

Business and Non-instructional Operations

Other Foods: For Sale or Free

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.

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. Foods of minimal nutritional value are strongly discouraged.

Food sales are prohibited during school hours, and within one hour before and after school hours, unless the organization is a High School Culinary Arts program aligned with CDE nutritional guidelines, or as a 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](#))

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. All beverage sales should meet the requirements of the school lunch program (AR 3550)

Foods handed out by parents, students, and school personnel should meet the following guidelines:

1. No candy, candy bars, donuts, lollipops, hard candy, multicolored treats or soda pop should be given to students by staff or visiting parents.
2. A letter will sent to staff and parents at the beginning of the year to explain and suggest healthy alternatives for school treats.

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

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 et seq. Note local wellness policy
- 1771- 1791 Child Nutrition

Code of Federal Regulations, Title 7: 210,220 National School Lunch Program and School Breakfast Program

- [210.1-210.31](#) National School Lunch Program
- [220.1-220.21](#) National School Breakfast Program