

FOOD SERVICE MANAGEMENT

The superintendent is authorized to develop and implement an efficient and effective food services system for the students and employees of the school division. From time to time the superintendent shall report to the school board on the financial status of the division's food service operations.

Adopted: April 8, 2019

Legal Refs.: 42 U.S.C. § 1751 et seq.

Code of Virginia, 1950, as amended, §§ 22.1-70, 22.1-78, 22.1-89.1, 22.1-115.

Cross Refs.:	DI	Financial Accounting and Reporting
	EFB	Free and Reduced Price Food Services
	JHCF	Student Wellness
	JHCH	School Meals and Snacks

BUSINESS AND NONINSTRUCTIONAL OPERATIONS

School Lunch -- Sale of Food Items

A. State Board Regulation

The sale of food items in school during the lunch period shall be limited to those items recognized as being components of the school lunch program's Type A lunch and breakfast; and the income from the sale of those items shall accrue to the school lunch account.

The following provisions shall apply in implementing this regulation:

1. "Food items" covers both food and drink.
2. "Lunch period" is the time from the beginning of the first lunch period through the end of the last lunch period.
3. This regulation does not prohibit the sale of a la carte items. It does limit the a la carte items to those which can be served as part of the Type A lunch and breakfast such as sandwiches, soup, salads, fruit, fruit juice, desserts, chocolate milk. A review of the past Type A menus will provide guidance for a la carte items.
4. All income from sale of food items during the lunch period in the lunchroom or other locations in the building shall accrue to the school lunch account.
5. It is strongly recommended that food items sold in high schools at times other than the lunch period be of recognized nutritional value.
6. Lunch receipts should be invested in interest-bearing accounts. Interest accrued to this account shall be included in the cafeteria check to the central office each month.

B. School Division Regulation

These items cannot be sold to students on school premises (all areas of the school) from the beginning of the school day until after the close of the last class period:

1. Chewing Gum
2. Certain Candies (a)
Hard Candy

(continued)

BUSINESS AND NONINSTRUCTIONAL OPERATIONS

School Lunch -- Sale of Food Items (continued)}

B. School Division Regulation (continued)

2. Certain Candies (continued)

- (b) Jellies and Gum Candies
- (c) Marshmallow Candies
- (d) Fondant
- (e) Licorice
- (f) Spun Candy
- (g) Candy Coated Popcorn

3. Water ices

The prohibition applies only to students. This regulation does not prohibit the sale of these items to employees when in areas only for employees.

Regulatory Authority: (1985) see Editor's Note.

Virginia State Board of Education Regulation, "School Lunch, Sale of Food Items." (1980)

U.S. Department of Agriculture Rules and Regulations, "National School Lunch Program and School Breakfast Program - Competitive Foods." (May 17, 1985 effective June 17, 1985)

Editor's Note

This final rule amends the regulations for the National School Lunch Program and the School Breakfast Program to implement the decision by the U.S. Court of Appeals For the District of Columbia in the case of National Soft Drink Association v. Block et al., respecting the sale of Foods of minimal nutritional value in schools participating in these programs. The court Found that the Department had exceeded its rulemaking authority when it promulgated the "time and place" regulations restricting the sale of foods of minimal nutritional value throughout the school From the beginning of the school day until after the end of the last Food service period. Therefore, in this final rule the Department amends the regulations to control the sale of competitive Foods and Foods of minimal nutritional value only during breakfast and lunch periods in Food service areas. In other words, restrictions on Foods sold on premises outside the Food service area may now be imposed at State or local discretion, but are no longer imposed by the Department.

Approved by Superintendent: June 9, 1986

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