

# NOVATO UNIFIED SCHOOL DISTRICT

## BOARD POLICY

Series 3000

BP 3554

### **Business and Non-instructional Operations Food and Nutritional Services Department**

#### **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 secondary 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 - 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*

*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*

#### *CODE OF REGULATIONS, TITLE 5*

*15500 Food sales in elementary schools*

*15501 Sales in high schools and junior high schools*

# NOVATO UNIFIED SCHOOL DISTRICT BOARD POLICY

Series 3000

BP 3554

*HEALTH AND SAFETY CODE*

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

*114200-114245 Vending machines*

*UNITED STATES CODE, TITLE 42*

*1751-1769h National School Lunch Act, including:*

*1751 Note Local wellness policy*

*1771-1791 Child nutrition*

*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*