

# William S. Hart Union HSD

## Board Policy

### Business and Noninstructional Operations

#### Food Service Operations/Cafeteria Fund

BP 3551(a)

The Governing Board intends that, insofar as possible, school food services shall be a self-supporting, nonprofit program. ~~Upon recommendation of the superintendent or designee, the Board shall review and approve meal prices. Program financial reports shall be presented regularly to the Board.~~ *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.*

*(cf. 3100 - Budget)*

*(cf. 3300 - Expenditures and Purchases)*

*(cf. 3311 - Bids)*

*(cf. 3550 - Food Service/Child Nutrition Program)*

*(cf. 3552 - Summer Meal Program)*

*(cf. 5030 - Student Wellness)*

*The Superintendent or designee shall ensure that all food service personnel possess the required qualifications and receive ongoing professional development related to the effective management and implementation of the district's food service program in accordance with law.*

*(cf. 4231 - Staff Development)*

*(cf. 4331 - Staff Development)*

*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). (42 USC 1776)*

~~Adult meals may be offered to employees as a matter of convenience. Insofar as these meals may include federally donated food commodities, their price shall be set higher than that of student meals so as to reimburse the food service program for the total cost of providing adult meals.~~

#### *Meal Sales*

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

## Food Service Operations/Cafeteria Fund

BP 3551(b)

*In addition, 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.*

*Students who are enrolled in the free or reduced-price meal program shall receive meals free of charge or at a reduced price in accordance with law, Board policy, and administrative regulation. Such students shall not be overtly identified or treated differently from other students.*

*(cf. 0410 - Nondiscrimination in District Programs and Activities)*

*(cf. 3553 - Free and Reduced Price Meals)*

*(cf. 5145.3 - Nondiscrimination/Harassment)*

*The Superintendent or designee shall establish strategies and procedures for the collection of meal payments, including delinquent meal payments, and shall clearly communicate these procedures and related district policies to students and parents/guardians. The procedures adopted by the Superintendent or designee shall conform with 2 CFR 200.426 and any applicable CDE guidance, and shall not overtly identify students with unrecovered or delinquent debt or treat them differently than other students.*

### *Cafeteria Fund*

The superintendent or designee shall establish a cafeteria fund or account independent of the district's general fund.

*The wages, salaries, and benefits of food service 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 food services and reasonable and necessary indirect program costs as allowed by law.*

*(cf. 3230 - Federal Grant Funds)*

*(cf. 3400 - Management of District Assets/Accounts)*

*(cf. 3460 - Financial Reports and Accountability)*

**Procurement of Foods**

~~To increase cost effectiveness, the superintendent or designee shall centralize and direct the purchasing of food and supplies, the planning of menus, and the auditing of all food service accounts for the district.~~ *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 exception.*

***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 related to maintenance of the nonprofit school food service account, meal charges, paid lunch equity, revenue from nonprogram goods, indirect costs, and USDA foods.*

*(cf. 3555 - Nutrition Program Compliance)*

~~*(cf. 3550 - Food Service/Child Nutrition Program)*~~

~~*(cf. 3553 - Free and Reduced Lunch Program)*~~

**Contracts with Outside Services**

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

*(cf. 3312 - Contracts)*

*(cf. 3600 - Consultants)*

**Food Service Operations/Cafeteria Fund**

**BP 3551(d)**

With Board approval, the district may enter into a contract with a private company that enables a school to operate a franchise offering fast food items for sale to students. The franchise agreement and food purchases shall be subject to the competitive bidding requirements of the National School Lunch Program.

*Legal Reference: see next page*

*Legal Reference*

EDUCATION CODE

**38080-38086 Cafeteria, establishment and use**

38090-38095 Cafeterias, funds and accounts

38100-38103 Cafeterias, allocation of charges

42646 Alternate payroll procedure

45103.5 Contracts for management consulting services

49490 - 49493 School breakfast and lunch programs

49500 - 49505 School meals for pupils

**49554 Contract for services**

**49550-49562 Meals for needy students**

~~85260 Alternate payroll procedure~~

**HEALTH AND SAFETY CODE**

**113700-114437 California Retail Food Code**

**CODE OF REGULATIONS, TITLE 5**

**15550-15565 School lunch and breakfast programs**

**UNITED STATES CODE, TITLE 42**

**1751-1769j School lunch programs**

**1771-1791 Child nutrition, including:**

**1773 School breakfast program**

**CODE OF FEDERAL REGULATIONS, TITLE 2**

**200.56 Indirect costs, definition**

**200.400-200.475 Cost principles**

**200 Appendix VII Indirect cost proposals**

**CODE OF FEDERAL REGULATIONS, TITLE 7**

**210.1-210.31 National School Lunch Program**

**220.1-220.21 National School Breakfast Program**

**250.1-250.70 USDA foods**

Management Resources:

~~CDE MANAGEMENT ADVISORIES~~

~~0600.94 Implementation of Education Code 45103.5, 94-111~~

~~0700.95 Final Rule for the National School Lunch Program and School Breakfast Program, 95-115~~

Legal Reference (continued)

~~CDE PUBLICATIONS~~

~~Standards of Excellence for School Nutrition Programs:—A Self-Assessment Guide for School-District Fiscal Policy Teams, 1989~~

**CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS**

*California School Accounting Manual*

*Food Distribution Program Administrative Manual*

*Unpaid Meal Charges: Local Meal Charge Policies, Clarification on Collection of Delinquent Meal Payments, and Excess Student Account Balances, Management Bulletin, SNP-03-2017, April 2017*

*Clarification for the Use of Alternate Meals in the National School Lunch and School Breakfast Programs, Bad Debt Policies, and the Handling of Unpaid Meal Charges, Management Bulletin USDA-SNP-06-2015, May 2015*

*Cafeteria Funds--Allowable Uses, Management Bulletin NSD-SNP-07-2013, May 2013*

*Paid Lunch Equity Requirement, Management Bulletin USDA-SNP-16-2012, October 2012*

*Storage and Inventory Management of United States Department of Agriculture (USDA)*

*Donated Foods, Management Bulletin USDA-FDP-02-2010, August 2010*

*Adult and Sibling Meals in the National School Lunch and School Breakfast Programs, Management Bulletin 00-111, July 2000*

**U.S. DEPARTMENT OF AGRICULTURE PUBLICATIONS**

FAQs About School Meals

Unpaid Meal Charges: Guidance and Q&A, SP 23-2017, March 2017

Indirect Costs: Guidance for State Agencies and School Food Authorities SP 60-2016, September 2016

Overcoming the Unpaid Meal Challenge: Proven Strategies from Our Nation's Schools, September 2016

Unpaid Meal Charges: Local Meal Charge Policies, SP 46-2016, July 2016

Compliance with and Enforcement of the Buy American Provision in the National School Lunch Program, SP 24-2016, February 2016

Discretionary Elimination of Reduced Price Charges in the School Meal Programs, SP 17-2014, January 2014

**WEB SITES**

California Department of Education, Nutrition Services Division: <http://www.cde.ca.gov/ls/nu>

California School Nutrition Association: <http://www.calsna.org>

U.S. Department of Agriculture, Food and Nutrition Service: <http://www.fns.usda.gov/cnd>

Policy WILLIAM S. HART UNION HIGH SCHOOL DISTRICT

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