

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.

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.

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.

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	Description
5 CCR 15500	Food sales in elementary schools
5 CCR 15501	Food sales in high schools and junior high schools
5 CCR 15575-15578	Requirements for foods and beverages outside the federal meals program
Ed. Code 35182.5	Contracts for advertising
Ed. Code 48931	Authorization for sale of food by student organization
Ed. Code 49430-49434	Pupil Nutrition, Health, and Achievement Act of 2001
Ed. Code 51520	Prohibited solicitations on school premises
H&S Code 113700-114437	California Retail Food Code; sanitation and safety requirements
Federal	Description
42 USC 1751-1769j	School Lunch Program
42 USC 1758b	Local wellness policy
42 USC 1771-1791	Child nutrition
7 CFR 210.1-210.33	National School Lunch Program
7 CFR 220.1-220.21	National School Breakfast Program
Management Resources	Description
CA DOE Management Bulletin	06-110 Restrictions on Food and Beverage Sales Outside of the School Meal Program, August 2006
CSBA Publication	Monitoring for Success: Student Wellness Policy Implementation Monitoring Report and Guide, 2008
CSBA Publication	Nutrition Standards for Schools: Implications for Student Wellness, Policy Brief, October 2007
CSBA Publication	Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, April 2006

OTHER FOOD SALES

Fiscal Crisis & Management Assistance Team Pub.	Associated Student Body Accounting Manual and Desk Reference, 2002
Natl. Assoc. of State Boards Of Ed. Pub.	Fit, Healthy and Ready to Learn, 2000
Website	CSBA District and County Office of Education Legal Services
Website	U.S. Dept. of Agriculture, Food and Nutrition Information Center
Website	California Project LEAN (Leaders Encouraging Activity and Nutrition)
Website	Centers for Disease Control and Prevention
Website	National Association of State Boards of Education
Website	California Department of Education, School Nutrition
Website	California Department of Public Health
Website	California Healthy Kids Resource Center
Website	CSBA
Website	Fiscal Crisis and Management Assistance Team

Code	Description
1230	School-Connected Organizations
1230	School-Connected Organizations
1321	Solicitation Of Funds From And By Students
1321	Solicitation Of Funds From And By Students
3260	Fees And Charges
3260	Fees And Charges
3312	Contracts
3452	Student Activity Funds
3550	Food Service/Child Nutrition Program
3550	Food Service/Child Nutrition Program
3551	Food Service Operations/Cafeteria Fund
3551	Food Service Operations/Cafeteria Fund
3553	Free And Reduced Price Meals
3553	Free And Reduced Price Meals
5030	Student Wellness
5141.27	Food Allergies/Special Dietary Needs
5141.27	Food Allergies/Special Dietary Needs
5148.2	Before/After School Programs
5148.2	Before/After School Programs
6142.8	Comprehensive Health Education
6142.8	Comprehensive Health Education
6145	Extracurricular And Cocurricular Activities
6145	Extracurricular And Cocurricular Activities

Policy
adopted: April 14, 1997
revised: August 7, 2001
revised: January 27, 2004
revised: April 25, 2006
revised: January 13, 2009
revised: December 10, 2025

VISALIA UNIFIED SCHOOL DISTRICT
Visalia, California

OTHER FOOD SALES

Requirements for Schools Not Participating in Federal Meal Program

Food and beverage sales outside the district's food service program shall comply with applicable state and federal nutritional standards specified in Education Code 49430-49434 and 7 CFR 210.11 (1-6)

The sale of foods or beverages that do not comply with the standards in Education Code 49430-49434 may be permitted in either of the following circumstances: 49430-49434

1. The sale takes place off and away from school premises.
2. The sale takes place on school premises at least one-half hour after the end of the school day.

Requirements for Schools Participating in Federal Meal Program

For any district school participating in the National School Lunch and/or Breakfast Program, food and beverage sales conducted outside the district's food service program on school campuses during the school day shall comply with applicable nutritional standards specified in 7 CFR 210.11 and 220.12 or with state nutrition standards in Education Code 49430-49434 , whichever rule is stricter.

These standards shall apply to all competitive foods and beverages sold from midnight before the school day to one-half hour after the end of the school day.

In a school with any of grades K-8 that is participating in the National School Lunch and/or Breakfast Program, the Superintendent or designee shall not permit the sale of foods by a student organization except when all of the following conditions are met:

1. The student organization sells only one food item per sale.
2. The specific nutritious food item is approved by the Superintendent or designee in accordance with Board policy.
3. The sale does not begin until after the close of the regularly scheduled midday food service period.
4. The sale during the regular school day is not of food items prepared on the premises.
5. There are no more than four such sales per year per school.
6. The food sold is not one sold in the district's food service program at that school during that school day.

OTHER FOOD SALES (continued)

In any middle or high school, a student organization may be approved to sell food items during or after the school day if all of the following conditions are met:

1. Only one student organization conducts a food sale on a given school day and the organization sells no more than three types of food or beverage items, except that up to four days during the school year may be designated on which any number of organizations may conduct the sale of any food items.
2. The specific nutritious food items are approved by the Superintendent or designee in accordance with Board policy.
3. Food items sold during the regular school day are not prepared on the premises.
4. The food items sold are not those sold in the district's food service program at that school during that school day.

The Superintendent or designee shall maintain records and shall require organizations selling foods and beverages to maintain records, to document compliance with federal nutrition standards for all competitive foods and beverages sold through and outside the district's food services program. At a minimum, these records shall include receipts, nutrition labels, and/or product specifications.

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	Description
5 CCR 15500	Food sales in elementary schools
5 CCR 15501	Food sales in high schools and junior high schools
5 CCR 15575-15578	Requirements for foods and beverages outside the federal meals program
Ed. Code 35182.5	Contracts for advertising
Ed. Code 48931	Authorization for sale of food by student organization
Ed. Code 49430-49434	Pupil Nutrition, Health, and Achievement Act of 2001
Ed. Code 51520	Prohibited solicitations on school premises
H&S Code 113700-114437	California Retail Food Code; sanitation and safety requirements
Federal	Description
42 USC 1751-1769j	School Lunch Program
42 USC 1758b	Local wellness policy
42 USC 1771-1791	Child nutrition
7 CFR 210.1-210.33	National School Lunch Program
7 CFR 220.1-220.21	National School Breakfast Program
Management Resources	Description

OTHER FOOD SALES (continued)

CA DOE Management Bulletin	06-110 Restrictions on Food and Beverage Sales Outside of the School Meal Program, August 2006
CSBA Publication	Monitoring for Success: Student Wellness Policy Implementation Monitoring Report and Guide, 2008
CSBA Publication	Nutrition Standards for Schools: Implications for Student Wellness, Policy Brief, October 2007
CSBA Publication	Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, April 2006
Fiscal Crisis & Management Assistance Team Pub.	Associated Student Body Accounting Manual and Desk Reference, 2002
Natl. Assoc. of State Boards Of Ed. Pub.	Fit, Healthy and Ready to Learn, 2000
Website	CSBA District and County Office of Education Legal Services
Website	U.S. Dept. of Agriculture, Food and Nutrition Information Center
Website	California Project LEAN (Leaders Encouraging Activity and Nutrition)
Website	Centers for Disease Control and Prevention
Website	National Association of State Boards of Education
Website	California Department of Education, School Nutrition
Website	California Department of Public Health
Website	California Healthy Kids Resource Center
Website	CSBA
Website	Fiscal Crisis and Management Assistance Team
Code	Description
1230	School-Connected Organizations
1230	School-Connected Organizations
1321	Solicitation Of Funds From And By Students
1321	Solicitation Of Funds From And By Students
3260	Fees And Charges
3260	Fees And Charges
3312	Contracts
3452	Student Activity Funds
3550	Food Service/Child Nutrition Program
3550	Food Service/Child Nutrition Program
3551	Food Service Operations/Cafeteria Fund
3551	Food Service Operations/Cafeteria Fund
3553	Free And Reduced Price Meals
3553	Free And Reduced Price Meals
5030	Student Wellness
5141.27	Food Allergies/Special Dietary Needs
5141.27	Food Allergies/Special Dietary Needs

OTHER FOOD SALES (continued)

5148.2	Before/After School Programs
5148.2	Before/After School Programs
6142.8	Comprehensive Health Education
6142.8	Comprehensive Health Education
6145	Extracurricular And Cocurricular Activities
6145	Extracurricular And Cocurricular Activities

Regulation
approved: April 14, 1997
revised: August 7, 2001
revised: January 27, 2004
revised: April 25, 2006
revised: January 13, 2009
revised: April 22, 2014
revised: January 27, 2015
revised: December 11, 2025

VISALIA UNIFIED SCHOOL DISTRICT
Visalia, California