

OTHER FOOD SALES

The Governing Board believes that sales of foods and beverages at school during the school day should be aligned with the district's goals to promote student wellness. Any food sales conducted outside the district's food service program shall meet nutritional standards specified in law, Board policy, and administrative regulations and shall not reduce student participation in the district's food service program.

(cf. 3550 – Food Service/Child Nutrition Program)
(cf. 3551 – Food Service Operations/Cafeteria Fund)
(cf. 3553 – Free and Reduced Price Meals)
(cf. 5030 – Student Wellness)
(cf. 5141.27 – Food Allergies/Special Dietary Needs)

The Board authorizes the Superintendent or designee to approve the sale of foods and beverages outside the district's food service program, including sales by student or school-connected organizations, sales through vending machines, and/or sales at secondary school student stores for fundraising purposes.

Food sales are prohibited on school campuses or during school sponsored activities, unless the organization is legally organized as a nonpartisan, charitable organization, the purpose of the solicitation is nonpartisan and charitable and benefits the students or school, and the solicitation has been approved in accordance with Board policy. (Education Code 51520)

(cf. 1230 – School-Connected Organizations)
(cf. 1321 – Solicitations of Funds from and by Students)

When vending machines are sponsored by the District or a student or adult organization, the Superintendent or designee shall determine how and where vending machines may be placed at school sites, district offices, or other school facilities.

(cf. 3312 – Contracts)

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 113700-114475.

Legal Reference:

EDUCATION CODE

35182.5 *Contracts, non-nutritious beverages*

48931 *Authorization and sale of food*

49430-49434 *Pupil Nutrition, Health, and Achievement Act of 2001*

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*

15575-15578 *Requirements for foods and beverages outside the federal meals program*

OTHER FOOD SALES (continued)

Legal Reference: (Continued)

HEALTH AND SAFETY CODE
113700-114437 California Uniform Retail Food Code
UNITED STATES CODE, TITLE 42
1751-1769j National School Lunch Act, including:
1758b Local wellness policy
1771-1791 Child nutrition, School Breakfast Program
CODE OF FEDERAL REGULATIONS, TITLE 7
210.1-210.31 National School Lunch Program
220.1-220.21 National School Breakfast Program

Management Resources:

CSBA PUBLICATIONS
Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, rev. 2007
Monitoring for Success: Student Wellness Policy Implementation Monitoring Report and Guide, 2007
Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, rev. April 2006
CALIFORNIA DEPARTMENT OF EDUCATION MANAGEMENT BULLETINS
06-110 Restrictions on Food and Beverage Sales Outside of the School Meal Program, August 2006
FISCAL CRISIS AND MANAGEMENT ASSISTANCE TEAM PUBLICATIONS
Associated Student Body Accounting Manual and Desk Reference, 2002
NATIONAL ASSOCIATION OF STATE BOARDS OF EDUCATION PUBLICATIONS
Fit, Healthy and Ready to Learn, 2000
WEB SITES
CSBA: <http://www.csba.org>
California Department of Education, Nutrition Services Division: <http://www.cde.ca.gov/ls/nu>
California Department of Public Health: <http://www.cdph.ca.gov>
California Healthy Kids Resource Center: <http://www.californiahealthykids.org>
California Project LEAN (Leaders Encouraging Activity and Nutrition):
<http://www.californiaprojectlean.org>
Centers for Disease Control and Prevention: <http://www.cdc.gov>
Fiscal Crisis and Management Assistance Team: <http://www.fcmat.org>
National Association of State Boards of Education (NASBE): <http://www.nasbe.org>
U.S. Dept. of Agriculture, Food and Nutrition Information Center: <http://www.nal.usda.gov/fnic>

Policy
adopted: April 18, 1990
revised: March 17, 1997
revised: August 17, 2006
revised: May 9, 2019

MURRIETA VALLEY USD
Murrieta, California