

Morgan Hill USD

Board Policy

Student Nutrition ~~Food Service~~ Operations/Cafeteria Fund

BP 3551

Business and Noninstructional Operations

The Governing Board intends that school student nutrition department ~~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 foods and supplies, the planning of menus, and the auditing of all student nutrition~~food service~~ accounts for the district.

(cf. 3100 - Budget)

(cf. 3300 - Expenditures and Purchases)

(cf. 3311 - Bids)

(cf. 3550 - Food Service/Child Nutrition Program)

(cf. 3552 - Summer Meal Program)

(cf. 5030 - Student Wellness)

The Superintendent or designee shall ensure that ~~all student nutrition food service~~ personnel~~director(s)~~ possess ~~appropriate~~the qualifications ~~and receive ongoing professional development related to the effective management and implementation of the district's food service program required by 7 CFR 210.30 and California Department of Education (CDE) standards.~~

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

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

~~In addition, meals may be sold to other organizations that are on and/or off campus for a legitimate purpose, such as local organizations during meal times, classroom volunteers, parents/guardians, or students' siblings.~~

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, student nutritionfood service 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 student nutritionfood services and consistent with Education Code 38084 and 42 USC 1760.

~~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.~~

(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, student nutritionfood service revenues, or U.S. Department of Agriculture (USDA) foods.~~

Cafeteria Fund

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

~~OPTION 1: The wages, salaries, and benefits of student nutritionfood service employees shall be paid from the cafeteria fund. district's general fund. At any time, the Board may order reimbursement from the district's cafeteria fund for these payments in amounts prescribed by the Board and not exceeding the costs actually incurred. (Education Code 38103)~~

~~OPTION 2: The wages, salaries, and benefits of student nutritionfood service employees shall be paid from the cafeteria 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 student nutritionfood services and reasonable and necessary indirect program costs as allowed by law.

(cf. 3230 - Federal Grant Funds)

(cf. 3400 - Management of District Assets/Accounts)

(cf. 3460 - Financial Reports and Accountability)

Contracts with Outside Services

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

(cf. 3312 - Contracts)

(cf. 3600 - Consultants)

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 student nutrition~~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 student nutrition~~food service~~ account, meal charges, paid lunch equity, revenue from nonprogram goods, indirect costs, and USDA foods.

(cf. 3555 - Nutrition Program Compliance)

Legal Reference:

EDUCATION CODE

38080-38086.1 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

49550-49564.5 Meals for needy students

49550.5 Universal breakfast

49554 Contract for services

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

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

200.56 Indirect costs, definition

200.317-200.326 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

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California School Accounting Manual

Food Distribution Program Administrative Manual

~~Cafeteria Funds--Allowable Uses, Professional Standards in the SNP and New Hiring Flexibility,~~
[NSD Management Bulletin-NSD-, SNP-07-2013, May 201310-2019, April 2019](#)

~~Paid Lunch Equity Requirement, and Calculation Tool, NSD Management Bulletin-USA-,~~
[SNP-16-2012, October 201212-2018, May 2018](#)

~~Storage and Inventory Management of United States Department of Agriculture (USDA)~~
~~Donated Foods, Management Bulletin-USA-FDP-02-2010, August 2010~~

Clarification for the Use of Alternate Meals in the National School Lunch and School Breakfast Programs, and [Additional Guidance on the Handling of Unpaid Meal Charges, NSD](#)

~~Management Bulletin-USA-, SNP-01-200803-2018, February 20082018~~

[Storage and Inventory Management of U.S. Department of Agriculture Foods, NSD](#)
[Management Bulletin, FDP-01-2018, January 2018](#)

[Unpaid Meal Charges: Local Meal Charge Policies, Clarification on Collection of Delinquent](#)
[Meal Payments, and Excess Student Account Balances, NSD Management Bulletin, SNP-03-](#)
[2017, April 2017](#)

[Procuring and Monitoring of Food Service Management Contracts, NSD Management Bulletin,](#)
[SNP-13-2015](#)

~~Cafeteria Funds--Allowable Uses, NSD Management Bulletin, NSD-SNP-07-2013, May 2013~~

Adult and Sibling Meals in the National School Lunch and School Breakfast Programs, [NSD](#)
[Management Bulletin, 00-111, July 2000](#)

U.S. DEPARTMENT OF AGRICULTURE PUBLICATIONS

~~Financial Management of the School Meal Programs, Correspondence, August 30, 2013~~

~~Indirect Costs: Guidance for State Agencies and School Food Authorities, 2011~~

~~U.S. DEPARTMENT OF EDUCATION GUIDANCE~~

FAQs About School Meals

[Compliance with and Enforcement of the Buy American Provision in the National School Lunch](#)
[Program, SP 38-2017, June 2017](#)

[Overcoming the Unpaid Meal Challenge: Proven Strategies from Our Nation's Schools, May](#)
[2017](#)

[Unpaid Meal Charges: Guidance and Q&A, SP 23-2017, March 2017](#)

[Indirect Costs: Guidance for State Agencies and School Food Authorities SP 60-2016,](#)
[September 2016](#)

[Unpaid Meal Charges: Local Meal Charge Policies, SP 46-2016, July 2016](#)

[Discretionary Elimination of Reduced Price Charges in the School Meal Programs, SP 17-2014,](#)
[January 2014](#)

WEB SITES

California Department of Education, Nutrition Services Division: [_http://www.cde.ca.gov/ls/nu](http://www.cde.ca.gov/ls/nu)
California School Nutrition Association: [_http://www.calsna.org](http://www.calsna.org)
U.S. Department of Agriculture, Food and Nutrition Service: [_http://www.fns.usda.gov/cnd](http://www.fns.usda.gov/cnd)
~~U.S. Department of Education: <http://www.ed.gov>~~

~~Policy MORGAN HILL UNIFIED SCHOOL DISTRICT
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