

BUSINESS**Child Nutrition Program-Other Food Sales**

The Board of Trustees shall ensure that food sales by school-related groups and the use of vending machines are in compliance with state and federal law and do not impair student participation in the district's child nutrition program. Sanitation and safety procedures shall comply with the requirements of the California Uniform Retail Food Facilities Law as set forth in Health and Safety Code 113700-114455.

The Board must approve the sale of food items by student organizations at schools participating in the National School Lunch and Breakfast Programs. The Board must also approve the sale of food to students during school hours by the PTA and other groups not under the direct control of school authorities. (Education Code 48931 and 51520)

The Board authorizes the Superintendent or designee to approve the sale of food items by:

1. Student organizations in accordance with 5 CCR 15500 and 15501.
2. Nonprofit groups not under the direct control of school authorities pursuant to Education Code 51520.
3. All other school-related groups.

A minimum of 50% of the items sold by any organization on school grounds shall be from the nutritious foods listed in Education Code 38085.

No foods of minimal nutritional value shall be sold in child nutrition areas during breakfast and lunch periods. (7 CFR 210.11, 220.12)

Legal Reference:

EDUCATION CODE

38085 Sale of specified food items

48931 Authorization and sale of food

51520 School premises; prohibited solicitations

CODE OF REGULATIONS, TITLE 5

15500 Food sales in elementary schools

15501 Sales in high schools and junior high schools

HEALTH AND SAFETY CODE

113700-114455 California Uniform Retail Food Facilities Law

UNITED STATES CODE, TITLE 42

1751-1769h National School Lunch Act

1771-1791 Child Nutrition

CODE OF FEDERAL REGULATIONS, TITLE 7

210.1-210.31 National School Lunch Program
220.1-220.21 National School Breakfast Program

Policy Adopted: March 7, 2002