child nutrition program, or for contracts awarded pursuant to Public Contract Code 2000, shall be consistent with the federal procurement standards in 2 CFR 200.318-200.326. Awards shall be let to the most responsive and responsible party. Price shall be the primary consideration, but not the only determining factor, in making such an award. (Public Contract Code 20111)

Program Monitoring and Evaluation

The Superintendent or designee shall present to the Board, at least annually, financial reports regarding revenues and expenditures related to the food service program.

The Superintendent or designee shall provide all necessary documentation required for the Administrative Review conducted by the CDE to ensure compliance of the District's food service program with federal requirements.

Legal Reference: Education Code, Sections 38080-38086; 38090-38095; 38100-38103; 45103.5; 49490-49493; 49500-49505; 49554
California Retail Food Code
Code of Federal Regulations, Title 2, Section 255; Title 7, Sections 210.1-210.31; 220.1- 21; Health and Safety Code, Sections 113700-114437
United States Code, Title 42, Sections 1751-1769j; 1771-1791
United States Department of Agriculture, Sections 250.1-70

Policy Adopted: 08/19/1980; 02/19/1985

Policy Amended: 03/10/1993; 07/19/1994; 02/04/2003; 11/03/2010; 10/15/2013; 09/02/2014; 06/04/2018; 09/17/2019; 11/15/2022

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