

Business and Noninstructional Operations

OTHER FOOD SALES

Food sales outside the District's food service program shall comply with the standards specified in Education Code 38085. For elementary schools the food service program shall comply with the standards described in Education Code 49431. (Education Code 38085, 49431)

Beverage sales shall be subject to the nutritional standards specified in Education Code 49431.5. (Education Code 49431.5)

(cf. 1230 - Community/Booster Organizations)
(cf. 1321 - Fundraising/Solicitations)
(cf. 3550 - Food Service/Child Nutrition Program)
(cf. 5030 - Student Wellness)

The sale of foods or beverages that do not comply with the standards specified in Education 49431 and 49431.5 may be permitted at an elementary school, as part of a fundraising event, only when the items are sold by students of the school and the sale meets one of the following conditions: (Education Code 49431, 49431.5)

1. It takes place off and away from school premises.
2. It takes place at least one-half hour after the end of the school day.

The sale of foods during meal periods in food service areas shall be allowed only if all income from the sale accrues to the benefit of the school, the school food service program, or the student organization(s) sponsoring the sale.
(7 CFR 210.11, 220.12)

No foods of minimal nutritional value, as listed in 7 CFR 210, Appendix B, and 7 CFR 220, Appendix B, shall be sold in food service areas during breakfast and lunch periods.
(7 CFR 210.11, 220.12)

The Superintendent or designee shall not permit the sale of foods by student organizations in a school with any of Grades K-6 that is participating in the National School Breakfast or Lunch Program, except when all of the following conditions are met:
(5 CCR 15500)

1. The student organization may sell one food item per sale.
2. The specific nutritious food item is approved by the Superintendent or designee.

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OTHER FOOD SALES (continued)

3. The sale does not begin until after the close of the regularly scheduled midday food service period.
4. The sale during the regular school day is not of food items prepared on the premises.
5. There are no more than four such sales per year per school.
6. The food sold is a dessert-type food, such as pastry, ice cream, or fruit.
7. The food sold is not one sold in the District's food service program at that school during that school day.

(cf. 3553 – Free and Reduced Price Meals)