

## Business and Noninstructional Operations

### **OTHER FOOD SALES**

The Governing Board believes that foods and beverages sold to students on school campuses during the school day should promote student health and reduce childhood obesity. 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. 5030 – Student Wellness)*

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 adult organizations, sales through vending machines, and/or sales at school student stores for fundraising purposes.

*(cf. 3550 – Food Service/Child Nutrition Program)*

*(cf. 3551 – Food Service Operations/Cafeteria Fund)*

*(cf. 3553 – Free and Reduced Price Meals)*

Food sales are prohibited during school hours, and within one hour before and after school hours, unless the organization is legally organized as a nonpartisan, charitable organization, the purpose of the solicitation is nonpartisan and charitable, and the solicitation has been approved in accordance with Board policy.

(Education Code §51520)

*(cf. 1230 Community/Booster Organizations)*

*(cf. 1321 Fundraising/Solicitations)*

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)*

#### Legal Reference:

##### EDUCATION CODE

38085 Sale of specified food items

48931 Authorization and sale of food

49430-49436 Pupil Nutrition, Health, and Achievement Act of 2001

51520 School premises; prohibited solicitations

##### CALIFORNIA CODE OF REGULATIONS, TITLE 5

15500 Food sales in elementary schools

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**OTHER FOOD SALES** (continued)

HEALTH AND SAFETY CODE

113700-114455 California Uniform Retail Food Facilities Law, including:

114200-114245 Vending machines

UNITED STATES CODE, TITLE 42

1751-1769 National School Lunch Act, including:

1751 Note Local wellness policy

1771-1791 Child nutrition

27500, et seq., California Uniform Retail Food Facilities Law

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 POLICY BRIEFS

The New Nutrition Standards: Implications for Student Wellness Policies, November 2005

CSBA PUBLICATIONS

Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, rev. 2005

CENTERS FOR DISEASE CONTROL PUBLICATIONS

School Health Index for Physical Activity and Healthy Eating: A Self-Assessment and Planning Guide for Elementary and Middle/High Schools, 2004

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

U.S. DEPARTMENT OF AGRICULTURE PUBLICATIONS

Team Nutrition, Food and Nutrition Services, Changing the Scene, Improving the School Nutrition Environment: A Guide to Local Action, 2000

WEB SITES

CSBA: <http://www.csba.org>

California Association of School Business Officials: <http://www.casbo.org>

California Department of Education, Nutrition Services Division: <http://www.cde.ca.gov/ls/nu>

California Healthy Kids Resource Center: <http://californiahealthykids.org>

California Project LEAN (Leaders Encouraging Activity and Nutrition):

<http://www.californiaprojectlean.org>

Dairy Council of California: <http://www.dairycouncilofca.org>

Fiscal Crisis and Management Assistance Team: <http://www.fcmat.org>

National Association of State Boards of Education (NASBE): <http://www.nasbe.org>

National School Boards Association: <http://www.nsba.org>

U.S. Dept of Agriculture, Food and Nutrition Information Center (FNIC):

<http://www.nal.usda.gov/fnic>

Policy

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Revised: 06/18/02

Revised: 08/15/06

CHULA VISTA ELEMENTARY SCHOOL DISTRICT  
Chula Vista, California