

**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 regulation 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.

- (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)

Legal Reference:

EDUCATION CODE

- 35182.5 Contracts, non-nutritious beverages
- 48931 Authorization and sale of food
- 49430-49436 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

HEALTH AND SAFETY CODE

- 113700-114437 California Retail Food Code

UNITED STATES CODE, TITLE 42

- 1751-1769j National School Lunch Act, including:
- 1758b Note 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**

Nutrition Standards for Schools: Implications for Student Wellness, Policy Brief, rev.  
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.cde.gov>

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

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

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

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

Board Adopted: 11/18/200 6/27/17