

FOOD SERVICE OPERATIONS/CAFETERIA FUND

Payments for Meals

The Superintendent or designee shall maintain a system for accurately recording payments received and tracking meals provided to each student.

At the beginning of the school year the Superintendent or designee shall communicate the district's meal payment policies through multiple methods, including, but not limited to:

1. Explaining the meal charge policy within registration materials provided to parents/guardians at the start of the school year
2. Including the policy in print versions of student handbooks, if provided to parents/guardians annually
3. Providing the policy whenever parents/guardians are notified regarding the application process for free and reduced-price meals, such as in the distribution of applications at the start of the school year
4. Posting the policy on the district's web site

Reimbursement Claims

The Superintendent or designee shall maintain records of the number of meals served each day by school site and by category of free, reduced-price meals. The Superintendent or designee shall submit reimbursement claims for school meals to the CDE using the online Child Nutrition Information and Payment System.

Donation of Leftover Food

To minimize waste and reduce food insecurity, the district may provide sharing tables where students and staff may return appropriate unused cafeteria food items to be made available to students during the course of a regular school meal time. If food on the sharing tables is not taken by a student, the school cafeteria may donate the food to a food bank or any other nonprofit charitable organization. (Health and Safety Code 114079)

Food that may be donated includes prepackaged, nonpotentially hazardous food with the packaging still intact and in good condition, whole uncut produce, unopened bags of sliced fruit, unopened containers of milk that are immediately stored in a cooling bin maintained at 41 degrees Fahrenheit or below, and perishable prepackaged food if it is placed in a

proper temperature-controlled environment. The preparation, safety, and donation of food shall be consistent with Health and Safety Code 113980. (Health and Safety Code 114079)

Cafeteria Fund and Account

All proceeds from food sales and other services offered by the cafeteria shall be deposited in the cafeteria fund as provided by law. (Education Code 38090, 38091)

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The cafeteria fund shall be used only for those expenditures authorized by the Board as necessary for the operation of school cafeterias in accordance with Education Code 38100-38103, 2 CFR Part 200 Appendix VII, and the California School Accounting Manual.

The district may use cafeteria funds to supplement the provision of a nutritionally adequate breakfast and/or lunch to district students when permitted by law.

Any charges to, or transfers from, a food service program shall be dated and accompanied by a written explanation of the purpose of and basis for the expenditure. (Education Code 38101)

Indirect costs charged to the food service program shall be based on either the district's prior year indirect cost rate or the statewide average approved indirect cost rate for the second prior fiscal year, whichever is less. (Education Code 38101)

Net cash resources in the nonprofit school food service shall not exceed three months' average expenditures. (2 CFR 220.14)

U.S. Department of Agriculture Foods

The district shall provide facilities for the storage and control of foods received through the U.S. Department of Agriculture (USDA) that protect against theft, spoilage, damage, or other loss. Such storage facilities shall maintain donated foods in sanitary conditions, at the proper temperature and humidity, and with adequate air circulation. The district shall comply with all federal, state, or local requirements related to food safety and health and procedures for responding to a food recall, as applicable, and shall obtain all required health inspections. (7 CFR 250.14)

The Superintendent or designee shall maintain inventories of USDA foods in accordance with 7 CFR 250.59 and CDE procedures, and shall ensure that foods are used before their expiration dates.

USDA donated foods shall be used in school lunches as far as practicable. USDA foods also may be used in other nonprofit food service activities, including, but not limited to, school breakfasts or other meals, a la carte foods sold to students, meals served to adults directly involved in the operation and administration of the food service and to other school staff, and training in nutrition, health, food service, or general home economics instruction for students, provided that any revenues from such activities accrue to the district's nonprofit food service account. (7 CFR 250.59)

Contracts with Outside Services

The term of any contract for food service management or consulting services shall not exceed one year. Any renewal of the contract or further requests for proposals to provide such services shall be considered on a year-to-year basis. (Education Code 45103.5; 7

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CFR 210.16)

Any contract for management of the food service operation shall be approved by CDE and comply with the conditions in Education Code 49554 and 7 CFR 210.16 as applicable. The district shall retain control of the quality, extent, and general nature of its food services. (Education Code 49554; 42 USC 1758; 7 CFR 210.16)

Any contract for consulting services shall not result in the supervision of food service classified staff by the management consultant, nor shall it result in the elimination of any food service classified staff or position or have any adverse effect on the wages, benefits, or other terms and conditions of employment of classified food service staff or positions. All persons providing consulting services shall be subject to applicable employment conditions related to health and safety as listed in Education Code 45103.5. (Education Code 45103.5)

State

5 CCR 15550-15565: School lunch and breakfast programs
Ed. Code 38080-38086: School meals
Ed. Code 38090-38095: Cafeterias, funds and accounts
Ed. Code 38100-38103: Cafeterias, allocation of charges
Ed. Code 42646: Alternate payroll procedure
Ed. Code 45103.5: Contracts for management consulting services; restrictions
Ed. Code 49490-49493: School breakfast and lunch programs
Ed. Code 49500-49505: School meals
Ed. Code 49554: Contract services
Ed. Code 49550-49562: Meals for needy students
Ed. Code 49550.5: Universal breakfast
Ed. Code 49580-49581: Food recovery program
F&A Code: 58595 Preference for California-grown agricultural products
H&S Code 113700-114437: California Retail Food Code; sanitation and safety requirements
Pub. Cont. Code 2000-2002: Responsive bidders
Pub. Cont. Code 20111 Contracts over \$50,000; contracts for construction; award to lowest responsible bidder

Federal

2 CFR 200 Appendix VII Indirect cost proposals
2 CFR 200.318-200.326 Procurement standards
2 CFR 200.318-200.326 Cost principles
2 CFR 200.400-200.475 Indirect costs, definition
42 USC 1751-1769j School Lunch Program
42 USC 1771-1793 Child nutrition
7 CFR 210.1-210.31 National School Lunch Program
7 CFR 210.1-210.33 National School Lunch Program
7 CFR 220.1-220.21 National School Breakfast Program
7 CFR 220.1-220.22 National School Breakfast Program
7 CFR 245.8 Nondiscrimination practices for students eligible for free and reduced price meal and free milk
7 CFR 250.1-250.70 USDA foods

Management Resources

CA Department of Education Publication: California School Accounting Manual
California Department of Education Publication: Pricing of Adult Meals in the National School Lunch and School Breakfast Programs, NSD Management Bulletin, SNP-04-2021, August 2021
California Department of Education Publication: Procuring and Monitoring of Food Service Management

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Contracts, NSD Management Bulletin, SNP-13-2015, January 2015

California Department of Education Publication: Cafeteria Funds--Allowable Uses, Management Bulletin NSD-SNP-05-2020, February 2020

California Department of Education Publication: Food Distribution Program Administrative Manual

California Department of Education Publication: Storage and Inventory Management of U.S. Department of Agriculture Foods, NSD Management Bulletin, FDP-01-2018, January 2018

U.S. Department of Agriculture Publication: Indirect Costs: Guidance for State Agencies and School Food Authorities SP 60-2016, September 2016

U.S. Department of Agriculture Publication: Compliance with and Enforcement of the Buy American Provision in the National School Lunch Program, SP 38-2017, June 2017

U.S. Department of Agriculture Publication: Discretionary Elimination of Reduced Price Charges in the School Meal Programs, SP 17-2014, January 2014

U.S. Department of Agriculture Publication: Unpaid Meal Charges: Local Meal Charge Policies, SP 46-2016, July 2016

U.S. Department of Agriculture Publication: School Meals – FAQs

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

Website: California Department of Education, Nutrition Services Division

Website: California School Nutrition Association

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ORCUTT UNION SCHOOL DISTRICT
Orcutt, California