

# LODI UNIFIED SCHOOL DISTRICT

## REVISION

Policy 3551

### Business and Non-Instructional Operations

#### Food Service Operations/Cafeteria Fund

The Board of Education 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 foods and supplies, the planning of menus, and the auditing of all food service accounts for the ~~D~~istrict.

The superintendent or designee shall ensure that all food services administrators and personnel possess appropriate qualifications required by 7 CFR 210.30 and California Department of Education (CDE) standards.

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, ~~D~~istrict 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.

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.

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 establish strategies and procedures for the collection of meal payments, including delinquent meal payments. Such procedures shall conform with BP/AR 3553—Free and Reduced Price Meals, 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 and the accompanying administrative regulation available to the public pursuant to Education Code 49557.5.~~

~~The Superintendent or designee shall ensure that a student whose parent/guardian has unpaid school meal fees or a student who is enrolled in the free or reduced price meal program is not overtly identified by the use of special tokens, tickets, or other means and is not shamed, treated differently, or served a meal that differs from the meal served to other students.~~

### **Cafeteria Fund**

The Superintendent or designee shall establish a cafeteria fund independent of the ~~D~~istrict'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 Providers**

With Board approval, the ~~D~~istrict may enter into a contract for food service consulting services or management services in one or more ~~D~~istrict schools. ~~Education Code 43103.5; 42 USC 1758; 7 CFR 210.16.~~

### **Procurement of Foods, Equipment and Supplies**

To the maximum extent practicable, foods purchased for use in school meals by the ~~D~~istrict 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 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 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 agricultural product grown outside the state, if the 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 solicitations 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.

### **Management**

Cafeterias shall be the immediate responsibility of the respective building principals and under the general supervision of the Director of Nutrition Services who will coordinate the purchasing of food and supplies, plan menus, etc.

Each cafeteria shall have an immediate manager responsible to the principal for the conduct and operation of the cafeteria and, subject to the operational aspects of the cafeteria, to the Director of Nutrition Services and to the Chief Business Officer.

All financial aspects of the cafeteria operation shall be the responsibility of the Chief Business Officer in compliance with current law and board policies.

### **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 non-program goods, indirect costs, and USDA foods.

Legal References: EDUCATION CODE  
38080-38086.1 Cafeteria, establishment and use  
38090-38095 Cafeterias, funds and accounts  
38100-38103 Cafeterias, allocation of charges  
42646 Alternate payroll procedures  
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, especially:  
49550.5 Universal breakfast  
49554 Contract for services  
49580-49581 Food recovery program  
FOOD AND AGRICULTURE CODE  
58595 Preference for California-grown agricultural products  
PUBLIC CONTRACT CODE  
2000-2002 Responsive bidders  
20111 Contracts  
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  
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

Professional Standards in the SNP and New Hiring Flexibility, NSD Management Bulletin, SNP-10-2019, April 2019

Paid Lunch Equity Requirement and Calculation Tool, NSD Management Bulletin, SNP-12-2018, May 2018

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, SNP-03-2018, February 2018

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

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>

California School Nutrition Association: <http://www.calsna.org>

U.S. Department of Agriculture, Food and Nutrition Service:

<http://www.fns.usda.gov/cnd>

Policy

adopted: 03/13/69

revised: 09/09/72

revised: 11/18/86

revised: 09/02/97

revised: 04/07/98 (renumbered from 3542.31)

revised: 05/21/02 (renumbered from 3551)

revised: 11/19/02 (technical revision)

revised: 09/21/04

revised: 09/02/08

revised: 02/07/12

revised: 05/19/15

revised: 07/14/15 (technical revision)

revised: 12/17/19