

**FOOD SERVICE OPERATIONS/CAFETERIA FUND**

The Board of Trustees 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 service 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**

Meals may be sold to students, District employees, Board members, and employees or members of the fund or association maintaining the cafeteria.

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.

The Superintendent or designee shall recommend meal prices for students and nonstudents for approval by the Board and 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, including delinquent 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 available to the public.

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.

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

## **Business and Noninstructional Operations**

BP 3551 (b)

### **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.

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.

### **Contracts with Outside Services/Providers**

With Board approval, the District may enter into a contract for food service management services or consulting services in one or more District schools.

### **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.

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 or 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 agriculture product grown outside the state, if 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.

Bid solicitation 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.

### **Program Monitoring and Evaluation**

## Business and Noninstructional Operations

BP 3551 (c)

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.

### *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

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revised: August 13, 2001

revised: August 21, 2019

**CAPISTRANO UNIFIED SCHOOL DISTRICT**

San Juan Capistrano, California