

# OAK PARK UNIFIED SCHOOL DISTRICT BOARD POLICY

Series 3000

Business and Non-Instructional Operations

BP 3554(a)

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## Other Food Sales

The Governing Board believes that foods and beverages sold 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 regulations 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

#### *HEALTH AND SAFETY CODE*

113700-114455 California Uniform Retail Food Facilities Law  
*UNITED STATES CODE, TITLE 42*  
1751-1769h National School Lunch Act  
1751 Note Local wellness policy  
1771-1791 Child Nutrition

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*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. October 2007

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

*CDC 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

*NASBE PUBLICATIONS*

Fit, Healthy and Ready to Learn, 2000

*WEB SITES*

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

CDE, Nutrition Services Division: <http://www.cde.ca.gov/ls/nu>

California Department of Public Health: <http://www.cdph.ca.gov>

California Project LEAN (Leaders Encouraging Activity and Nutrition): <http://www.californiaprojectlean.org>

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

Centers for Disease Control and Prevention: <http://www.cdc.gov>

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

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

US Dept. of Agriculture, Food and Nutrition Information Center (FNIC): <http://www.nal.usda.gov/fnic>

Adopted: 3-18-86

Amended: 7-11-89, 9-17-02, 2-17-04, 2-21-06, 5-20-08