

**FOOD AND NUTRITION OPERATIONS/CAFETERIA FUND**

The Governing Board intends that school food and nutrition shall be a self-supporting, nonprofit 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 and nutrition accounts for the district.

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

At least once each year, food and nutrition supervisors, other appropriate personnel who conduct or oversee administrative procedures, and other food and nutrition personnel shall receive training provided by the California Department of Education (CDE). (42 USC 1776)

**Meal Sales**

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

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 and nutrition 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 and nutrition 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, including delinquent meal payments. Such procedures shall conform with 2 CFR 200.426 and any applicable CDE guidance.

The Superintendent or designee shall ensure that a student whose parent/guardian has unpaid school meal fees is not overtly identified, shamed, treated differently, or served a meal that differs from the meal served to other students. (Education Code 49557.5)

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.

**FOOD AND NUTRITION OPERATIONS/CAFETERIA FUND** (continued)**Cafeteria Fund**

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

The wages, salaries, and benefits of food and nutrition employees shall be paid from the cafeteria special revenue 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 and nutrition program and reasonable and necessary indirect program costs as allowed by law.

**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 and nutrition 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 the state. (Food and Agriculture Code 58595)

Bid solicitations and awards for purchases of equipment, materials, or supplies in support of the district's food and 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 and nutrition program.

**FOOD AND NUTRITION OPERATIONS/CAFETERIA FUND** (continued)

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 and nutrition program with federal requirements related to maintenance of the nonprofit school food and nutrition account, meal charges, paid lunch equity, revenue from nonprogram goods, indirect costs, and USDA foods.

*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; restrictions*

*49490-49493 School breakfast and lunch programs*

*49500-49505 School meals*

*49554 Contract for services*

*49550-49564.5 Meals for needy students*

*49580-49581 Food recovery program*

*FOOD AND AGRICULTURE CODE*

*58595 Preference for California-grown agricultural products*

*HEALTH AND SAFETY CODE*

*113700-114437 California Retail Food Code*

*PUBLIC CONTRACT CODE*

*2000-2002 Responsive bidders*

*20111 Contracts*

*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*

*200.318-200.326 Procurement standards*

*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*

Policy

Adopted: June 28, 2018

**POWAY UNIFIED SCHOOL DISTRICT**

San Diego, California