

**FOOD SERVICE OPERATIONS/CAFETERIA FUND**

The Governing Board intends that, insofar as possible, school food services 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 food 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 food service personnel possess appropriate qualifications and receive ongoing professional development related to the effective management and implementation of the District's food services program.

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)

**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)

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.

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

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.

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.

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 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)

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The Superintendent or designee shall ensure that state and federal funds provided through school meal program 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. Program financial reports shall be presented regularly to the Board.

**Contracts with Outside Services**

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

**Procurement of Foods**

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, paid lunch equity, revenue from nonprogram goods, indirect costs, and USDA foods.

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*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*

*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*

*225 Cost Principles for State, Local, and Indian Tribal Governments*

*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*