

BUDGET

The Board of Directors recognizes its critical responsibility for adopting a sound budget for each fiscal year which is aligned with the Santa Clarita Valley School Food Services Agency's (SCVSFSA) vision, goals, and priorities. The SCVSFSA budget shall guide administrative decisions and actions throughout the year and shall serve as a tool for monitoring the fiscal health of the SCVSFSA.

(cf. 0000 - Vision)

(cf. 3000 - Concepts and Roles)

(cf. 3300 - Expenditures and Purchases)

(cf. 3460 - Financial Reports and Accountability)

(cf. 9000 - Role of the Board)

The SCVSFSA budget shall show a complete plan and itemized statement of all proposed expenditures and all estimated revenues for the following fiscal year, together with a comparison of revenues and expenditures for the current fiscal year. The budget shall also include the appropriations limit and the total annual appropriations subject to limitation as determined pursuant to Government Code 7900-7914. (Education Code 42122)

Budget Development and Adoption Process

The Chief Executive Officer (CEO) or designee shall establish an annual budget development process and calendar in accordance with the single budget adoption process described in Education Code 42127(i).

In order to provide guidance in the development of the budget, the Board shall annually establish budget priorities based on identified SCVSFSA needs and goals and on realistic projections of available funds.

The CEO or designee shall oversee the preparation of a proposed SCVSFSA budget for approval by the Board and shall involve appropriate staff in the development of budget projections.

The Board encourages public input in the budget development process and shall hold public hearings and meetings in accordance with Education Code 42103 and 42127.

(cf. 9320 - Meetings and Notices)

(cf. 9322 - Agenda/Meeting Materials)

(cf. 9323 - Meeting Conduct)

The budget that is formally adopted by the Board shall be in the format prescribed by the Superintendent of Public Instruction. The CEO or designee may supplement this format with additional information as necessary to effectively communicate the budget to the Board, staff, and public.

BUDGET (continued)

Budget Advisory Committee

The Board may establish a budget subcommittee composed exclusively of Board members.

The committee shall develop recommendations during the budget development process and its duties shall be assigned each year based on SCVSFSA needs. All recommendations of the committee shall be advisory only and shall not be binding on the Board or the CEO or designee.

(cf. 1220 - Citizen Advisory Committees)

(cf. 2230 - Representative and Deliberative Groups)

(cf. 3350 - Travel Expenses)

(cf. 9130 - Board Committees)

(cf. 9140 - Board Representatives)

Budget Criteria and Standards

In developing the SCVSFSA budget, the CEO or designee shall analyze criteria and standards adopted by the State Board of Education which address estimation of funded projected enrollment, projected revenue limit, salaries and benefits, other revenues and expenditures, facilities maintenance, deficit spending, fund balance, and reserves. The budget review shall also identify supplemental information regarding contingent liabilities, use of one-time revenues for ongoing expenditures, use of ongoing revenues for one-time expenditures, contingent revenues, contributions, long-term commitments, unfunded liabilities, and the status of labor agreements. (Education Code 33127, 33128, 33129; 5 CCR 15440-15451)

The Board shall establish and maintain a general fund reserve for economic uncertainty that meets or exceeds the requirements of law. (Education Code 33128.3; 5 CCR 15450)

The Board may establish other budget assumptions or parameters which may take into consideration the stability of funding sources, legal requirements and constraints on the use of funds, anticipated increases and/or decreases in the cost of services and supplies, categorical program requirements, and any other factors necessary to ensure that the budget is a realistic plan for SCVSFSA revenues and expenditures.

(cf. 2210 - Administrative Discretion Regarding Board Policy)

(cf. 3110 - Transfer of Funds)

Fund Balance

The SCVSFSA shall classify fund balances in compliance with Governmental Accounting Standards Board (GASB) Statement 54, as follows:

BUDGET (continued)

1. *Nonspendable fund balance* includes amounts that are not expected to be converted to cash, such as resources that are not in a spendable form (e.g., inventories and prepaids) or that are legally or contractually required to be maintained intact.
2. *Restricted fund balance* includes amounts constrained to specific purposes by their providers or by law.
3. *Committed fund balance* includes amounts constrained to specific purposes by the Board.

For this purpose, all commitments of funds shall be approved by a majority vote of the Board. The constraints shall be imposed no later than the end of the reporting period of June 30, although the actual amounts may be determined subsequent to that date but prior to the issuance of the financial statements.

4. *Assigned fund balance* includes amounts which the Board or its designee intends to use for a specific purpose.

The Board delegates authority to assign funds to the assigned fund balance to the CEO or designee and authorizes the assignment of such funds to be made any time prior to the issuance of the financial statements.

5. *Unassigned fund balance* includes amounts that are available for any purpose.

When multiple types of funds are available for an expenditure, the SCVSFSA shall first utilize funds from the restricted fund balance as appropriate, then from the committed fund balance, then from the assigned fund balance, and lastly from the unassigned fund balance.

To protect the SCVSFSA against unforeseen circumstances such as revenue shortfalls and unanticipated expenditures, the Board intends to maintain a minimum unassigned fund balance which includes a reserve for economic uncertainties equal to at least three months of general fund operating expenditures, or 17 percent of general fund expenditures, whichever is greater.

If the unassigned fund balance falls below this level due to an emergency situation, unexpected expenditures, or revenue shortfalls, the Board shall develop a plan to recover the fund balance which may include dedicating new unrestricted revenues, reducing expenditures, and/or increasing revenues or pursuing other funding sources.

BUDGET (continued)**Long-Term Financial Obligations**

SCVSFSA's current-year budget and multi-year projections shall include adequate provisions for addressing SCVSFSA's long-term financial obligations, including, but not limited to, long-term obligations resulting from collective bargaining agreements, financing of facilities projects, unfunded or future liability for retiree benefits, and accrued workers' compensation claims.

(cf. 4141/4241 - Collective Bargaining Agreement)
(cf. 4143/4243 - Negotiations/Consultation)
(cf. 4154/4254/4354 - Health and Welfare Benefits)
(cf. 7210 - Facilities Financing)
(cf. 9250 - Remuneration, Reimbursement and Other Benefits)

The Board shall approve a plan for meeting SCVSFSA's long-term obligations to fund nonpension, other postemployment benefits (OPEBs). This plan shall include a specific funding strategy and the method that will be used to finance SCVSFSA's annual fiscal obligations for such benefits in a manner that continually reduces the deficit to SCVSFSA to the extent possible. The Board reserves the authority to review and amend the funding strategy as necessary to ensure that it continues to serve the best interests of SCVSFSA and maintains flexibility to adjust for changing budgetary considerations.

When the CEO or designee presents a report to the Board on the estimated accrued but unfunded cost of OPEBs, the Board shall disclose, as a separate agenda item at the same meeting, whether or not it will reserve a sufficient amount of money in its budget to fund the present value of the benefits of existing retirees and/or the future cost of employees who are eligible for benefits in the current fiscal year. (Education Code 42140)

When the CEO or designee presents a report to the Board on the estimated accrued but unfunded cost of workers' compensation claims, the Board shall disclose, as a separate agenda item at the same meeting, whether or not it will reserve in the budget sufficient amounts to fund the present value of accrued but unfunded workers' compensation claims or if it is otherwise decreasing the amount in its workers' compensation reserve fund.

Budget Amendments

Whenever revenues and expenditures change significantly throughout the year, the CEO or designee shall recommend budget amendments to ensure accurate projections of SCVSFSA's net ending balance. When final figures for the prior-year budget are available, this information shall be used as soon as possible to update the current-year budget's beginning balance and projected revenues and expenditures.

BUDGET (continued)

In addition, budget amendments shall be submitted for Board approval when the state budget is adopted, collective bargaining agreements are accepted, SCVSFSA income declines, increased revenues or unanticipated savings are made available to SCVSFSA, program proposals are significantly different from those approved during budget adoption, interfund transfers are needed to meet actual program expenditures, and/or other significant changes occur that impact budget projections.

Legal Reference:

EDUCATION CODE

- 1240 Duties of county superintendent of schools*
- 33127-33131 Standards and criteria for local budgets and expenditures*
- 35035 Powers and duties of superintendent*
- 35161 Powers and duties, generally, of governing boards*
- 42103 Public hearing on proposed budget; requirements for content of proposed budget*
- 42122-42129 Budget requirements*
- 42130-42134 Financial certifications*
- 42140-42141 Disclosure of fiscal obligations*
- 42602 Use of unbudgeted funds*
- 42605 Tier 3 categorical flexibility*
- 42610 Appropriation of excess funds and limitation thereon*
- 44518-44519.2 Chief business officer training program*
- 45253 Annual budget of personnel commission*
- 45254 First year budget of personnel commission*

GOVERNMENT CODE

- 7900-7914 Appropriations limit*

CODE OF REGULATIONS, TITLE 5

- 15060 Standardized account code structure*
- 15440-15451 Criteria and standards for school district budgets*

Management Resources: (see next page)

BUDGET (continued)

Management Resources:

CSBA PUBLICATIONS

Maximizing School Board Governance: Budget Planning and Adoption, 2006

Maximizing School Board Governance: Understanding District Budgets, 2006

School Finance CD-ROM, 2005

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California School Accounting Manual

New Requirements for Reporting Fund Balance in Governmental Funds, January 7, 2011

FISCAL CRISIS AND MANAGEMENT ASSISTANCE TEAM PUBLICATIONS

Fiscal Oversight Guide for AB 1200, AB 2756 and Subsequent Related Legislation, September 2006

GOVERNMENT FINANCE OFFICERS ASSOCIATION

Best Practice: Appropriate Level of Unrestricted Fund Balance in the General Fund, 2009

GOVERNMENTAL ACCOUNTING STANDARDS BOARD STATEMENTS

Statement 54, Fund Balance Reporting and Governmental Fund Type Definitions, March 2009

Statement 45, Accounting and Financial Reporting by Employers for Post-employment Benefits Other Than Pensions, June 2004

Statement 34, Basic Financial Statements and Management's Discussion and Analysis - For State and Local Governments, June 1999

WEB SITES

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

Association of California School Administrators: <http://www.acsa.org>

California Department of Education, Finance and Grants: <http://www.cde.ca.gov/fg>

California Department of Finance: <http://www.dof.ca.gov>

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

Government Finance Officers Association: <http://www.gfoa.org>

Governmental Accounting Standards Board: <http://www.gasb.org>

Legislative Analyst's Office: <http://www.lao.ca.gov>

School Services of California, Inc.: <http://www.sscal.com>

Administrative Regulation

Sale And Disposal Of Equipment And Supplies

AR 3270

Business and Noninstructional Operations

Equipment/Supplies Acquired with Federal Funds

When the Agency has a need to replace equipment originally purchased with funds from a federal grant or subgrant, it may, subject to the approval of the agency that awarded the grant, trade in the original equipment or sell the property and use the proceeds to offset the cost of the replacement property. (2 CFR 200.313)

(cf. 3230 - Federal Grant Funds)

When any original or replacement equipment or supplies acquired under a federal grant or subgrant are no longer needed for the original project or program or for other federally supported activities, the Agency may retain or sell such items or, if the item has a current fair market value of less than \$5,000, may otherwise dispose of the item in a manner approved by the Board of Directors. Whenever the Agency sells equipment or supplies that have a current fair market value of \$5,000 or more, it shall provide an amount to the member districts equal to the agency's share of the current market value of the equipment or the proceeds from the sale of the equipment or supplies. (2 CFR 200.313, 200.314)

In the event that the Agency is provided equipment that is federally owned, the Agency shall request disposition instructions from the federal district when it no longer needs the equipment. (2 CFR 200.313)

Other Personal Property

The Agency may sell other surplus or obsolete Agency-owned personal property through any of the following methods:

1. The CEO or designee may advertise for bids by posting a notice in at least three public places in the member districts geographic area for at least two weeks, or by publishing a notice at least once a week for at least two weeks in a newspaper having a general circulation in the member districts geographic area and, if possible, publishing within the Agency. The Agency shall sell the property to the highest responsible bidder or shall reject all bids. (Education Code 17545, 17548)

Property for which no qualified bid has been received may be sold, without further advertising, by the CEO or designee. (Education Code 17546)

(cf. 3311 - Bids)

2. The property may be sold by means of a public auction conducted by Agency employees, employees of member districts, or by contract with a private auction firm. (Education Code 17545)

3. The Agency may sell the property without advertising for bids under any of the following conditions:

Note: Pursuant to Education Code 17546, advertising without bids is authorized when the Board of Directors attending a meeting unanimously agree that the property, whether one or more items, does not exceed \$2,500 in value; see the accompanying Board policy.

a. The Board of Directors in attendance at a meeting have unanimously determined that the property does not exceed \$2,500 in value. (Education Code 17546)

(cf. 9323.2 - Actions by the Board)

Note: Education Code 17540 authorizes the sale of property to government agencies eligible under the federal surplus property law, renumbered as 40 USC 549.

b. The Agency sells the property to member districts of the federal, state, or local government, to any other school district, or to any member districts in the geographic area eligible under the federal surplus property law and the sale price equals the cost of the property plus the estimated cost of purchasing, storing, and handling. (Education Code 17540; 40 USC 549)

c. The Agency sells or leases the property to member districts in the geographic area of the federal, state, or local government or to any other member district in the area and the price and terms of the sale or lease are fixed by the Board of Directors and approved by the Board of Directors in the member districts. (Education Code 17542)

Money received from the sale of surplus personal property shall be either deposited in the Agency reserve or general fund or credited to the fund from which the original purchase was made. (Education Code 17547)

(cf. 3100 - Budget)

(11/09 10/15) 9/16, **3/17**

Board Policy

Sale And Disposal Of, Equipment And Supplies

BP 3270

Business and Noninstructional Operations

Note: The following policy and administrative regulation address the sale and disposal of district-owned personal property, such as equipment and supplies. For policy on the sale or lease of surplus real property, see BP 3280 - Sale or Lease of District-Owned Real Property.

The Board of Directors recognizes its fiscal responsibility to maximize the use of Agency equipment, supplies, and other personal property while providing up-to-date resources that facilitate effective Agency operations. When the Board, upon recommendation of the CEO or designee, declares any district-owned personal property unusable, obsolete, or no longer needed, the Board shall determine the estimated value of the property and shall decide whether the property will be donated, sold, or otherwise disposed of as prescribed by law and administrative regulation.

(cf. 0440 - District Technology Plan)

(cf. 3512 - Equipment)

(cf. 6161.11 - Supplementary Instructional Materials)

(cf. 6163.1 - Library Media Centers)

The Board shall approve the price and terms of any sale or lease of personal property of the district.

If the Board members who are in attendance at a meeting unanimously agree that the property, whether one or more items, does not exceed \$2,500 in value, the property may be sold without advertising for bids. (Education Code 17546)

(cf. 9323.2 - Actions by the Board)

If the Board members who are in attendance at a meeting unanimously find that the value of the property is insufficient to defray the costs of arranging a sale, the property may be donated to a charitable organization deemed appropriate by the Board or may be disposed of in the local public dump. (Education Code 17546)

The CEO or designee shall establish procedures to be used whenever the district sells equipment or supplies originally acquired under a federal grant or subgrant. Such procedures shall be designed to ensure the highest possible return. (2 CFR 200.313)

(cf. 3230 - Federal Grant Funds)

(cf. 3440 – Inventories)

Legal Reference:

EDUCATION CODE

17540-17542 Sale or lease of personal property by one district to another

17545-17555 Sale of personal property

35168 Inventory, including record of time and mode of disposal

60510-60530 Sale, donation, or disposal of instructional materials

GOVERNMENT CODE

25505 District property; disposition; proceeds

CODE OF REGULATIONS, TITLE 5

3944 Consolidated categorical programs, district title to equipment

3946 Disposal of equipment purchased with state and federal consolidated application funds

UNITED STATES CODE, TITLE 40

549 Surplus property

CODE OF FEDERAL REGULATIONS, TITLE 2

200.0-200.521 Federal uniform grant guidance

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California School Accounting Manual

Standards for Evaluating Instructional Materials for Social Content, 2013

WEB SITES

California Department of Education: <http://www.cde.ca.gov>

School Services of California, Inc.: <http://www.sscal.com>

(10/15, 3/16) 9/16, **3/17**

GIFTS, GRANTS AND BEQUESTS

The Board of Directors may accept any gift, grant, or bequest of money, property, or service to the Santa Clarita Valley School Food Services Agency (SCVSFSA) from any individual, private agency or organization, or other public agency that desires to support SCVSFSA's programs or activities. While greatly appreciating suitable donations, the Board shall reject any gift which may directly or indirectly impair its authority to make decisions in the best interest of students it serves.

(cf. 0100 - Philosophy)
(cf. 0200 - Goals for the School District)
(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 1260 - Educational Foundation)

Before accepting any gift, grant, or bequest, the Board shall carefully consider any conditions or restrictions imposed by the donor to ensure their consistency with the SCVSFSA's vision, philosophy, and operations. If the Board believes the SCVSFSA will be unable to fully satisfy the donor's conditions, the gift shall not be accepted.

(cf. 0000 - Vision)

In addition, the Board shall ensure that acceptance of the gift, grant, or bequest does not:

1. Involve creation of a program which the Board would be unable to sustain when the donation is exhausted
2. Entail undesirable or excessive costs
3. Promote the use of violence, drugs, tobacco, or alcohol or the violation of any law or SCVSFSA policy

(cf. 5131.6 - Alcohol and Other Drugs)
(cf. 5131.62 - Tobacco)

4. Imply endorsement of any business or product or unduly commercialize or politicize the school environment

(cf. 1325 - Advertising and Promotion)

All gifts, grants, and bequests shall become SCVSFSA property.

GIFTS, GRANTS AND BEQUESTS (continued)

The CEO or designee shall annually provide a report to the Board indicating the gifts, grants, and/or bequests received on behalf of SCVSFSA in the preceding fiscal year. The report shall include a statement of account and expenditure of all gifts of money and an inventory of all gifts of physical assets.

(cf. 3440 - Inventories)

(cf. 3460 - Financial Reports and Accountability)

Appreciation

The Board may show appreciation for any donation to SCVSFSA in any manner it deems appropriate. Such appreciation may take the form of letters of recognition or Board resolutions; plaques, commendations, or awards; planting of commemorative trees or gardens; or naming or renaming of buildings, grounds, or facilities. Conferment of any such honor shall be in accordance with applicable Board policy.

(cf. 1150 - Commendations and Awards)

(cf. 7310 - Naming of Facility)

Corporate Sponsorship

The Board may enter into an agreement or arrangement with an outside entity for the sponsorship of any or its programs or activities. When appropriate, the agreement may allow the outside entity to advertise or promote its business, product, or service in SCVSFSA publications or on SCVSFSA property or web site.

(cf. 1113 - District and School Web Sites)

(cf. 1700 - Relations Between Private Industry and the Schools)

(cf. 3312 - Contracts)

Every sponsorship agreement shall be in writing and shall be approved by the Board. The Board shall ensure that SCVSFSA's relationship and arrangement with the sponsor are consistent with SCVSFSA's mission, values, and goals. Any advertising or promotional message, image, or other depiction to be used by the sponsor shall meet the standards set for commercial advertising on SCVSFSA property and in SCVSFSA-sponsored publications. No message, image, or other depiction that promotes the use of obscene language, pornography, alcohol, tobacco, or prohibited drugs or that advocates unlawful discrimination, use of violence, or the violation of law or SCVSFSA policy shall be allowed.

Each sponsorship agreement shall contain statements including, but not limited to:

GIFTS, GRANTS AND BEQUESTS (continued)

1. The purpose of the relationship with the sponsor, details of the benefits to SCVSFSA, and how the benefits will be distributed.
2. The duration of the agreement and the roles, expectations, rights, and responsibilities of SCVSFSA and the sponsor, including whether and to what extent the sponsor is allowed to advertise or promote its products and/or services.
3. The authority of the Board to retain exclusive right over the use of SCVSFSA's name, logo, and other proprietary information. The sponsor's use of such information shall require prior approval of the Board.
4. The authority of the Board to terminate the agreement without any penalty or sanction to SCVSFSA if the sponsor's message, business, or product becomes inconsistent with SCVSFSA vision, mission, or goals or the sponsor engages in any prohibited activity.
5. The prohibition against the collection of students' personal information except as allowed by law.

(cf. 5022 - Student and Family Privacy Rights)
(cf. 5125 - Student Records)

Legal Reference:

EDUCATION CODE

1834 Acquisition of materials and apparatus

35160 Powers and duties

35162 Power to sue, be sued, hold and convey property

41030 School district may invest surplus monies from bequest or gifts

41031 Special fund or account in county treasury

41032 Authority of school board to accept gift or bequest; investments; gift of land requirements

41035 Advisory committee

41036 Function of advisory committee

41037 Rules and regulations

41038 Applicability of other provisions of chapter

Management Resources:

WEB SITES

California Consortium of Education Foundations: <http://www.cceflink.org>

EXPENDITURES AND PURCHASES

The Board of Directors recognizes its fiduciary responsibility to oversee the prudent expenditure of Santa Clarita Valley School Food Services Agency (SCVSFSA) funds. In order to best serve SCVSFSA interests, the Chief Executive Officer (CEO) or designee shall develop and maintain effective purchasing procedures that are consistent with sound financial controls and that ensure SCVSFSA receives maximum value for items purchased. He/she shall ensure that records of expenditures and purchases are maintained in accordance with law.

(cf. 3000 - Concepts and Roles)
(cf. 3100 - Budget)
(cf. 3350 - Travel Expenses)
(cf. 3400 - Management of District Assets/Accounts)
(cf. 3460 - Financial Reports and Accountability)
(cf. 9270 - Conflict of Interest)

Expending Authority

The CEO or designee may purchase supplies, materials, apparatus, equipment, and services up to the amounts specified in Public Contract Code 20111, beyond which a competitive bidding process is required. The Board shall not recognize obligations incurred contrary to Board policy and administrative regulations.

(cf. 3311 - Bids)
(cf. 3312 - Contracts)

The Board shall review all transactions entered into by the CEO or designee on behalf of the Board every 60 days. (Education Code 17605)

The CEO or designee may authorize an expenditure which exceeds the budget classification allowance against which the expenditure is the proper charge only if an amount sufficient to cover the purchase is available in the budget for transfer by the Board.

(cf. 3110 - Transfer of Funds)

SCVSFSA funds shall not be expended for the purchase of alcoholic beverages. (Education Code 32435)

Purchasing Procedures

Insofar as possible, goods and services purchased shall meet the needs of the person or department ordering them at the lowest price consistent with standard purchasing practices. Maintenance costs, replacement costs, and trade-in values shall be considered when determining the most economical purchase price. When price, fitness, and quality are equal, recycled products shall be preferred when procuring materials for use.

EXPENDITURES AND PURCHASES (continued)

(cf. 3314.2 - Revolving Funds)

(cf. 3440 - Inventories)

(cf. 3511.1 - Integrated Waste Management)

All purchases shall be made by formal contract or purchase order or shall be accompanied by a receipt. In order to eliminate the processing of numerous small purchase orders, the CEO or designee may create a "blanket" or "open" purchase order system for the purchase of minor items as needed from a vendor. He/she shall ensure that the "open" purchase order system details a maximum purchase amount, the types of items that can be purchased under this order, the individuals authorized to approve purchases, and the expiration date of the "open" order.

Legal Reference: (see next page)

EXPENDITURES AND PURCHASES (continued)

Legal Reference:

EDUCATION CODE

17604 Delegation of powers to agents; approval or ratification of contracts by governing board

17605 Delegation of authority to purchase supplies and equipment

32370-32376 Recycling paper

32435 Prohibited use of public funds, alcoholic beverages

35010 Control of district; prescription and enforcement of rules

35035 Powers and duties of superintendent

35160 Authority of governing boards

35250 Duty to keep certain records and reports

38083 Purchase of perishable foodstuffs and seasonal commodities

41010 Accounting system

41014 Requirement of budgetary accounting

GOVERNMENT CODE

4330-4334 California made materials

PUBLIC CONTRACT CODE

3410 U.S. produce and processed foods

20111 Contracts over \$50,000; contracts for construction; award to lowest responsible bidder

Management Resources:

CSBA PUBLICATIONS

Maximizing School Board Governance: Fiscal Accountability, 2006

WEB SITES

CSBA, Financial Services: <http://www.csba.org/fs>

California Association of School Business Officials: <http://www.casbo.org>

California Department of Education: <http://www.cde.ca.gov>

BIDS

The Board of Directors is committed to promoting public accountability and ensuring prudent use of public funds. In leasing or purchasing equipment, materials, supplies, or services for the Santa Clarita Valley School Food Services Agency (SCVSFSA) and when contracting for public projects involving SCVSFSA facilities, the Board shall explore lawful opportunities to obtain the greatest possible value for its expenditure of public funds. When required by law, or if the Board determines that it is in the best interest of the SCVSFSA such leases and purchases shall be purchased using competitive bidding.

(cf. 0410 - Nondiscrimination in District Programs and Activities)

(cf. 3000 - Concepts and Roles)

(cf. 3300 - Expenditures and Purchases)

The CEO or designee shall establish comprehensive bidding procedures for the SCVSFSA in accordance with law. The procedures shall include a process for advertising bids, instructions and timelines for submitting and opening bids, and other relevant requirements.

No work, project, service, or purchase shall be split or separated into smaller work orders, or projects for the purpose of evading the legal requirements of Public Contract Code.

When calling for bids, the CEO or designee shall ensure that the bid specification clearly describes in appropriate detail the quality, delivery, and service required and includes all information which the SCVSFSA knows, or has in its possession, that is relevant to the work to be performed or that may impact the cost of performing the work.

The CEO or designee shall develop the procedures to be used for rating bidders for award of contracts which, by law or Board policy, require prequalification. The procedures shall identify a uniform system for rating bidders and shall address the issues covered by the standardized questionnaire and model guidelines developed by the Department of Industrial Relations pursuant to Public Contract Code 20101.

(cf. 9270 – Conflict of Interest)

Except as authorized by law and specified in the administrative regulation, contracts shall be let to the lowest responsible bidder who shall give such security as the Board requires, or else all bids shall be rejected. (Public Contract Code 20111)

When the Board has determined that it is in the best interest of the SCVSFSA, SCVSFSA may piggyback onto the contract of another public agency or corporation to lease or purchase equipment or supplies to the extent authorized by law. (Public Contract Code 20118)

Legal Reference:

EDUCATION CODE

17070.10-17079.30 *Leroy F. Greene School Facilities Act*

17406 *Lease-leaseback contract*

17595 *Purchases through Department of General Services*

17602 *Purchase of surplus property from federal agencies*

BIDS (continued)

38083 *Purchase of perishable foodstuffs and seasonable commodities*

38110-38120 *Apparatus and supplies*

39802 *Transportation services*

GOVERNMENT CODE

4217.10-4217.18 *Energy conservation contracts*

4330-4334 *Preference for California-made materials*

6252 *Definition of public record*

53060 *Special services and advice*

54201-54205 *Purchase of supplies and equipment by local agencies*

PUBLIC CONTRACT CODE

1102 *Emergencies*

2001-20042 *Responsive bidders*

~~3002~~3000-3010 *Roofing projects*

3400 *Bids, specifications by brand or trade name not permitted*

3410 *United States produce and processed foods*

6610 *Bid visits*

12200 *Definitions, recycled goods, materials and supplies*

20101-20103.7 *Public construction projects, requirements for bidding*

20103.8 *Award of contracts*

20107 *Bidder's security*

20111-20118.4 *Contracting by school districts*

20189 *Bidder's security, earthquake relief*

22002 *Definition of public project*

22030-22045 *Alternative procedures for public projects (UPCCAA)*

22050 *Alternative emergency procedures*

22152 *Recycled product procurement*

COURT DECISIONS

Los Angeles Unified School District v Great American Insurance Co., (2010) 49 Cal.4th 739

Great West Contractors Inc. v. Irvine Unified School District, (2010) 187 Cal.App.4th 1425

Marshall v. Pasadena USD, (2004) 119 Cal.App.4th 1241

Konica Business Machines v. Regents of the University of California, (1988) 206

Cal.App.3d 449

City of Inglewood-Los Angeles County Civic Center Authority v. Superior Court,

(1972) 7 Cal.3d 861

COURT DECISIONS (cont.)

ATTORNEY GENERAL OPINIONS

89 *Ops.Cal.Atty.Gen. 1* (2006)

Management Resources:

WEB SITES

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

California Association of School Business Officials: <http://www.casbo.org>

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BIDS

Advertised/Competitive Bids

The Santa Clarita Valley School Food Services Agency (SCVSFSA) shall advertise for competitive bids for any public project contract involving an expenditure of \$15,000 or more. *Public project* means construction, reconstruction, erection, alteration, renovation, improvement, painting, repainting, demolition, and repair work involving a SCVSFSA-owned, leased, or operated facility. (Public Contract Code 20111, 22002)

SCVSFSA shall also seek competitive bids through advertisement for contracts exceeding the amount specified in law, and as annually adjusted by the Superintendent of Public Instruction, for any of the following: (Public Contract Code 20111)

1. The purchase of equipment, materials, or supplies to be furnished, sold, or leased to SCVSFSA.
2. Services, not including construction services or special services and advice in accounting, financial, legal, or administrative matters.
3. Repairs that are not a public project, including maintenance.

Maintenance means routine, recurring, and usual work for preserving, protecting, and keeping a SCVSFSA facility operating in a safe, efficient, and continually usable condition for the intended purpose for which it was designed, improved, constructed, altered, or repaired. *Maintenance* includes, but is not limited to, carpentry, electrical, plumbing, glazing, and other craft work designed to preserve the facility, as well as repairs, cleaning, and other operations on machinery and other permanently attached equipment, but does not include painting, repainting, or decorating other than touchup, or other types of work, janitorial or custodial services and protection provided by security forces. (Public Contract Code 20115)

Instructions and Procedures for Advertised Bids

The Chief Executive Officer (CEO) or designee shall call for bids by placing a notice at least once a week for two weeks in a local newspaper of general circulation published in the school district's served by SCVSFSA, or if no such newspaper exists, then in some newspaper of general circulation circulated in the county. The CEO or designee also may post the notice on the SCVSFSA's web site or through an electronic portal. The notice shall state the work to be done or materials or supplies to be furnished and the time and place and web site where bids will be opened. SCVSFSA may accept a bid that has been submitted electronically or on paper. (Public Contract Code 20111, 20112)

(cf. 1113 – District and School Web Sites)

BIDS (continued)

The notice shall contain the time, date, and location of any mandatory prebid conference, site visit, or meeting. The notice shall also detail when and where project documents, including the final plan and specifications, are available. Any such mandatory visit or meeting shall occur not less than five calendar days after the publication of the initial notice. (Public Contract Code 6610)

Bid instructions and specifications shall include the following requirements and information:

1. All bidders shall certify the minimum, if not exact, percentage of post-consumer materials in products, materials, goods, or supplies offered or sold. (Public Contract Code 22152)

(cf. 3510 - Green School Operations)

2. All bids for construction work shall be presented under sealed cover. The SCVSFSA may accept a bid that has been submitted electronically or on paper, and shall be accompanied by one of the following forms of bidder's security: (Public Contract Code 20107, 20111)
 - a. Cash
 - b. A cashier's check made payable to the SCVSFSA
 - c. A certified check made payable to the SCVSFSA
 - d. A bidder's bond executed by an admitted surety insurer and made payable to the SCVSFSA

The security of unsuccessful bidders shall be returned in a reasonable period of time, but in no event later than 60 days after the bid is awarded. (Public Contract Code 20111, 20112)

3. When a standardized proposal form is provided by SCVSFSA, bids not presented on the standard form shall be disregarded. (Public Contract Code 20111.5)
4. Bids shall not be accepted after the advertised bid opening time, regardless of whether the bids are actually opened at that time. (Public Contract Code 20112)
5. When two or more identical lowest or highest bids are received, the Board may determine by lot which bid shall be accepted. (Public Contract Code 20117)
6. If the SCVSFSA requires that the bid include prices for items that may be added to or deducted from the scope of work in the contract, the bid solicitation shall specify which one of the following methods will be used to determine the lowest bid. In the

BIDS (continued)

absence of such a specification, only the method provided in item #a below shall be used. (Public Contract Code 20103.8)

- a. The lowest bid shall be the lowest total of the bid prices on the base contract without consideration of the prices on the additive or deductive items.
- b. The lowest bid shall be the lowest total of the bid prices on the base contract and those additive or deductive items that were specifically identified in the bid solicitation as being used for the purpose of determining the lowest bid price.
- c. The lowest bid shall be the lowest total of the bid prices on the base contract and those additive or deductive items that, when taken in order from a specifically identified list of those items in the solicitation, and added to or subtracted from the base contract, are less than or equal to a funding amount publicly disclosed by the SCVSFSA before the first bid is opened.

The lowest bid shall be determined in a manner that prevents any information that would identify any of the bidders or proposed subcontractors or suppliers from being revealed to the SCVSFSA before the ranking of all bidders from lowest to highest has been determined. (Public Contract Code 20103.8)

7. In determining the lowest bid, the SCVSFSA shall consider only responsive bids that conform to bid specifications and are submitted by responsible bidders who have demonstrated trustworthiness, quality, fitness, capacity, and experience to satisfactorily perform the public works contract.
 - a. When a bid is determined to be nonresponsive, the CEO or designee shall notify the bidder and give him/her an opportunity to respond to the determination.
 - b. When the lowest bidder is determined to be nonresponsible, the CEO or designee shall notify the bidder of his/her right to present the evidence of his/her responsibility at a hearing before the Board.

Any subsequent change or alteration of a contract shall be governed by the provisions of Public Contract Code 20118.4.

8. After being opened, all submitted bids become public records pursuant to Government Code 6252 and shall be made available for review pursuant to law, Board policy, and administrative regulation.

(cf. 1340 - Access to District Records)

BIDS (continued)

9. *(Note: Relocated to #7c above)*

Prequalification Procedure

When required by the Board, the CEO or designee shall establish a uniform system for rating bidders on the basis of completed questionnaires and financial statements in order to determine the size of contracts on which each bidder is qualified to bid. For this purpose, the CEO or designee shall furnish prospective bidders a standardized prequalification questionnaire and financial record which, when completed shall indicate a bidder's statement of financial ability and expertise in performing public works. The bidder's information shall be verified under oath in the manner which civil law pleadings are verified. The questionnaires and financial statements shall not be public records and shall not be open to public inspection (Code of Civil Procedure 446; Public Contract Code 20111.5, 20111.6)

Award of Contract

The SCVSFSA shall award each contract to the lowest responsible bidder, except in the following circumstances:

1. When the contract is for the procurement and/or maintenance of electronic data processing systems and supporting software, in which case the Board may contract with any one of the three lowest responsible bidders (Public Contract Code 20118.1)
2. When the contract is one for which the Board has established goals and requirements relating to participation of minority, women, disabled veteran, or small business enterprises in accordance with Public Contract Code 2000-2002, in which case the Board may contract with the lowest responsible bidder who complies or makes a good faith effort to comply with the goals and requirements. (Public Contract Code 2000-2002)

Protests by Bidders

A bidder may protest a bid award if he/she believes that the award is not in compliance with law, Board policy, or the bid specifications. A protest must be filed in writing with the CEO

BIDS (continued)

or designee within five working days after receipt of notification of the contract award and shall include all documents supporting or justifying the protest. A bidder's failure to file the protest documents in a timely manner shall constitute a waiver of his/her right to protest the award of the contract.

The CEO or designee shall review the documents submitted with the bidder's claims and render a decision in writing within 30 working days. The CEO or designee may also convene a meeting with the bidder in order to attempt to resolve the problem.

The bidder may appeal the CEO or designee's decision to the Board. The CEO or designee shall provide reasonable notice to the bidder of the date and time for Board consideration of the protest. The Board's decision shall be final.

Alternative Bid Procedures for Technological Supplies and Equipment

Rather than seek competitive bids, the Board may use competitive negotiation when it makes a finding that SCVSFSA procurement is for computers, software, telecommunications equipment, microwave equipment, or other related electronic equipment and apparatus. Competitive negotiation shall not be used to contract for construction or for the procurement of any product that is available in substantial quantities to the general public. (Public Contract Code 20118.2)

The competitive negotiation process shall include, but not be limited to, the following requirements: (Public Contract Code 20118.2)

1. The CEO or designee shall prepare a request for proposals (RFP) that shall be submitted to an adequate number of qualified sources, as determined by the SCVSFSA, to permit reasonable competition consistent with the nature and requirement of the procurement.
2. Notice of the RFP shall be published at least twice in a newspaper of general circulation, at least 10 days before the date for receipt of the proposals.
3. The CEO or designee shall make every effort to generate the maximum feasible number of proposals from qualified sources and shall make a finding to that effect before proceeding to negotiate if only a single response to the RFP is received.
4. The RFP shall identify all significant evaluation factors, including price, and their relative importance.
5. The CEO or designee shall provide reasonable procedures for the technical evaluation of the RFPs received the identification of qualified sources, and the selection for the award of the contract.

BIDS (continued)

6. The Board shall award the contract to the qualified bidder whose proposal meets the evaluation standards and will be most advantageous to the SCVSFSA with price and all other factors considered.
7. If the Board does not award the contract to the bidder whose proposal contains the lowest price, then the Board shall make a finding setting forth the basis for the award.
8. The Board, at its discretion, may reject all proposals and request new RFPs.
9. Provisions in any contract concerning utilization of small business enterprises that are in accordance with the RFP shall not be subject to negotiation with the successful proposer.

Limitations on Use of Sole Sourcing

In any contract for the construction, alteration, or repair of SCVSFSA facilities, the CEO or designee shall not draft the bid specification in a manner that: (Public Contract Code 3400)

1. Does not directly or indirectly limit bidding to any one specific concern
2. Does not call for a designated material, product, thing, or service by a specific brand or trade name, unless the specification is followed by the words “or equal,” so that bidders may furnish any equal material, product, thing, or service

In any such case, the bid specification shall provide a time period, before and/or after the award of the contract, for the contractor to submit data substantiating the request for substituting the designated material, product, thing, or service. If no such time period is specified, the contractor may submit the data within 35 days after the award of the contract.

When the bid is for a roof project, a material, product, thing, or service is considered “equal” to that designated if it is equal in quality, durability, design, and appearance; will perform the intended function equally well; and conforms substantially to the detailed requirements in the bid specification. (Public Contract Code 3002)

However, the CEO or designee may designate a specific material, product, thing, or service by brand or trade name (sole sourcing), if the Board has made a finding, described in the invitation for bids or RFP, that a particular material, product, thing, or service is designated for any of the following purposes: (Public Contract Code 3400)

1. To conduct a field test or experiment to determine its suitability for future use

BIDS (continued)

2. To match others in use on a particular public improvement that has been completed or is in the course of completion.
3. To obtain a necessary item that is only available from one source
4. To respond to the Board's declaration of an emergency, as long as the declaration has been approved by four-fifths of the Board when issuing the invitation for bid or RFP

(cf. 9323.2 – Actions by the Board)

Bids Not Required

Without advertising for bids and upon a determination that it is in the best interest of the SCVSFSA, the Board may authorize, another public corporation or agency, by contract, lease, requisition, or purchase order to lease data-processing equipment or to purchase materials, supplies, equipment, automotive vehicles, tractors, and other personal property for the SCVSFSA in the manner that the other public corporation or agency is authorized to make the leases or purchases from a vendor ("piggyback"). Alternatively, if the public corporation or agency has an existing contract with a vendor for the lease or purchase of personal property, the SCVSFSA may authorize the lease or purchase of personal property directly from the vendor and make payments under the same terms that are available to the public corporation or agency under the contract. (Public Contract Code 20118)

(cf. 3300 - Expenditures and Purchases)

(cf. – Equipment)

Without advertising for bids, the Board may enter into an energy service contract and any related facility ground lease, when it determines that the terms of the contract and lease are in the best interest of the SCVSFSA. The Board's determination shall be made at a regularly scheduled public hearing of which notice is given to the public at least two weeks in advance and shall be based on cost comparison findings specified in Government Code 4217.12 (Government Code 4217.12)

(cf. 3510 – Green School Operations)

(cf. 3511 – Energy and Water Management)

(cf. 9320 – Meetings and Notices)

CONTRACTS

The Board of Directors recognizes its responsibility to enter into contracts on behalf of the Santa Clarita Valley School Food Services Agency (SCVSFSA) for the acquisition of equipment, supplies, services, and other resources necessary for the achievement of SCVSFSA goals. In exercising this authority to enter into a contract, the Board shall ensure that the SCVSFSA's interest is protected and that the terms of the contract conform to applicable legal standards, including the bidding requirements in Public Contract Code 20111.

(cf. 4312.1 - Contracts)
(cf. 9124 - Attorney)

The Board of Directors, by a majority vote, may delegate to the Chief Executive Officer (CEO) or designee the authority to enter into contracts on behalf of the SCVSFSA. To be valid or to constitute an enforceable obligation against SCVSFSA, all contracts must be approved and/or ratified by the Board. (Education Code 17604)

(cf. 3300 - Expenditures and Purchases)
(cf. 3314 - Payment for Goods and Services)

Every contracts entered into on behalf of the SCVSFSA shall be made available for public inspection, except when the law prohibits disclosure. No contract shall prohibit an SCVSFSA employee from disparaging the goods or services of any contracting party (Education Code 35182.5).

(cf. 1340 – Access to District Records)

When required by law, contracts and subcontracts made by SCVSFSA for public works or for goods or services shall contain a nondiscrimination clause prohibiting discrimination by contractors or subcontractors. The nondiscrimination clause shall contain a provision requiring contractors and subcontractors to give written notice of their obligations to labor organizations with which they have a collective bargaining or other agreement. (Government Code 12990)

(cf. 0410 - Nondiscrimination in District Programs and Activities)

Contracts for Non-nutritious Foods or Beverages

The SCVSFSA shall not enter into or renew a contract for the sale of foods or beverages that do not meet applicable nutritional standards specified in Education Code 49431-49431.7, 5 CCR 15500-15501 or 15575-15578, or 7 CFR 210.11 or 220.12, unless the contract specifies that such sale will occur off campus or outside the time restriction specified in the applicable law.

(cf. 3554 – Other Food Sales)

CONTRACTS (continued)

(cf. 3555 – Nutrition Program Compliance)

Before the SCVSFSA enters into or renews a contract that grants exclusive or nonexclusive advertising or sale of carbonated beverages, non-nutritious beverages, or non-nutritious foods as defined in law, the Board shall ensure that the SCVSFSA has sufficient internal controls in place to protect the integrity of public funds and to ensure that funds raised as a result of the contract benefit public education. (Education Code 35182.5)

The CEO or designee shall develop the SCVSFSA's internal control procedures to protect the integrity of public funds. Such internal controls may include, but not be limited to, the following:

1. Procedures that produce accurate and reliable financial statements and, at the same time, safeguard the assets, financial resources, and integrity of every employee responsible for handling money or property. Control systems shall be systematically evaluated and revised to keep pace with the changing responsibilities of management.

(cf. 3100 – Budget)

(cf. 3400 – Management of District Assets/Accounts)

(cf. 3460 – Financial Reports and Accountability)

2. Procedures to ensure that SCVSFSA personnel do not handle cash or product at the school site. The contract shall specify that the vendor stock the machines and shall provide cash accounting, along with a check, for SCVSFSA proceeds directly to the control office.

To ensure that funds raised by the contract benefit SCVSFSA schools and students:

3. The CEO or designee may invite parents/guardians, students, staff, and interested community members to make recommendations regarding the contract, including recommendations as to how the funds will be spent in a manner that benefits public education.

Any contract for the sale or advertisement of non-nutritious foods or carbonated non-nutritious beverages shall be entered into on a competitive bid basis pursuant to Public Contract Code 20111 or through the issuance of a Request for Proposal. (Education Code 35182.5)

The Board shall not enter into or renew any contract that grants exclusive or nonexclusive advertising or sale of carbonated beverages, non-nutritious beverages, or non-nutritious foods until parents/guardians, students, and members of the public have had an opportunity to comment on the contract at a public hearing held during a regularly scheduled Board meeting. The Board shall clearly, and in a manner recognizable to the general public, identify in the agenda the contract to be discussed at the meeting. (Education Code [35182.5](#).)

CONTRACTS (continued)

(cf. [9322](#) - Agendas/Meeting Materials)

(cf. [9323](#) - Meeting Conduct)

The public hearing shall include, but not be limited to, a discussion of the nutritional value of foods and beverages sold within the district; the availability of fresh fruit, vegetables, and grains in school meals and snacks, including locally grown and organic produce; the amount of fat, sugar, and additives in the foods and beverages discussed; and barriers to student participation in school breakfast and lunch programs. (Education Code [35182.5](#))

(cf. [5030](#) - Student Wellness)

The contract shall be accessible to the public and may not include a confidentiality clause that would prevent the SCVSFSA from making any part of the contract public. (Education Code [35182.5](#))

The SCVSFSA shall obtain input and approval from the member district prior to placing any vending machines or sale of non-nutritious foods or beverages on any campus.

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

14505 Provisions required in contracts for audits

17595-17606 Contracts

35182.5 Contract prohibitions

45103.5 Contracts for management consulting service related to food service

49431-49431.5 Nutritional standards

CODE OF CIVIL PROCEDURE

685.010 Rate of interest

GOVERNMENT CODE

12990 Nondiscrimination and compliance employment programs

53260 Contract provision re maximum cash settlement

53262 Ratification of contracts with administrative officers

LABOR CODE

1775 Penalties for violations

1810-1813 Working hours

PUBLIC CONTRACT CODE

4100-4114 Subletting and subcontracting fair practices

7104 Contracts for excavations; discovery of hazardous waste

7106 Noncollusion affidavit

Legal Reference: (continued)

20111 Contracts over \$50,000; contracts for construction; award to lowest responsible bidder

20104.50 Construction Progress Payments

22300 Performance retentions

CODE OF REGULATIONS, TITLE 5

15575-15578 Food and beverage requirements outside of the federal school meal programs

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act

CONTRACTS (continued)

1681-1688 Title IX, discrimination

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

Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, rev. 2005

WEB SITES

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

California Association of School Business Officials: <http://www.casbo.org>

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PAYMENT FOR GOODS AND SERVICES

The Board of Directors recognizes the importance of developing a system of internal control procedures in order to help fulfill its obligation to monitor and safeguard Santa Clarita Valley School Food Services Agency (SCVSFSA) resources. To facilitate warrant processing, the Chief Executive Officer (CEO) or designee shall ensure that purchasing, receiving, and payment functions are kept separate. He/she shall also ensure that invoices are paid expeditiously so that the SCVSFSA may, to the extent possible, take advantage of available discounts and avoid finance charges.

(cf. 3300 - Expenditures and Purchases)

(cf. 3312 - Contracts)

(cf. 3314.2 - Revolving Funds)

(cf. 3400 - Management of District Assets/Accounts)

(cf. 9320 - Meetings and Notices)

The CEO or designee shall sign all warrants and shall ensure that warrants have appropriate documentary support verifying that all goods and services to be paid for have been delivered or rendered in accordance with the purchase agreement.

The Board shall approve all warrants at a regularly scheduled Board meeting.

(cf. 9320 - Meetings and Notices)

SCVSFSA shall not be responsible for unauthorized purchases.

Legal Reference: (see next page)

PAYMENT FOR GOODS AND SERVICES (continued)

Legal Reference:

EDUCATION CODE

17605 *Delegation of authority for purchases*
42630-42651 *Orders, requisitions and warrants*
42800-42806 *Revolving cash fund*
42810 *Alternative revolving fund*
42820 *Prepayment funds*

CODE OF CIVIL PROCEDURE

685.010 *Rate of interest*

GOVERNMENT CODE

16.5 *Digital signatures*
5500-5506 *Uniform Facsimile Signatures of Public Officials Act*
8111.2 *Definition of public entity*

PUBLIC CONTRACT CODE

7107 *Retention proceeds; withholding; disbursement*
9203 *Payment for projects costing over \$5000*
20104.50 *Timely progress payments*

CODE OF REGULATIONS, TITLE 2

22000-22005 *Digital signatures*

Management Resources:

CSBA PUBLICATIONS

Maximizing School Board Governance: Understanding California's Public School Finance System, 2006

Maximizing School Board Governance: Budget Planning and Adoption, 2006

Maximizing School Board Governance: Understanding District Budgets, 2006

Maximizing School Board Governance: Fiscal Accountability, 2006

School Finance CD-ROM, 2005

WEB SITES

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

California Secretary of State, digital signatures: <http://www.sos.ca.gov/digsig/digsig.htm>

Fiscal Crisis Management & Assistance Team: <http://www.femat.org>

PAYMENT FOR GOODS AND SERVICES

Payments to Contractors

The Santa Clarita Valley School Food Services Agency (SCVSFSA) shall make payment on any contract for the creation, construction, alteration, repair, or improvement of any public structure, building, or other improvement of any kind which costs over \$5,000 based on estimates of actual work completed that have been approved by the Board of Directors. SCVSFSA shall not make progress payments in excess of 95 percent of the actual work completed and may include 95 percent of the value of material delivered or stored but as yet unused. The SCVSFSA shall withhold at least five percent of the contract price until the final completion and acceptance of the project. However, any time after 50 percent of the work has been completed, the Board may make any of the remaining progress payments in full for actual work completed if the Board finds that satisfactory progress is being made. (Public Contract Code 9203)

The Chief Executive Officer (CEO) or designee shall ensure that requests for progress payments related to contracts for public works are processed and paid within 30 days. Any improper request shall be returned to the contractor within seven days, together with a written statement of why the request is not proper. (Public Contract Code 20104.50)

(cf. 3312 - Contracts)

Retention proceeds withheld by SCVSFSA from payments to contractors for public works contracts shall be released within 60 days after the construction or improvement is completed. In the event of a dispute between SCVSFSA and the contractor, SCVSFSA may withhold from the final payment an amount not to exceed 150 percent of the disputed amount. (Public Contract Code 7107)

CLAIMS AND ACTIONS AGAINST THE SCVSFSA

The Board of Directors desires to ensure that the Santa Clarita Valley School Food Services Agency's (SCVSFSA) operations are conducted in a manner that minimizes risk, protects SCVSFSA resources, and promotes the health and safety of students, staff, and the public. Any and all claims for money or damages against SCVSFSA shall be presented to and acted upon in accordance with law, Board policy, and administrative regulation as well as SCVSFSA's insurance coverage.

(cf. 3530 - Risk Management/Insurance)

(cf. 5143 - Insurance)

Any claim for money or damages not governed by the Government Claims Act (Government Code 810-996.6) or excepted by Government Code 905 shall be presented consistent with the manner and time limitations in the Government Claims Act, unless a procedure for processing such claims is otherwise provided by state or federal law.

Upon notice to SCVSFSA of a claim, the Chief Executive Officer (CEO) or designee shall take all necessary steps to protect SCVSFSA's rights under any applicable contractual agreements, including the right to indemnification from its insurance or other coverage provider.

This policy applies retroactively to any existing causes of action and/or claims for money and/or damages.

Roster of Public Agencies

The CEO or designee shall file the information required for the Roster of Public Agencies with the Secretary of State and the County Clerk. This information shall include the mailing address of the Board and the names and addresses of the Board presiding officer, the Board clerk or secretary, and other members of the Board. (Government Code 53051)

Any changes to such information shall be filed within 10 days after the change has occurred. (Government Code 53051)

Legal Reference: (see next page)

CLAIMS AND ACTIONS AGAINST THE SCVSFSA (continued)

Legal Reference:

EDUCATION CODE

35200 *Liability for debts and contracts*

35202 *Claims against districts; applicability of Government Code*

CODE OF CIVIL PROCEDURE

340.1 *Damages suffered as result of childhood sexual abuse*

GOVERNMENT CODE

800 *Cost in civil actions*

810-996.6 *Claims and actions against public entities*

6500-6536 *Joint exercise of powers*

53051 *Information filed with secretary of state and county clerk*

PENAL CODE

72 *Fraudulent claims*

COURT DECISIONS

City of Stockton v. Superior Court, (2007) 42 Cal. 4th 730

Connelly v. County of Fresno, (2006) 146 Cal.App.4th 29

CSEA v. South Orange Community College District, (2004) 123 Cal.App.4th 574

CSEA v. Azusa Unified School District, (1984) 152 Cal.App.3d 580

Management Resources:

WEB SITES

California Secretary of State's Office: <http://www.sos.ca.gov>

TRAVEL EXPENSES

The Board of Directors recognizes that Santa Clarita Valley School Food Services Agency SCVSFSA employees may incur expenses in the course of performing their assigned duties and responsibilities. To ensure the prudent use of public funds, the CEO of designee shall establish rules to keep such expenses to a minimum while affording employees a reasonable level of safety and convenience.

(cf. 9250 – Remuneration, Reimbursement and Other Benefits)

The Board shall authorize payment for actual and necessary travel expenses incurred by any employee performing authorized services for the SCVSFSA, whether within or outside district boundaries. (Education Code 44032)

The Chief Executive Officer (CEO) or designee shall establish procedures for the approval of travel requests and submission and verification of expense claims. He/she also shall establish reimbursement rates in accordance with law and Board policy.

An employee shall obtain approval from the CEO or designee prior to traveling. The CEO or designee may approve travel requests in accordance with the adopted budget and upon determining that the travel is authorized or assigned by the employee’s supervisor, is necessary to attend a conference or other staff development opportunity that will enhance employee performance, and/or is otherwise necessary to the performance of the employee’s duties. Travel expenses not previously budgeted may be approved on a case-by-case basis by the CEO or designee if he/she determines that the travel is essential and those resources may be obtained or redirected for this purpose.

(cf. 3100 - Budget)

(cf. 3110 – Transfer of Funds)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Reimbursable travel expenses may include, but are not limited to, costs of transportation, parking fees, bridge or road tolls, lodging when SCVSFSA business reasonably requires an overnight stay, registration fees for seminars and conferences, telephone and other communication expenses incurred on SCVSFSA business, and other necessary incidental expenses.

The SCVSFSA shall not reimburse personal travel expenses including, but not limited to alcohol, entertainment, laundry, expenses of any family member who is accompanying the employee on SCVSFSA-related business, personal use of an automobile and personal losses or traffic violation fees incurred while on SCVSFSA business.

TRAVEL EXPENSES (continued)

Expenses shall be reimbursed within limits approved by the Board. The CEO or designee shall establish procedures for the submission and verification of expense claims. He/she may authorize an advance of funds to cover necessary expenses.

Authorized employees shall be reimbursed for the use of their own private vehicles in the performance of assigned duties, on either a mileage or monthly basis as determined by the CEO or designee. (Education Code 44033)

The mileage allowance provided by the district for employees' use of their private vehicles shall be equal to the rate established by the Internal Revenue Service.

Vehicles should be shared whenever possible to minimize travel costs. No employee shall be entitled to reimbursement for automobile travel when he/she is transported free of charge or by another employee who is entitled to the expense reimbursement.

All out-of-state travel for which reimbursement will be claimed shall be approved in advance by the Board. Travel expenses not previously budgeted also shall be approved on an individual basis by the Board.

The SCVSFSA may choose whether to reimburse meal expenses on the basis of actual receipts (Option 1 below) or a per diem rate (Option 2).

OPTION 1: Meal costs shall be reimbursed based on documented actual expenses within the maximum amounts established by the CEO or designed and based on the time of day that travel for SCVSFSA business begins and ends.

OPTION 2: The CEO or designee shall establish a *per diem* allowance for meal costs incurred while traveling on SCVSFSA business based on the location and hours of travel (see travel reimbursement form for specific instructions). The per diem allowance shall not exceed the standard meal allowance for business-related travel prescribed for federal income tax purposes.

Any expense that exceeds the maximum rate of reimbursement established by the SCVSFSA shall be reimbursed only with the approval of the CEO or designee.

All expense reimbursement claims shall be submitted on a SCVSFSA form, within 10 working days following return from travel when possible. The form shall be accompanied by receipts and any explanation necessary to document that the expenses meet SCVSFSA criteria for reimbursement.

The CEO or designee shall approve expense claims only upon verifying that all necessary documentation is provided and that all expenses are appropriate and related to district business.

MANAGEMENT OF SCVSFSA ASSETS/ACCOUNTS

The Board of Directors recognizes its fiduciary responsibility to effectively manage and safeguard the Santa Clarita Valley School Food Services Agency's (SCVSFSA) assets and resources in order to help achieve SCVSFSA's goals. The Chief Executive Officer (CEO) or designee shall establish and maintain an accurate, efficient financial management system that enhances SCVSFSA's ability to meet its fiscal obligations, produces reliable financial reports, and complies with laws, regulations, policies, and procedures. He/she shall ensure that the SCVSFSA's accounting system provides ongoing internal controls and meets generally accepted accounting standards.

(cf. 3000 - Concepts and Roles)

(cf. 3100 - Budget)

(cf. 3300 - Expenditures and Purchases)

(cf. 3312 - Contracts)

(cf. 3314 - Payment for Goods and Services)

(cf. 3460 - Financial Reports and Accountability)

Capital Assets

The CEO or designee shall develop a system to accurately identify and value SCVSFSA assets in order to help ensure financial accountability and to minimize the risk of loss or misuse. SCVSFSA assets with a useful life of more than one year and an initial acquisition cost of \$1,500 or more shall be considered capital assets. The CEO or designee shall determine the estimated useful life of each capital asset and shall calculate and report the estimated loss of value or depreciation during each accounting period for all capital assets.

(cf. 3440 - Inventories)

Internal Controls/Fraud Prevention

The Board expects Board members, employees, consultants, vendors, contractors, and other parties maintaining a business relationship with SCVSFSA to act with integrity and due diligence in dealings involving SCVSFSA's assets and fiscal resources.

The CEO or designee shall develop internal controls which aid in the prevention and detection of fraud, financial impropriety, or irregularity within SCVSFSA. These internal controls may include, but are not limited to, segregating employee duties relating to authorization, custody of assets, and recording or reporting of transactions; providing detailed, written job descriptions explaining the segregation of functions; adopting an integrated financial system; conducting background checks on business office employees; and requiring continuous in-service training for business office staff on the importance of fraud prevention.

MANAGEMENT OF SCVSFSA ASSETS/ACCOUNTS (continued)

All employees shall be alert for any indication of fraud, financial impropriety, or irregularity within their area of responsibility. Any employee who suspects fraud, impropriety, or irregularity shall immediately report those suspicions to his/her immediate supervisor and/or the CEO or designee. In addition, the CEO or designee shall establish a method for employees and outside persons to anonymously report any suspected instances of fraud, impropriety, or irregularity.

(cf. 4119.1/4219.1/4319.1 - Civil and Legal Rights)

The CEO or designee shall have primary responsibility for any necessary investigations of suspected fraud, impropriety, or irregularity, in coordination with legal counsel, SCVSFSA's auditors, law enforcement agencies, or other governmental entities, as appropriate.

The CEO or designee shall provide regular reports to the Board on the status of SCVSFSA's internal control procedures and recommend any necessary revisions to related Board policies or administrative regulations.

Legal Reference: (see next page)

MANAGEMENT OF SCVSFSA ASSETS/ACCOUNTS (continued)

Legal Reference:

EDUCATION CODE

14500-14508 *Financial and compliance audits*

35035 *Powers and duties of superintendent*

35250 *Duty to keep certain records and reports*

41010-41023 *Accounting regulations, budget controls and audits*

42600-42604 *Control of expenditures*

42647 *Drawing of warrants by district on county treasurer; form; reports, statements and other data*

GOVERNMENT CODE

53995-53997 *Obligation of contract*

Management Resources:

CSBA PUBLICATIONS

Maximizing School Board Governance: Budget Planning and Adoption, 2006

Maximizing School Board Governance: Fiscal Accountability, 2006

School Finance CD-ROM, 2005

GOVERNMENTAL ACCOUNTING STANDARDS BOARD

Statement 34, Basic Financial Statements - and Management's Discussion and Analysis - For State and Local Governments, June 1999

WEB SITES

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

California Association of School Business Officials: <http://www.casbo.org>

California Department of Education, School Finance: <http://www.cde.ca.gov/fg>

California State Controller's Office: <http://www.sco.ca.gov>

Fiscal Crisis & Management Assistance Team: <http://www.femat.org>

Governmental Accounting Standards Board: <http://www.gasb.org>

School Services of California: <http://www.sscal.com>

MANAGEMENT OF SCVSFSA ASSETS/ACCOUNTS

Accounts

The Santa Clarita Valley School Food Services Agency's (SCVSFSA) accounting system shall fully comply with the definitions, instructions, and procedures set forth in the California Department of Education School Accounting Manual. (Education Code 41010)

The Chief Executive Officer (CEO) or designee shall ensure that funds are encumbered in SCVSFSA's accounting records immediately after an expenditure is committed for subsequent payment.

(cf. 3110 - Transfer of Funds)

Fraud Prevention and Investigation

Fraud, financial improprieties or irregularities include but are not limited to:

1. Forgery or unauthorized alteration of any document or account belonging to SCVSFSA
2. Forgery or unauthorized alteration of a check, bank draft, or any other financial document
3. Misappropriation of funds, securities, supplies, or other assets
4. Impropriety in the handling of money or reporting of financial transactions
5. Profiteering as a result of insider knowledge of SCVSFSA information or activities
6. Disclosing confidential and/or proprietary information to outside parties

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)

7. Disclosing investment activities engaged in or contemplated by SCVSFSA

(cf. 3430 - Investing)

8. Accepting or seeking anything of material value from contractors, vendors, or persons providing services or materials to SCVSFSA
9. Destroying, removing, or inappropriately using of records, furniture, fixtures, or equipment
10. Failing to provide financial records to authorized state or local entities
11. Any other dishonest or fraudulent act

MANAGEMENT OF SCVSFSA ASSETS/ACCOUNTS (continued)

The CEO or designee shall investigate reports of fraudulent activity in a manner that protects the confidentiality of the parties and the facts. All employees involved in the investigation shall be advised to keep information about the investigation confidential.

If an investigation substantiates the occurrence of a fraudulent activity, the CEO or designee shall issue a report to appropriate personnel and to the Board of Directors. The final disposition of the matter and any decision to file a criminal complaint or refer the matter to the appropriate law enforcement and/or regulatory agency for independent investigation shall be made in consultation with legal counsel. The result of the investigation shall not be disclosed to or discussed with anyone other than those individuals with a legitimate need to know.

(cf. 4112.6/4212.6/4312.6 - Personnel Files)

(cf. 4119.1/4219.1/4319.1 - Civil and Legal Rights)

FINANCIAL REPORTS AND ACCOUNTABILITY

The Board of Directors is committed to ensuring the fiscal health of the Santa Clarita Valley School Food Services Agency (SCVSFSA) and providing public accountability. The Board shall adopt sound fiscal policies, oversee SCVSFSA's financial condition, and continually evaluate whether SCVSFSA's budget and financial operations support its goals.

(cf. 3100 - Budget)

(cf. 3110 - Transfer of Funds)

(cf. 3300 - Expenditures and Purchases)

(cf. 3430 - Investing)

(cf. 4143/4243 - Negotiations/Consultation)

(cf. 9000 - Role of the Board)

The Chief Executive Officer (CEO) or designee shall provide the Board with financial reports throughout the year in accordance with law and as otherwise requested by the Board.

The CEO or designee shall ensure that all financial reports are prepared in accordance with law and in conformity with generally accepted accounting principles and financial reporting standards stipulated by the Governmental Accounting Standards Board and the California Department of Education (CDE). He/she shall establish a system of ongoing internal controls to ensure the reliability of financial reporting.

(cf. 3400 - Management of District Assets/Accounts)

When required by law or the Board, the Superintendent or designee shall submit to the Board reports of the district's financial status, including, but not limited to, any report specified in this Board policy or accompanying administrative regulation. When any such report must be approved by the Board prior to its submission to a local, state, and/or federal agency, the Superintendent or designee shall provide the report to the Board in sufficient time to enable the Board to carefully review the report and meet any applicable submission deadline.

Based on financial reports provided by the CEO or designee and in accordance with law and administrative regulation, the Board shall:

1. Approve and file an annual statement of SCVSFSA's receipts and expenditures for the preceding fiscal year (Education Code 42100)
2. Adopt a resolution identifying SCVSFSA's estimated appropriations limit for the current fiscal year and the actual appropriations limit for the preceding fiscal year (Education Code 42132; Government Code 7910)
3. Approve interim fiscal reports and certify whether SCVSFSA will be able to meet its fiscal obligations for the remainder of the fiscal year and two subsequent fiscal years (Education Code 42130, 42131)

FINANCIAL REPORTS AND ACCOUNTABILITY (continued)

4. Provide for an annual audit, select an independent auditor, and review the audit report (Education Code 41020, 41020.3)

The independent auditor shall present the audit report to the Board at a public meeting and the Board shall have an opportunity to ask questions of the auditor and request further information about the audit findings.

The Board shall regularly communicate SCVSFSA's financial position to the public and shall use financial reports to determine what actions and budget amendments, if any, are needed to ensure SCVSFSA's financial stability.

(cf. [1340](#) - Access to District Records)

If SCVSFSA conditions predict fiscal distress or indicate that SCVSFSA might not be able to meet its fiscal obligations, the Board and CEO or designee shall act quickly to identify and resolve these conditions. The Board shall work cooperatively with the County Superintendent of Schools to improve the district's fiscal health and may contract with an external individual or organization to advise the district on fiscal matters.

Unaudited Actual Receipts and Expenditures

On or before September 15, the Board shall approve and file with the County Superintendent a statement of the district's unaudited actual receipts and expenditures for the preceding fiscal year. The Superintendent or designee shall prepare this statement using the state's standardized account code structure (SACS) as prescribed by the Superintendent of Public Instruction (SPI). (Education Code [42100](#))

Gann Appropriations Limit Resolution

On or before September 15, the Board shall adopt a resolution identifying, pursuant to Government Code [7900-7914](#), the district's estimated appropriations limit for the current fiscal year and the actual appropriations limit for the preceding fiscal year. Documentation used to identify these limits shall be made available to the public on the day of the Board meeting. (Education Code [42132](#); Government Code [7910](#))
(cf. [9322](#) - Agenda/Meeting Materials)

Interim Reports/Certification of Ability to Meet Fiscal Obligations

The CEO or designee shall submit two interim fiscal reports to the Board, the first report covering the Agency's financial and budgetary status for the period ending October 31 and the second report covering the period ending January 31. The reports and supporting data shall be made available by the Agency for public review. (Education Code [42130](#))

FINANCIAL REPORTS AND ACCOUNTABILITY (continued)

Within 45 days after the close of the period reported, the Board shall approve the interim report and certify, on the basis of the interim report and any additional financial information known by the Board, whether the Agency will be able to meet its fiscal obligations for the remainder of the fiscal year and, based on current forecasts, for the two subsequent fiscal years. The certification shall be classified as one of the following: (Education Code [42130](#), [42131](#))

1. "Positive certification" indicating that the Agency will meet its financial obligations for the current fiscal year and two subsequent fiscal years
2. "Qualified certification" indicating that the Agency may not meet its financial obligations for the current fiscal year or two subsequent fiscal years
3. "Negative certification" indicating that the Agency will be unable to meet its financial obligations for the remainder of the fiscal year or the subsequent fiscal year

The CEO or designee shall submit a copy of each interim report and certification to the County Superintendent using the state's SACS software, as prescribed by the SPI. (Education Code [42130](#), [42131](#))

If the Agency's certification is subsequently changed by the County Superintendent from a positive to a qualified or negative certification, or from a qualified to a negative certification, the Board may appeal the decision to the SPI within five days of receiving the notice of change. (Education Code [42131](#))

Whenever the Agency receives a qualified or negative certification from the Board or the County Superintendent, the CEO or designee shall cooperate in the implementation of any remedial actions taken or prescribed by the County Superintendent under the authority granted to him/her pursuant to Education Code [42131](#).

If the second interim report is accompanied by a qualified or negative certification, the Board shall, no later than June 1, provide to the County Superintendent, the State Controller, and the SPI a financial statement as of April 30 ("third interim report") that projects the Agency's fund and cash balances through June 30. (Education Code [42131](#))

At any time during the year when the County Superintendent conducts a comprehensive review of the Agency's financial and budgetary conditions after he/she has determined that the Agency's budget does not comply with state criteria and standards for fiscal stability, the Board shall review the County Superintendent's recommendations at a public Board meeting. Within 15 days of receiving the report, the district shall notify the County Superintendent and the SPI of its proposed actions on the recommendation. (Education Code [42637](#))

FINANCIAL REPORTS AND ACCOUNTABILITY (continued)

Audit Report

Pursuant to Education Code [41020](#), if the Agency has a disapproved budget, has received a negative certification on any budget or interim fiscal report during the current fiscal year or either of the two preceding fiscal years, or has otherwise been determined by the County Superintendent to have a lack of going concern, any contract the Agency enters into for auditing services must be approved by the County Superintendent.

By April 1 of each year, the Board shall provide for an annual audit of the Agency's books and accounts. (Education Code [41020](#))

To conduct the audit, the Board shall select a certified public accountant or public accountant licensed by the State Board of Accountancy from among those deemed qualified by the State Controller. (Education Code [41020](#), [41020.5](#))

The Board shall not select any public accounting firm to provide audit services if the lead or coordinating audit partner having primary responsibility for the audit, or the audit partner responsible for reviewing the audit, has performed audit services for the district in each of the six previous fiscal years. (Education Code [41020](#))

No later than December 15, the report of the audit for the preceding fiscal year shall be filed with the County Superintendent, the CDE, and the State Controller. (Education Code [41020](#))

Prior to December 15 whenever possible, but in no case later than January 31, the Board shall review, at an open meeting, the annual agency audit for the prior year, any audit exceptions identified in that audit, the recommendations or findings of any management letter issued by the auditor, and any description of correction or plans to correct any exceptions or any issue raised in a management letter. (Education Code [41020.3](#))

The Board shall have an opportunity at the meeting to ask questions of the auditor and request further information about the audit findings.

Audit Committee

The Board may appoint an audit committee composed of staff knowledgeable about fiscal matters, other staff, and representatives of the community.

(cf. 1220 - Citizen Advisory Committees)

(cf. 9130 - Board Committees)

(cf. 9140 - Board Representatives)

FINANCIAL REPORTS AND ACCOUNTABILITY (continued)

The committee shall serve in an advisory capacity and may:

1. Make recommendations regarding the selection of the external independent auditor in accordance with Education Code 41020 and 41020.5
2. Review the plan for the audit process with the independent auditor to determine the adequacy of the nature, scope, and timetable of the audit
3. Review the results of the audit and participate with the independent auditor and management in preparing final recommendations and responses
4. Participate with the independent auditor in presenting the audit report to the Board
5. Review Board policies and administrative regulations to recommend any revisions needed to ensure effective financial reporting
6. Provide input on the effectiveness of the independent auditor
7. Periodically report to the Board regarding the status of previous audit recommendations for improving the accounting and internal control systems

Legal Reference:

EDUCATION CODE

1240 Duties of County superintendent of schools
14500-14508 Financial and compliance audits
17150-17150.1 Public disclosure of non-voter-approved debt
17170-17199.5 California School Finance Authority
33127 Standards and criteria for local budgets and expenditures
33128 Standards and criteria; inclusions
33129 Standards and criteria; use by local agencies
35035 Powers and duties of superintendent
41010-41023 Accounting system
41326 Emergency apportionment
41344 Repayment of apportionment significant audit exceptions
41344.1 Appeals of audit findings
41455 Examination of financial problems of local districts
42100-42105 Requirement to prepare and file annual statement
42120-42129 Budget requirements
42130-42134 Financial reports and certifications
42140-42142 Public disclosure of fiscal obligations
42637 County Superintendent review of district's financial and budgetary conditions
42652 Revocation or suspension of warrant authority
48300-48316 Student attendance alternatives

GOVERNMENT CODE

3540.2 School district; qualified or negative certification; proposed agreement review and comment
7900-7914 Appropriations limit
16429.1 Local agency investment fund
53646 Reports of investment policy and compliance

FINANCIAL REPORTS AND ACCOUNTABILITY (continued)

CODE OF REGULATIONS, TITLE 5

15060 Standardized account code structure
15070 Submission of reports using standardized account code structure
15440-15451 Criteria and standards for school district budgets
15453-15464 Criteria and standards for school district interim reports
19810-19816.1 Audits

UNITED STATES CODE, TITLE 31

7501- 7507 Single audits of federal program funds

Management Resources:

CSBA PUBLICATIONS

Maximizing School Board Governance: Fiscal Accountability, 2006

CALIFORNIA DEPARTMENT OF EDUCATION COMMUNICATIONS

New Financial Reporting Requirements for Postemployment Benefits Other than Pensions, February 26, 2007

1208.00 *Audit Resolution Process: Repayment Plans*

FISCAL CRISIS AND MANAGEMENT ASSISTANCE TEAM PUBLICATIONS

Fiscal Oversight Guide for AB 1200, AB 2756 and Subsequent Related Legislation, September 2006

GOVERNMENTAL ACCOUNTING STANDARDS BOARD STATEMENTS

Statement 54, Fund Balance Reporting and Governmental Fund Type Definitions, March 2009

Statement 45, Accounting and Financial Reporting by Employers for Post-employment Benefits Other Than Pensions, June 2004

Statement 34, Basic Financial Statements and Management's Discussion and Analysis - For State and Local Governments, June 1999

U.S. GENERAL ACCOUNTING OFFICE AND PRESIDENT'S COUNCIL ON INTEGRITY AND

EFFICIENCY (PCIE) PUBLICATIONS

Financial Audit Manual, revised 2003

U.S. OFFICE OF MANAGEMENT AND BUDGET CIRCULARS

A-133 Audits of States, Local Governments, and Non-Profit Organizations

STATE CONTROLLER PUBLICATIONS

Standards and Procedures for Audits of California K-12 Local Educational Agencies (annual publication)

WEB SITES

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

California Association of School Business Officials: <http://www.casbo.org>

California County Superintendents Educational Services Association: <http://www.ccsesa.org>

California Department of Education, Finance and Grants: <http://www.cde.ca.gov/fg>

Education Audit Appeals Panel: <http://www.eaap.ca.gov>

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

Governmental Accounting Standards Board: <http://www.gasb.org>

School Services of California: <http://www.sscal.com>

State Controller's Office: <http://www.sco.ca.gov>

U.S. Government Accounting Office: <http://www.gao.gov>

U.S. Office of Management and Budget: <http://www.whitehouse.gov/omb>

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FINANCIAL REPORTS AND ACCOUNTABILITY

Interim Reports

Each interim fiscal report developed pursuant to Education Code [42130](#) shall include an assessment of the Agency budget as revised to reflect current information regarding the adopted state budget, district property tax revenues, if any, and ending balances for the preceding fiscal year. The report shall be based on State Board of Education (SBE) criteria and standards which address fund and cash balances, reserves, deficit spending, estimation of average daily attendance (ADA), projected enrollment, ratio of ADA to enrollment, projected revenue limit, salaries and benefits, other revenues and expenditures, and facilities maintenance. (Education Code [33128.3](#), [42130](#); 5 CCR [15453-15464](#))

The report shall also provide supplemental information regarding contingent liabilities, use of one-time revenues for ongoing expenditures, contingent revenues, contributions (i.e., projected contributions from unrestricted general fund resources to restricted general fund resources, projected transfers to or from the general fund to cover operating deficits in the general fund or any other fund, and capital project cost overruns that may impact the general fund budget), long-term commitments, unfunded liabilities, temporary interfund borrowings, the status of labor agreements, and the status of other funds. (Education Code [42130](#); 5 CCR [15453](#), [15464](#))

(cf. [3100](#) - Budget)

(cf. [3111](#) - Deferred Maintenance Funds)

(cf. [3220.1](#) - Lottery Funds)

(cf. [3300](#) - Expenditures and Purchases)

(cf. [3314](#) - Payment for Goods and Services)

Audit Report

The CEO or designee shall establish a timetable for the completion and review of the audit within the deadlines established by law.

The CEO or designee shall provide the necessary financial records and cooperate with the auditor selected by the Governing Board to ensure that the audit report contains all information required by law and the Governmental Accounting Standards Board (GASB).

The audit shall include an audit of income and expenditures by source of funds for all funds of the Agency – cafeteria funds and accounts and any other funds under the control or jurisdiction of the Agency. (Education Code [41020](#))

(cf. [3430](#) - Investing)

(cf. [3451](#) - Petty Cash Funds)

(cf. [3551](#) - Food Service Operations/Cafeteria Fund)

When required by federal law, specified records pertaining to the audit of federal funds received and expended by the Agency shall be transmitted to the federal clearinghouse designated by the federal Office of Management and Budget and shall be made

FINANCIAL REPORTS AND ACCOUNTABILITY

available for public inspection. Such records shall be transmitted within 30 days after receipt of the auditor's report or within nine months after the end of the fiscal year, whichever is sooner, unless a longer period is agreed to in advance by the federal agency or a different period is specified in a program-specific audit guide. (31 USC 7502)

If an audit finding results in the Agency being required to repay an apportionment or pay a penalty, the district may appeal the finding to the Education Audit Appeals Panel by making an informal summary appeal within 30 days of receiving the final audit report or initiating a formal appeal within 60 days of receiving the report. (Education Code [41344](#), [41344.1](#))

While a public accounting firm is performing the audit of the Agency, it shall not provide any non-auditing, management, or other consulting services for the Agency except as provided in Government Auditing Standards, Amendment #3, published by the U.S. Government Accountability Office. (Education Code [41020](#))

Fund Balance

In accordance with GASB Statement 54, external financial reports shall report fund balances in the general fund within the following classifications based on the relative strength of constraints placed on the purposes for which resources can be used:

1. Non-spendable fund balance, including amounts that are not expected to be converted to cash, such as resources that are not in a spendable form or are legally or contractually required to be maintained intact
2. Restricted fund balance, including amounts constrained to specific purposes by their providers or by law
3. Committed fund balance, including amounts constrained to specific purposes by the Board
4. Assigned fund balance, including amounts which the Board or its designee intends to use for a specific purpose
5. Unassigned fund balance, including amounts that are available for any purpose

Negative Balance Report

Whenever the Agency reports a negative unrestricted fund balance or a negative cash balance in its annual budget or annual audit report, it shall include in the budget a statement that identifies the reasons for the negative unrestricted fund balance or negative cash balance and the steps that have been taken to ensure that the negative balance will not occur at the end of the current fiscal year. (Education Code [42127.5](#))

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DEBT ISSUANCE AND MANAGEMENT

The Board of Directors is committed to long-term capital and financial planning and recognizes that the issuance of debt is a key source for funding the improvement and maintenance of school facilities and managing cash flow. Any debt issued by the Santa Clarita Valley School Food Services Agency (SCVSFSA) shall be consistent with law and this policy.

(cf. 3460 - Financial Reports and Accountability)

The SCVSFSA shall not enter into indebtedness or liability that in any year exceeds the income and revenue provided for such year, unless two-thirds of the voters approve the obligation or one of the exceptions specified in law applies. (California Constitution, Article 16, Section 18)

When the Board determines that it is in the best interest of the SCVSFSA, the Board may issue debt or order an election to issue debt. The Chief Executive Officer (CEO) or designee shall make recommendations to the Board regarding appropriate financing methods for capital projects or other projects that are authorized purposes for debt issuance. When approved by the Board and/or the voters as applicable, the CEO or designee shall administer and coordinate the SCVSFSA's debt issuance program and activities, including the timing of issuance, sizing of issuance, method of sale, structuring of the issue, and marketing strategies.

The CEO or designee shall retain a financial advisor, municipal advisor, investment advisor, and other financial services professionals as needed to assist with the structuring of the debt issuance and to provide general advice on the SCVSFSA's debt management program, financing options, investments, and compliance with legal requirements. Contracts for services provided by such advisors may be for a single transaction or for multiple transactions, consistent with the contracting requirements in Education Code 17596. In the event that the SCVSFSA issues debt through a negotiated sale, underwriters may be selected for multiple transactions if multiple issuances are planned for the same project. In addition, the SCVSFSA shall select a legal team on an as-needed basis to assist with debt issuances or special projects.

(cf. 3312 - Contracts)

(cf. 3600 - Consultants)

(cf. 9270 - Conflict of Interest)

Goals

The SCVSFSA's debt issuance activities and procedures shall be aligned with the SCVSFSA's vision and goals for providing adequate facilities and programs that support student learning and well-being. When issuing debt, the SCVSFSA shall ensure that it:

1. Maintains accountability for the fiscal health of the SCVSFSA, including prudent management and transparency of the SCVSFSA's financing programs

DEBT ISSUANCE AND MANAGEMENT (continued)

2. Attains the best possible credit rating for each debt issue in order to reduce interest costs, within the context of preserving financial flexibility and meeting capital funding requirements
3. Takes all practical precautions and proactive measures to avoid any financial decision that will negatively impact current credit ratings on existing or future debt issues
4. Maintains effective communication with rating agencies and, as appropriate, credit enhancers such as bond insurers or other providers of credit or liquidity instruments in order to enhance the creditworthiness, liquidity, or marketability of the debt
5. Monitors the SCVSFSA's statutory debt limit in relation to assessed valuation within the SCVSFSA and the tax burden needed to meet long-term debt service requirements
6. When determining the timing of debt issuance, considers market conditions, cash flows associated with repayment, and the SCVSFSA's ability to expend the obtained funds in a timely, efficient, and economical manner consistent with federal tax laws
7. Determines the amortization (maturity) schedule which will fit best within the overall debt structure of the SCVSFSA at the time the new debt is issued
8. Considers the useful lives of assets funded by the debt issue, as well as repair and replacement costs of those assets to be incurred in the future
9. Preserves the availability of the SCVSFSA's general fund for operating purposes and other purposes that cannot be funded by the issuance of voter-approved debt
10. Meets the ongoing obligations and accountability requirements associated with the issuance and management of debt under state and federal tax and securities laws

Authorized Purposes for the Issuance of Debt

The SCVSFSA may issue debt for any of the following purposes:

1. To pay for the cost of capital improvements, including acquiring, constructing, reconstructing, rehabilitating, replacing, improving, extending, enlarging, and/or equipping SCVSFSA facilities
2. To refund existing debt
3. To provide for cash flow needs

(cf. 3100 - Budget)

DEBT ISSUANCE AND MANAGEMENT (continued)

Pursuant to Government Code 53854, general operating costs, including, but not limited to, items normally funded in the SCVSFSA's annual operating budget, shall not be financed from debt payable later than 15 months from the date of issuance. The SCVSFSA may deem it desirable to finance cash flow requirements under certain conditions so that available resources better match expenditures within a given fiscal year. To satisfy both state constitutional and statutory constraints, such cash flow borrowing shall be payable from taxes, income, revenue, cash receipts, and other moneys attributable to the fiscal year in which the debt is issued.

Authorized Types of Debt

The CEO or designee shall recommend to the Board potential financing method(s) that result in the highest benefit to the SCVSFSA, with the cost of staff and consultants considered. Potential financing sources may include:

1. Short-term debt
 - a. Short-term debt, such as tax and revenue anticipation notes (TRANS), when necessary to allow the SCVSFSA to meet its cash flow requirements (Government Code 53850-53858)
 - b. Bond anticipation notes (BANs) to provide interim financing for capital bond projects that will ultimately be paid from general obligation bonds (Education Code 15150)
 - c. Grant anticipation notes (GANs) to provide interim financing pending the receipt of grants and/or loans from the state or federal government that have been appropriated and committed to the SCVSFSA (Government Code 53859-53859.08)
2. Long-Term Debt
 - a. General obligation bonds for projects approved by voters (California Constitution, Article 13A, Section 1; Education Code 15100-15262, 15264-15276; Government Code 53506-53509.5)
3. Lease financing, including certificates of participation (COPs)
 - a. Lease financing to fund the highest priority capital equipment purchases when pay-as-you-go financing is not feasible (Education Code 17450-17453.1)
4. Temporary borrowing from other sources such as the County Treasurer

DEBT ISSUANCE AND MANAGEMENT (continued)

COPs, TRANs, revenue bonds, or any other non-voter approved debt instrument shall not be issued by the SCVSFSA in any fiscal year in which the SCVSFSA has a qualified or negative certification, unless the County Superintendent of Schools determines, pursuant to criteria established by the Superintendent of Public Instruction, that the SCVSFSA's repayment of that indebtedness is probable. (Education Code 42133)

Relationship of Debt to SCVSFSA Facilities Program and Budget

Decisions regarding the issuance of debt for the purpose of financing capital improvement shall be aligned with current needs for acquisition, development, and/or improvement of SCVSFSA property and facilities as identified in the SCVSFSA's facilities master plan or other applicable needs assessment, the projected costs of those needs, schedules for the projects, and the expected resources.

The cost of debt issued for major capital repairs or replacements shall be evaluated against the potential cost of delaying such repairs and/or replacing such facilities.

When considering a debt issuance, the Board and the CEO or designee shall evaluate both the short-term and long-term implications of the debt issuance and additional operating costs associated with the new projects involved. Such evaluation may include, but is not limited to, the projected ratio of annual debt service to the tax burden on the SCVSFSA's taxpayers and the ratio of annual debt service secured by the general fund to general fund expenditures.

The SCVSFSA may enter into credit enhancement agreements such as municipal bond insurance, surety bonds, letters of credit, and lines of credit with commercial banks, municipal bond insurance companies, or other financial entities when their use is judged to lower borrowing costs, eliminate restrictive covenants, or have a net economic benefit to the financing.

Structure of Debt Issues

The SCVSFSA shall consider the overall impact of the current and future debt burden of the financing when determining the duration of the debt issue.

The SCVSFSA shall design the financing schedule and repayment of debt so as to take best advantage of market conditions, ensure cost effectiveness, provide flexibility, and, as practical, recapture or maximize its debt capacity for future use. Principal amortization will be structured to meet debt repayment, tax rate, and flexibility goals.

For new money debt issuances for capital improvements, the SCVSFSA shall size the debt issuance with the aim of funding capital projects as deemed appropriate by the Board, as long as the issuance is consistent with the overall financing plan, does not exceed the amount authorized

DEBT ISSUANCE AND MANAGEMENT (continued)

by voters, and, unless a waiver is sought and received from the state, will not cause the SCVSFSA to exceed the limitation on debt issuances specified in the California Constitution or Education Code 15106.

To the extent practicable, the SCVSFSA shall also consider credit issues, market factors, and tax

law when sizing the SCVSFSA's bond issuance. The sizing of refunding bonds shall be determined by the amount of money that will be required to cover the principal of, any accrued interest on, and any redemption premium for the debt to be paid on the call date and to cover appropriate financing costs.

Any general obligation bond issued by the SCVSFSA shall mature within 40 years of the issuance date or as otherwise required by law. (California Constitution, Article 16, Section 18; Government Code 53508.6)

The final maturity of equipment or real property lease obligations will be limited to the useful life of the assets to be financed but, with respect to a lease purchase of equipment, no longer than a period of 10 years. (Education Code 17452)

Method of Sale

For the sale of any SCVSFSA-issued debt, the CEO or designee shall recommend the method of sale with the potential to achieve the lowest financing cost and/or to generate other benefits to the SCVSFSA. Potential methods of sale include:

1. A competitive bidding process through which the award is based on, among other factors, the lowest offered true interest cost
2. Negotiated sale, subject to approval by the SCVSFSA to ensure that interest costs are in accordance with comparable market interest rates
3. Private placement sale, when the financing can or must be structured for a single or limited number of purchasers or where the terms of the private placement are more beneficial to the SCVSFSA than either a negotiated or competitive sale

Investment of Proceed

The SCVSFSA shall actively manage the proceeds of debt issued for public purposes in a manner that is consistent with state law governing the investment of public funds and with the permitted securities covenants of related financing documents executed by the SCVSFSA. Where applicable, the SCVSFSA's official investment policy and legal documents for a

DEBT ISSUANCE AND MANAGEMENT (continued)

particular debt issuance shall govern specific methods of investment of bond-related proceeds. Preservation of principal shall be the primary goal of any investment strategy, followed by the availability of funds and then by return on investment.

With regard to general obligation bonds, the SCVSFSA shall invest new money bond proceeds in the county treasury pool as required by law. (Education Code 15146)

The management of public funds shall enable the SCVSFSA to respond to changes in markets or changes in payment or construction schedules so as to ensure liquidity and minimize risk.

Refunding/Restructuring

The SCVSFSA may consider refunding or restructuring outstanding debt if it will be financially advantageous or beneficial for debt repayment and/or structuring flexibility. When doing so, the SCVSFSA shall consider the maximization of the SCVSFSA's expected net savings over the life of the debt issuance and, when using a general obligation bond to refund an existing bond, shall ensure that the final maturity of the refunding bond is no longer than the final maturity of the existing bond.

Internal Controls

The CEO or designee shall establish internal control procedures to ensure that the proceeds of any debt issuance are directed to the intended use. Such procedures shall assist the SCVSFSA in maintaining the effectiveness and efficiency of operations, properly expending funds, reliably reporting debt incurred by the SCVSFSA and the use of the proceeds, complying with all laws and regulations, preventing fraud, and avoiding conflict of interest.

(cf. 3314 - Payments for Goods and Services)

(cf. 3400 - Management of SCVSFSA Assets/Accounts)

The SCVSFSA shall be vigilant in using bond proceeds in accordance with the stated purposes at the time such debt was incurred as defined in the text of the voter-approved bond measure. (Government Code 53410)

When feasible, the SCVSFSA shall issue debt with a defined revenue source in order to preserve the use of the general fund for general operating purposes.

The SCVSFSA shall annually conduct a due diligence review to ensure its compliance with all ongoing obligations applicable to issuers of debt. Such a review may be conducted by general legal counsel or bond counsel. Any SCVSFSA personnel involved in conducting such reviews shall receive periodic training regarding their responsibilities.

DEBT ISSUANCE AND MANAGEMENT (continued)

In addition, the CEO or designee shall ensure that the SCVSFSA completes, as applicable, all performance and financial audits that may be required for any debt issued by the SCVSFSA, including disclosure requirements applicable to a particular transaction.

Records/Reports

At least 30 days prior to the sale of any debt issue, the CEO or designee shall submit a report of the proposed issuance to the California Debt and Investment Advisory Commission (CDIAC). Such report shall include a self-certification that the SCVSFSA has adopted a policy concerning the use of debt that complies with law and that the contemplated debt issuance is consistent with that policy. (Government Code 8855)

On or before January 31 of each year, the CEO or designee shall submit a report to the CDIAC regarding the debt authorized, the debt outstanding, and the use of proceeds of the issued debt for the period from July 1 to June 30. (Government Code 8855)

The CEO or designee shall provide initial and any annual or ongoing disclosures required by 17 CFR 240.10b-5 and 240.15c2-12 to the Municipal Securities Rulemaking Board, investors, and other persons or entities entitled to disclosure, and shall ensure that the SCVSFSA's disclosure filings are updated as needed.

The CEO or designee shall maintain transaction records of decisions made in connection with each debt issuance, including the selection of members of the financing team, the structuring of the financing, selection of credit enhancement products and providers, and selection of investment products. Each transaction file shall include the official transcript for the financing, interest rates and cost of issuance on the day when the debt was sold ("final number runs"), and a post-pricing summary of the debt issue. In addition, documentation evidencing the expenditure of proceeds, the use of debt-financed property by public and private entities, all sources of payment or security for the debt, and investment of proceeds shall be kept for as long as the debt is outstanding, plus the period ending three years after the financial payment date of the debt or the final payment date of any obligations or series of bonds issued to refund directly or indirectly all of any portion of the debt, whichever is later.

The CEO or designee shall annually report to the Board regarding debts issued by the SCVSFSA, including information on actual and projected tax rates, an analysis of bonding capacity, ratings on the SCVSFSA's bonds, market update and refunding opportunities, new development for California bond financings, and the SCVSFSA's compliance with post-issuance requirements.

DEBT ISSUANCE AND MANAGEMENT (continued)

Legal Reference:

EDUCATION CODE

5300-5441 *Conduct of elections*
15100-15262 *Bonds for school districts and community college districts*
15264-15276 *Strict accountability in local school construction bonds*
15278-15288 *Citizen's oversight committees*
15300-15425 *School Facilities Improvement Districts*
17150 *Public disclosure of non-voter-approved debt*
17400-17429 *Leasing of district property*
17450-17453.1 *Leasing of equipment*
17456 *Sale or lease of district property*
17596 *Duration of contracts*
42130-42134 *Financial reports and certifications*

ELECTIONS CODE

1000 *Established election dates*

GOVERNMENT CODE

8855 *California Debt and Investment Advisory Commission*
53311-53368.3 *Mello-Roos Community Facilities Act*
53410-53411 *Bond reporting*
53506-53509.5 *General obligation bonds*
53550-53569 *Refunding bonds of local agencies*
53580-53595.55 *Bonds*
53850-53858 *Tax and revenue anticipation notes*
53859-53859.08 *Grant anticipation notes*

CALIFORNIA CONSTITUTION

Article 13A, Section 1 *Tax limitation*

Article 16, Section 18 *Debt limit*

UNITED STATES CODE, TITLE 15

78o-4 *Registration of municipal securities dealers*

UNITED STATES CODE, TITLE 26

54E *Qualified Zone Academy Bonds*

CODE OF FEDERAL REGULATIONS, TITLE 17

240.10b-5 *Prohibition against fraud or deceit*

240.15c2-12 *Municipal securities disclosure*

CODE OF FEDERAL REGULATIONS, TITLE 26

1.6001-1 *Records*

Management Resources:

CALIFORNIA DEBT AND INVESTMENT ADVISORY COMMISSION PUBLICATIONS

California Debt Issuance Primer

GOVERNMENT FINANCE OFFICERS ASSOCIATION PUBLICATIONS

An Elected Official's Guide to Debt Issuance, 2nd Ed., 2016

Understanding Your Continuing Disclosure Responsibilities, Best Practice, September 2015

Investment of Bond Proceeds, Best Practice, September 2014

DEBT ISSUANCE AND MANAGEMENT (continued)

Selecting and Managing Municipal Advisors, Best Practice, February 2014

Debt Management Policy, Best Practice, October 2012

Analyzing and Issuing Refunding Bonds, Best Practice, February 2011

INTERNAL REVENUE SERVICE PUBLICATIONS

Tax Exempt Bond FAQs Regarding Record Retention Requirements

Tax-Exempt Governmental Bonds, Publication 4079, rev. 2016

U.S. GOVERNMENT ACCOUNTABILITY OFFICE PUBLICATIONS

Internal Control System Checklist

WEB SITES

California Debt and Investment Advisory Commission: <http://www.treasurer.ca.gov/cdiac>

Government Finance Officers Association: <http://www.gfoa.org>

Internal Revenue Service: <http://www.irs.gov>

Municipal Security Rulemaking Board, Electronic Municipal Market Access (EMMA):

<http://www.emma.msrb.org>

U.S. Government Accountability Office: <http://www.gao.gov>

U.S. Securities and Exchange Commission: <http://www.sec.gov>

12/16

Policy **SANTA CLARITA VALLEY SCHOOL FOOD SERVICES AGENCY**

Approved: September 29, 2017

Valencia, California

INTEGRATED WASTE MANAGEMENT

The Board of Directors believes that the conservation of water, energy and other natural resources as well as the protection of the environment are essential to the health and well-being of the community. The Chief Executive Officer (CEO) or designee shall develop an integrated waste management program to reduce waste, conserve natural resources and protect the environment.

(cf. 3511 - Energy and Water Management)
(cf. 3514 - Environmental Safety)
(cf. 3514.2 - Integrated Pest Management)

The program shall include specific strategies designed to help the Santa Clarita Valley School Food Services Agency (SCVSFSA) reduce waste generation and improve efficiency in using natural resources in all areas of its operations.

The CEO or designee may collaborate with city, county, and state agencies in developing and implementing SCVSFSA's integrated waste management program.

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
(cf. 7131 - Relations With Local Agencies)

The CEO or designee shall make every effort to identify funding opportunities for the SCVSFSA's integrated waste management program including applying for available grants or other cost-reducing incentives.

The CEO or designee shall provide appropriate training opportunities to students and staff regarding the benefits and methods of conserving natural resources and protecting the environment.

(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)
(cf. 6142.5 - Environmental Education)
(cf. 6142.93 - Science Instruction)

Legal Reference: (see next page)

INTEGRATED WASTE MANAGEMENT (continued)

Legal Reference:

EDUCATION CODE

32370-32376 *Recycling paper*

33541 *Environmental education*

PUBLIC RESOURCES CODE

25410-25421 *Energy conservation assistance*

40050-40063 *Integrated waste management act*

41780 *Waste diversion*

42620-42622 *Source reduction and recycling programs*

42630-42647 *Schoolsite source reduction and recycling*

Management Resources:

A District-wide Approach to Recycling-A Guide for School Districts, Pub. # 500-94-009

Seeing Green through Waste Prevention-A Guide for School Districts, Pub. # 500-94-010

Going Beyond Recycling, Buying Recycled-A Guide for School Districts, Pub. # 322-95-001

Reusable School News

WEB SITES

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

California Department of Resources Recycling and Recovery: <http://www.calrecycle.ca.gov>

California Division of State Architect: <http://www.dsa.ca.gov>

California Energy Commission: <http://www.energy.ca.gov>

California Environmental Protection Agency: <http://www.calepa.ca.gov>

U.S. EPA: <http://www.epa.gov>

INTEGRATED WASTE MANAGEMENT

To ensure efficient utilization of natural and material resources, the Chief Executive Officer (CEO) or designee shall work towards instituting the following measures and/or practices:

1. Reduce waste generation by reducing the consumption of disposable materials, composting of organic materials, and fully utilizing all materials prior to disposal.
2. Recycle materials such as paper, glass, plastic, and aluminum, and minimize the use of non-biodegradable products.
3. Prefer recycled and other environmentally preferable products when procuring materials for use by the Santa Clarita Valley School Food Services Agency (SCVSFSA) or contracting for the construction or modernization of any SCVSFSA building.

(cf. 3300 - Expenditures and Purchases)

(cf. 3311 - Bids)

(cf. 3312 - Contracts)

(cf. 7110 - Facilities Master Plan)

4. Work with vendors and contractors to use packaging and delivery materials that generate less waste.
5. Work with city, county, or other government agencies to locate markets for SCVSFSA's reusable and recyclable materials.

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)

(cf. 7131 - Relations With Local Agencies)

CELLULAR PHONE REIMBURSEMENT

The Board of Directors understands that cellular phones and other mobile communications devices are an efficient and important method of conducting Santa Clarita Valley School Food Services Agency (SCVSFSA) business and can help to ensure the safety and security of staff, students, and others, as well as helping to protect SCVSFSA property.

(cf. 0450 - Comprehensive Safety Plan)
(cf. 3515 - Campus Security)
(cf. 3516 - Emergencies and Disaster Preparedness Plan)
(cf. 4040 - Employee Use of Technology)
(cf. 5131 - Conduct)

The Chief Executive Officer (CEO) or designee shall determine, in accordance with administrative regulation, whether an employee needs a cell phone and/or other mobile communications device in order to perform his/her job responsibilities.

(cf. 3542 - School Bus Drivers)
(cf. 4156.3/4256.3/4356.3 - Employee Property Reimbursement)

Legal Reference:

EDUCATION CODE

35213 Reimbursement for loss or damage of personal property

44032 Travel expense payment

48901.5 Electronic signaling devices

VEHICLE CODE

23123 Wireless telephones in vehicles

23125 Wireless telephones in school buses

CODE OF FEDERAL REGULATIONS, TITLE 26

1.132-5 Working conditions fringe benefit

Management Resources:

WEB SITES

Internal Revenue Service: <http://www.irs.gov>

CELLULAR PHONE REIMBURSEMENT

The Santa Clarita Valley School Food Services Agency (SCVSFSA) may provide an allowance to an employee for the use of his/her personally owned cell phone or mobile communications device for SCVSFSA-related business. The allowance shall be based on the business requirements of the employee. The allowance shall be given to the employee, who shall be responsible for payments to the service provider.

SCVSFSA may purchase cell phones or other mobile communications devices for use by employees for SCVSFSA-related business.

Employees who are not provided an allowance or SCVSFSA-owned mobile communications devices may be reimbursed for the actual expenses of business-related calls made on their personally owned equipment, in accordance with the SCVSFSA's expense reimbursement procedures.

The Chief Executive Officer (CEO) or designee shall determine if an employee requires a cell phone or other mobile communications device for the efficient performance of his/her job responsibilities. Factors that will be considered include, but are not limited to, whether the employee's job responsibilities require:

1. An ability to communicate frequently and access to a SCVSFSA telephone is not readily available
2. An ability to communicate immediately to ensure the safety of SCVSFSA staff or the security of SCVSFSA property
3. An ability to be accessible due to frequent travel or work outside of the office

The CEO or designee shall develop a uniform system for identifying employee cell phone or mobile communications device needs and the most cost effective method of providing necessary equipment to employees. He/she shall also develop a system for monitoring employee use and reimbursement of costs.

If an employee misuses the cell phone or other mobile communications device or leaves SCVSFSA employment, he/she shall be responsible for fees or charges associated with cancellation of the service contract.

If the CEO or designee determines that an employee no longer needs a cell phone or other mobile communications device to perform his/her job responsibilities, any fees or charges associated with cancellation of the service contract shall be the responsibility of SCVSFSA.

(cf. 4156.3/4256.3/4356.3 - Employee Property Reimbursement)

CELLULAR PHONE REIMBURSEMENT (continued)

Documentation of Records for Tax Purposes

When an employee has been provided the use of a SCVSFSA-owned device to be used for business and personal use, he/she shall reimburse the agency for approximately 1/3 of the monthly usage charges as well as any other charges incurred that exceed the monthly usage amount.

Business and Noninstructional Operations

DRUG AND ALCOHOL FREE SCHOOLS

The Board of Directors recognizes the need to keep district schools and Santa Clarita Valley School Food Services Agency (SCVSFSA) property free of drugs and alcohol in order to create a safe and healthy environment conducive to learning and promote student health and well-being. The Board prohibits the possession, use, or sale of drugs and alcohol at any time in district or SCVSFSA-owned or leased buildings, on SCVSFSA or member district property, and in SCVSFSA or member district vehicles, unless otherwise permitted by law.

(cf. 4020 - Drug and Alcohol-Free Workplace)

The following substances are prohibited on all district property:

1. Any substance which may not lawfully be possessed, used, or sold in California
2. Cannabis or cannabis products (Health and Safety Code 11362.3; 21 USC 812, 844)
3. Alcoholic beverages, unless approved by the school district Superintendent or CEO or designee for limited purposes specified in Business and Professions Code 25608

Prescription medication, except for prescribed cannabis, may be administered at SCVSFSA property or member district schools in accordance with law, SCVSFSA and member district policy and regulations.

Information about the SCVSFSA's drug- and alcohol-free schools policy and the consequences for violations shall be communicated clearly to employees and the community.

Enforcement/Discipline

The Chief Executive Officer (CEO) or designee shall take appropriate action to eliminate the possession, use, or sale of alcohol and other drugs and related paraphernalia at SCVSFSA facilities, on member school district property, in SCVSFSA vehicles, or at SCVSFSA- or member district-sponsored activities. As appropriate, he/she may direct anyone violating this policy to leave SCVSFSA property and/or refer the matter to law enforcement.

(cf. 1250 - Visitors/Outsiders)

Employees who violate the terms of this policy may be subject to discipline and/or referred to assistance programs in accordance with law and Board policy.

DRUG AND ALCOHOL FREE SCHOOLS (continued)

Legal Reference:

EDUCATION CODE

- 45123 *Employment after conviction of controlled substance offense*
- 45304 *Compulsory leave of absence for classified persons*
- 48900 *Suspension or expulsion (grounds)*
- 48900.5 *Suspension, limitation on imposition; exception*
- 48901 *Smoking or use of tobacco prohibited*
- 48901.5 *Prohibition of electronic signaling devices*
- 48902 *Notification of law enforcement authorities; civil or criminal immunity*
- 48909 *Narcotics or other hallucinogenic drugs*
- 48915 *Expulsion; particular circumstances*

BUSINESS AND PROFESSIONS CODE

- 25608 *Alcohol on school property; use in connection with instruction*

GOVERNMENT CODE

- 8350-8357 *Drug-free workplace*

HEALTH AND SAFETY CODE

- 11053-11058 *Standards and schedules*
- 11353.6 *Juvenile Drug Trafficking and Schoolyard Act*
- 11362.1 *Possession and use of cannabis, persons age 21 and over*
- 11362.3 *Limitations on possession and use of cannabis*
- 11362.79 *Limitations on medical use of cannabis*
- 104559 *Tobacco use prohibition*

PENAL CODE

- 13860-13864 *Suppression of drug abuse in schools*

VEHICLE CODE

- 13202.5 *Drug and alcohol related offenses by person under age of 21, but aged 13 or over;*

UNITED STATES CODE, TITLE 20

- 7101-7122 *Student Support and Academic Enrichment Grants*

UNITED STATES CODE, TITLE 21

- 812 *Schedules of controlled substances*
- 844 *Penalties for possession of controlled substance*

UNITED STATES CODE, TITLE 41

- 8101-8106 *Drug-Free Workplace Act*

COURT DECISIONS

- Ross v. RagingWire Telecommunications, Inc., 42 Cal. 4th 920 (2008)*

GAMUT update 10/17

ENVIRONMENTAL SAFETY

The Board of Directors recognizes its obligation to provide a safe and healthy environment at Santa Clarita Valley School Food Services Agency (SCVSFSA) facilities for students, staff, and community members. The Chief Executive Officer (CEO) or designee shall regularly assess SCVSFSA facilities to identify environmental health risks. He/she shall establish a comprehensive plan to prevent and/or mitigate environmental hazards based on a consideration of the proven effectiveness of various options, anticipated short-term and long-term costs and/or savings to SCVSFSA, and the potential impact on staff and students served.

(cf. 0200 - Goals for the School District)
(cf. 1312.4 - Williams Uniform Complaint Procedures)
(cf. 3516 - Emergencies and Disaster Preparedness Plan)
(cf. 3516.3 - Earthquake Emergency Procedure System)
(cf. 3517 - Facilities Inspection)
(cf. 4157/4257/4357 - Employee Safety)
(cf. 5030 - Student Wellness)
(cf. 5142 - Safety)
(cf. 7111 - Evaluating Existing Buildings)

Strategies addressed in SCVSFSA's plan shall include, but not necessarily be limited to, the following:

1. Ensuring good indoor air quality by maintaining adequate ventilation; using effective maintenance operations to reduce dust, mold, mildew, and other indoor air contaminants; and considering air quality in the site selection, design, and furnishing of new or remodeled facilities

(cf. 3513.3 - Tobacco-Free Schools)
(cf. 5141.23 - Asthma Management)
(cf. 6163.2 - Animals at School)
(cf. 7150 - Site Selection and Development)

2. Limiting outdoor activities when necessary due to poor outdoor air quality, including excessive smog, smoke, or ozone, or when ultraviolet radiation levels indicate a high risk of harm

(cf. 3516.5 - Emergency Schedules)
(cf. 5141.7 - Sun Safety)
(cf. 6142.7 - Physical Education and Activity)

3. Reducing exposure to diesel exhaust and other air contaminants by limiting unnecessary idling of school buses and other commercial motor vehicles

(cf. 3540 - Transportation)
(cf. 3541.1 - Transportation for School-Related Trips)
(cf. 3542 - School Bus Drivers)

ENVIRONMENTAL SAFETY (continued)

4. Minimizing exposure to lead in paint, soil, and drinking water
5. Inspecting facilities for naturally occurring asbestos and asbestos-containing building materials that pose a health hazard due to damage or deterioration and safely removing, encapsulating, enclosing, or repairing such materials
6. Ensuring the proper storage, use, and disposal of potentially hazardous substances

(cf. 3514.1 - Hazardous Substances)
(cf. 6161.3 - Toxic Art Supplies)

7. Ensuring the use of effective least toxic pest management practices

(cf. 3514.2 - Integrated Pest Management)

8. Instituting a food safety program for the storage, preparation, delivery, and service of school meals in order to reduce the risk of foodborne illnesses

(cf. 3550 - Food Service/Child Nutrition Program)

In developing strategies to promote healthy environments, the CEO or designee may consult and collaborate with local environmental protection agencies, health agencies, and other community organizations.

(cf. 1020 - Youth Services)

The CEO or designee shall provide SCVSFSA's maintenance and facilities staff, bus drivers, food services staff, and other staff as appropriate with professional development regarding their responsibilities in implementing strategies to improve and maintain environmental safety at the schools.

(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

The CEO or designee shall notify the Board, staff, parents/guardians, students, and/or governmental agencies, as appropriate, if an environmental hazard is discovered at any SCVSFSA facility. The notification shall provide information about SCVSFSA's actions to remedy the hazard and may recommend health screening of staff and students.

(cf. 5141.6 - School Health Services)

ENVIRONMENTAL SAFETY (continued)

Legal Reference:

EDUCATION CODE

17002 Definition of "good repair"

17070.75 Facilities inspection

17582 Deferred maintenance fund

17590 Asbestos abatement fund

17608-17613 Healthy Schools Act of 2000, least toxic pest management practices

32240-32245 Lead-Safe Schools Protection Act

48980.3 Notification of pesticides

49410-49410.7 Asbestos materials containment or removal

FOOD AND AGRICULTURAL CODE

11401-12408 Pest control operations and agricultural chemicals

13180-13188 Healthy Schools Act of 2000, least toxic pest management practices

GOVERNMENT CODE

3543.2 Scope of representation; right to negotiate safety conditions

HEALTH AND SAFETY CODE

105400-105430 Indoor environmental quality

113700-114437 California Retail Food Code, sanitation and safety requirements

CODE OF REGULATIONS, TITLE 5

14010 Standards for school site selection

CODE OF REGULATIONS, TITLE 8

337-339 Hazardous substances list

340-340.2 Occupational safety and health, rights of employees

1528-1533 Construction safety orders; exposure to hazards

5139-5223 Control of hazardous substances

CODE OF REGULATIONS, TITLE 13

2480 Vehicle idling

CODE OF REGULATIONS, TITLE 17

35001-36100 Lead abatement services

CODE OF REGULATIONS, TITLE 22

64670-64679 Lead and copper in drinking water

UNITED STATES CODE, TITLE 7

136-136y Use of pesticides

UNITED STATES CODE, TITLE 15

2601-2629 Control of toxic substances

2641-2656 Asbestos Hazard Emergency Response Act

UNITED STATES CODE, TITLE 42

1758 Food safety and inspections

CODE OF FEDERAL REGULATIONS, TITLE 40

141.1-141.723 Drinking water standards

745.61-745.339 Lead-based paint standards

763.80-763.99 Asbestos-containing materials in schools

763.120-763.123 Asbestos worker protections

Management Resources: (see next page)

ENVIRONMENTAL SAFETY (continued)

Management Resources:

CSBA PUBLICATIONS

Indoor Air Quality: Governing Board Actions for Creating Healthy School Environments, Policy Brief, July 2008

Asthma Management in the Schools, Policy Brief, March 2008

Food Safety Requirements, Fact Sheet, October 2007

Sun Safety in Schools, Policy Brief, July 2006

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

School Site Selection and Approval Guide, 2000

Indoor Air Quality, A Guide for Educators, 1995

CALIFORNIA DEPARTMENT OF HEALTH SERVICES PUBLICATIONS

Report to the Legislature: Lead Hazards in California's Public Elementary Schools and Child Care Facilities, April 1998

U.S. ENVIRONMENTAL PROTECTION AGENCY PUBLICATIONS

Indoor Air Quality Tools for Schools, rev. 2007

Healthy School Environments Assessment Tool, 2007

The ABCs of Asbestos in Schools, rev. August 2003

Mold Remediation in Schools and Commercial Buildings, March 2001

How to Manage Asbestos in School Buildings: AHERA Designated Person's Self-Study Guide, 1996

WEB SITES

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

AirNow: <http://www.airnow.gov>

American Association of School Administrators: <http://www.aasa.org>

California Air Resources Board: <http://www.arb.ca.gov>

California Department of Education, Health and Safety: <http://www.cde.ca.gov/ls/fa/hs>

California Department of Pesticide Regulation: <http://www.cdpr.ca.gov>

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

California Indoor Air Quality Program: <http://www.cal-iaq.org>

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

Consumer Product Safety Commission: <http://www.cpsc.gov>

National Center for Environmental Health: <http://www.cdc.gov/nceh>

Occupational Safety and Health Administration: <http://www.osha.gov>

U.S. Environmental Protection Agency: <http://www.epa.gov>

Administrative Regulation

AR 3514.1(a)

Hazardous Substances

Business and Non-instructional Operations

Hazardous substance means a substance, material, or mixture which is likely to cause illness or injury by reason of being explosive, flammable, poisonous, corrosive, oxidizing, an irritant, or otherwise harmful. Hazardous substances, as identified by the Department of Industrial Relations, are listed in 8 CCR 339. (8 CCR 339, 5161)

Storage and Disposal of Chemicals

The CEO or designee shall adopt measures to ensure that hazardous substances on any member districts schools and SCVSFSA property are stored and disposed of properly in accordance with law. Such measures shall include, but are not limited to, the following: (8 CCR 5164)

1. Substances which react violently or evolve toxic vapors or gases when mixed, or which in combination become toxic, flammable, explosive, or otherwise hazardous, shall be separated from each other in storage by distance, partitions, secondary containment, or otherwise so as to preclude accidental contact between them.
2. Hazardous substances shall be stored in containers which are chemically inert to and appropriate for the type and quantity of the hazardous substance.
3. Containers of hazardous substances shall not be stored in such locations or manner as to result in physical damage to or deterioration of the container or where they are exposed to heat sufficient to rupture the container or to cause leakage.
4. Containers used to package a substance which gives off toxic, poisonous, corrosive, asphyxiant, suffocant, or anesthetic fumes, gases, or vapors in hazardous amounts, excluding small quantities of such materials kept in closed containers or materials kept in tank cars or trucks, shall not be stored in locations where it could be reasonably anticipated that persons would be exposed.
5. Make Material Safety Data Sheets (MSDS) available in each site kitchen. Communicate information with Agency and district employees.

(cf. 3514 - Environmental Safety)

The CEO or designee shall regularly remove and dispose of all chemicals whose estimated shelf life has elapsed. (Education Code 49411)

The SCVSFSA's written hazard communication program shall include at least the components listed below and shall be available upon request to all employees and their

designated representatives. The program shall apply to any hazardous substance which is known to be present in the workplace in such a manner that employees may be exposed under normal conditions of use or in a reasonably foreseeable emergency resulting from workplace operations. (8 CCR 5194)

1. Container Labeling

No container of hazardous substance, unless exempted by law, shall be accepted by the SCVSFSA or any school unless labeled, tagged, or marked by the supplier with the identity of the hazardous substance, hazard warning statements, and the name and address of the chemical manufacturer or importer. No label on an incoming container shall be removed or intentionally defaced unless the container is immediately marked with the required information.

Whenever hazardous substances are transferred from their original containers to other containers, the secondary containers shall likewise be labeled with the identity and hazard warning statement, unless the substances are intended only for the immediate use of the employee who performs the transfer.

2. Safety Data Sheets

Upon receiving a hazardous substance or mixture, the CEO or designee shall ensure that the manufacturer or importer has furnished a safety data sheet (SDS) as required by law. If the SDS is missing or obviously incomplete, the CEO or designee shall, within seven working days of noting the missing or incomplete information, request a new SDS from the manufacturer or importer. If a response is not received within 25 working days, the CEO or designee shall send a copy of the Agency's written inquiry to the California Occupational Safety and Health Division (Cal/OSHA). (8 CCR 5194)

The CEO or designee shall maintain the required SDS for each hazardous substance in the workplace and shall ensure that it is readily accessible to employees in their work area during working hours. The SDS may be maintained in paper copy, electronically, or through other means, provided that employees have immediate access and understand how to use the alternative system. The SDS will be shared with member districts school sites.

3. Employee Information and Training

Employees shall receive information and training on hazardous substances in their work area at the time of their initial assignment and whenever a new hazard is introduced into their work area. The information and training shall include, but are not limited to, the following topics: (8 CCR 5194)

- a. The requirements of 8 CCR 5194, including employee rights described therein.
- b. The location and availability of the Agency's written hazard communication program, including the list of hazardous materials and all SDS.
- c. Any operations in the work area where hazardous substances are present.
- d. The physical and health effects of the hazardous substances in the work area.
- e. Methods and observations that may be used to detect the presence or release of hazardous substances in the work area
- f. Measures that employees can take to protect themselves from exposure to hazardous substances, including specific procedures the district has implemented to protect employees, such as appropriate work practices, emergency procedures, and personal protective equipment to be used.
- g. How to read and use the labels and SDS

(cf. 4112.914212.914312.9 - Employee Notifications) (cf. 4131 «Staff Development) (cf. 4231 - Staff Development) (cf. 4331 - Staff Development)

4. List of Hazardous Substances

The written hazard communication program shall include a list of the hazardous substances known to be present in the workplace as a whole or for individual work areas. (8 CCR 5194)

5. Hazardous Non-routine Tasks

When employees are required to perform hazardous non-routine tasks or to work on unlabeled pipes that contain hazards, they shall first receive information about the specific hazards to which they may be exposed during this activity and the protective/safety measures which must be used, such as ventilation, respirators, other personal protective equipment, and/or the presence of another employee. They shall

also receive information about emergency procedures to follow if accidentally exposed to the hazardous substance.

6. Information to Contractors

To ensure that outside contractors and their employees work safely in SCVSFSA facilities, the CEO or designee shall inform contractors of hazardous substances which are present on the site and precautions that they may take to lessen the possibility of exposure. It shall be the contractor's responsibility to disseminate this information to his/her employees and subcontractors.

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HAZARDOUS SUBSTANCES

The Board of Directors desires to provide a safe environment that protects employees from exposure to potentially hazardous substances that may be used in the daily operations of the Santa Clarita Valley School Food Services Agency (SCVSFSA).

Insofar as possible, the CEO or designee shall minimize the quantities of hazardous substances stored and used on school property and shall substitute less dangerous materials for hazardous substances. When hazardous substances must be used, the CEO or designee shall give preference to materials that cause the least risk to people and the environment.

Hazard Communication Program

The CEO or designee shall ensure that all potentially hazardous substances on SCVSFSA property are inventoried, used, stored, and regularly disposed of in a safe and legal manner.

The CEO or designee shall develop, implement, and monitor a written hazard communication program in accordance with 8 CCR 5194 and shall ensure that employees, and others as necessary are fully informed about the properties and potential hazards of substances to which they may be exposed and that material safety data sheets are readily accessible to them (communicate with districts).

(cf. 1240 – Volunteer Assistance)

Legal Reference:

EDUCATION CODE

49340-49341 Hazardous substances education

49341 Legislative findings

49401.5 Legislative intent; consultation services

49411 Chemical listing; compounds used in school programs; determination of shelf life; disposal

FOOD AND AGRICULTURAL CODE

12981 Regulations re pesticides and worker safety

HEALTH AND SAFETY CODE

25163 Transportation of hazardous wastes; registration; exemptions; inspection

25500-25520 Hazardous materials release response plans; inventory

LABOR CODE

6360-6363 Hazardous Substances Information and Training Act

6380-6386 List of hazardous substances

CODE OF REGULATIONS, TITLE 8

339 List of hazardous substances

3203 Illness and injury prevention program

3204 Records of employee exposure to toxic or harmful substances

5139-5230 Control of hazardous substances, especially

5154.1-5154.2 Ventilation

5161 Definitions

5162 Emergency eyewash and shower equipment

5163 Control of spills

HAZARDOUS SUBSTANCES

Legal Reference (cont.):

5164 *Storage of hazardous substances*

5194 *Hazard communication*

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Science Safety Handbook for California Public Schools, 2012

WEB SITES

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

California Department of Education: <http://cde.ca.gov>

Department of Industrial Relations, Cal/OSHA: <http://www.dir.ca.gov/dosh>

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INTEGRATED PEST MANAGEMENT

Definition

Integrated Pest Management (IPM) means a strategy that focuses on long-term prevention or suppression of pest problems through a combination of techniques such as monitoring for pest presence and establishing treatment threshold levels, using nonchemical practices to make the habitat less conducive to pest development, improving sanitation, and employing mechanical and physical controls. Pesticides that pose the least possible hazard and are effective in a manner that minimizes risks to people, property, and the environment are used only after careful monitoring indicates they are needed according to pre-established guidelines and treatment thresholds. (Food and Agricultural Code 13181)

Program Components

The Chief Executive Officer (CEO) or designee shall designate an employee at the Santa Clarita Valley School Food Services Agency's (SCVSFSA) office to develop, implement, and coordinate an IPM program that incorporates effective, least toxic pest management practices. The IPM coordinator shall prepare and regularly update an IPM plan based on the template provided by the CA Department of Pesticide Regulation (DPR). The Santa Clarita Valley School Food Services Agency's (SCVSFSA) program shall include, but not necessarily be limited to, the following components:

1. Identifying and monitoring pest population levels and identifying practices that could affect pest populations. Strategies for managing the pest shall be influenced by the pest species and whether that species poses a threat to people, property, or the environment.
2. Setting action threshold levels to determine when pest populations or vegetation at a specific location might cause unacceptable health or economic hazard that would indicate corrective action should be taken.
3. Modifying or eliminating pest habitats to deter pest populations and minimize pest infestations.
4. Considering a full range of possible alternative cost-effective treatments. Such alternative treatments may include taking no action or controlling the pest by physical, horticultural, or biological methods. Cost or staffing considerations alone will not be adequate justification for use of chemical control agents.
5. Selecting nonchemical pest management methods over chemical methods whenever such methods are effective in providing the desired control or, when it is determined that chemical methods must be used, giving preference to those chemicals that pose the least hazardous effects to people and the environment.
6. Limiting pesticide purchases to amounts needed for the year. Pesticides shall be stored at a secure location that is not accessible to unauthorized staff.

INTEGRATED PEST MANAGEMENT (continued)

AR 3514.2(b)

They shall be stored and disposed of in accordance with state regulations and label directions registered with the U.S. Environmental Protection Agency (EPA) as well as any disposal requirements indicated on the product label.

(cf. 3514 – Environmental Safety)

(cf. 3514.1 - Hazardous Substances)

7. Informing employees regarding pesticide use as described in the sections “Notifications” and “Warning Signs” below.
8. Ensuring that persons applying pesticides follow label precautions and are sufficiently trained in the principles and practices of IPM.
9. Evaluating the effectiveness of treatments to determine if revisions to the IPM plan are needed.

(cf. 4231 - Staff Development)

Training

The IPM coordinator and any employee or contractor who intends to apply a pesticide at the SCVSFSA shall annually complete a DPR-approved training course on IPM and the safe use of pesticides in relation to the unique nature of school sites and children’s health. (Education Code 17614; Food and Agricultural Code 13186.5)

Any Agency employee who handles pesticides shall also receive pesticide-specific safety training prior to applying pesticides and annually thereafter in accordance with 3 CCR 6724.

Notifications

Staff shall be annually notified, in writing, regarding pesticide products expected to be applied at the SCVSFSA in the upcoming year. The notification shall include at least the following:

1. The name of each pesticide product expected to be applied in the upcoming year and the active ingredient(s) in it.
2. The Internet address (<http://www.cdpr.ca.gov/schoolipm>) used to access information on pesticides and pesticide use reduction developed by the DPR pursuant to Food and Agricultural Code 13184
3. The opportunity to view a copy of the IPM plan in the SCVSFSA office.
4. An opportunity for interested persons to register to receive prior notification of each application of a pesticide at the SCVSFSA.
5. Other information deemed necessary by the IPM coordinator.

(cf. 1312.4 – Williams Uniform Complaint Procedures)

(cf. 3517 – Facilities Inspection)

(cf. 4212.9 – Employee Notifications)

Whenever a person registers to receive notice of individual pesticide application pursuant to item #4 above, the IPM coordinator shall notify such registered persons of individual pesticide applications at least 72 hours prior to the application. The notice shall include the product name, the active ingredient(s) in the product, and the intended date of application. (Education Code 17612)

Whenever the IPM coordinator deems that the immediate use of a pesticide is necessary to protect the health and safety of staff, or other persons at the SCVSFSA, he/she shall make every effort to provide the required notifications prior to the application of the pesticide. (Education Code 17612)

Warning Signs

The IPM Coordinator shall post a warning sign at each area of the facility where pesticides will be applied that shall be visible to all persons entering the treated area. The sign shall be posted at least 24 hours prior to the application and until 72 hours after the application. The warning sign shall prominently display the following information: (Education Code 17612)

1. The term "Warning/Pesticide Treated Area"
2. The product name, manufacturer's name, and the EPA's product registration number
3. Intended areas and dates of application
4. Reason for the pesticide application

When advance posting is not possible due to an emergency condition requiring immediate use of a pesticide, the warning sign shall be posted immediately upon application and shall remain posted until 72 hours after the application. (Education Code 17609, 17612)

Records

The SCVSFSA shall maintain records of all pesticide use at the SCVSFSA for four years, and shall make the information available to the public, upon request, in accordance with the California Public Records Act. Such records may be maintained by retaining a copy of the warning sign posted for each pesticide application with a recording on that copy of the amount of the pesticide used. (Education Code 17611)

(cf. 1340 – Access to SCVSFSA records)

(cf. 3580 – SCVSFSA records)

Legal Reference:

BUSINESS AND PROFESSIONS CODE

8593.2 Licensed pest control operators; training requirements

EDUCATION CODE

17366 Legislative intent (fitness of buildings for occupancy)

17608-17613 Healthy Schools Act of 2000

48980 Notice at beginning of term

48980.3 Notification of pesticides

FOOD AND AGRICULTURAL CODE

11401-12408 Pest control operations and agricultural chemicals

13180-13188 Healthy Schools Act of 2000

GOVERNMENT CODE

3543.2 Scope of representation; right to negotiate safety conditions

6250-6270 California Public Records Act

CODE OF REGULATIONS, TITLE 3

6147 Pesticides exempted from registration requirements

CODE OF REGULATIONS, TITLE 8

340-340.2 Employer's obligation to provide safety information

UNITED STATES CODE, TITLE 7

136-136y Insecticide, Fungicide and Rodenticide Act

Management Resources:

CALIFORNIA DEPARTMENT OF PESTICIDE REGULATION PUBLICATIONS

California School IPM Model Program Guidebook

U.S. ENVIRONMENTAL PROTECTION AGENCY

Protecting Children in Schools from Pests and Pesticides, 2002

Pest Control in the School Environment: Adopting Integrated Pest Management, 1993

WEB SITES

California Department of Education: <http://www.cde.ca.gov>

California Department of Pesticide Regulation, School IPM: www.cdpr.ca.gov/http://schoolipm.info

U.S. Environmental Protection Agency, Integrated Pest Management at Schools:

<http://www.epa.gov/pesticides/ipm>

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Regulation **SANTA CLARITA VALLEY SCHOOL FOOD SERVICES AGENCY**

approved: March 27, 2012

Valencia, California

REVISED: 4/15 (LK) 3/18 (LS)

EMERGENCIES AND DISASTER PREPAREDNESS PLAN

The Board of Directors recognizes that all Santa Clarita Valley School Food Services Agency (SCVSFSA) staff and all students served by it must be prepared to respond quickly and responsibly to emergencies, disasters, and threats of disaster. The Agency will annually provide the districts with the cell phone numbers for the CEO, Director Finance & Administration, Director of Food Services, & Administrative Assistant. The districts will add these cell phone numbers to their emergency call list.

The Chief Executive Officer (CEO) or designee shall develop and maintain a disaster preparedness plan which details provisions for handling emergencies and disasters and which shall be included in SCVSFSA's comprehensive safety plan. (Education Code 32282)

(cf. 0450 - Comprehensive Safety Plan)
(cf. 3516.3 - Earthquake Emergency Procedure System)

The CEO or designee shall also develop and maintain emergency plans for each facility.

In developing the SCVSFSA emergency plan, the CEO or designee shall collaborate with city and county emergency responders, including local public health administrators.

The CEO or designee shall use state-approved Standardized Emergency Management System guidelines and the National Incident Command System when updating the SCVSFSA emergency and disaster preparedness plan.

SCVSFSA employees are considered disaster service workers and are subject to disaster service activities assigned to them. (Government Code 3100)

(cf. 4112.3/4212.3/4312.3 - Oath or Affirmation)
(cf. 4119.3/4219.3/4319.3 - Duties of Personnel)

Legal Reference: (see next page)

EMERGENCIES AND DISASTER PREPAREDNESS PLAN (continued)

Legal Reference:

EDUCATION CODE

32001 Fire alarms and drills

32040 Duty to equip school with first aid kit

32280-32289 School safety plans

32290 Safety devices

39834 Operating overloaded bus

46390-46392 Emergency average daily attendance in case of disaster

49505 Natural disaster; meals for homeless students; reimbursement

GOVERNMENT CODE

3100 Public employees as disaster service workers

8607 Standardized emergency management system

CODE OF REGULATIONS, TITLE 5

550 Fire drills

560 Civil defense and disaster preparedness plans

CODE OF REGULATIONS, TITLE 19

2400-2450 Standardized emergency management system

UNITED STATES CODE, TITLE 42

12101-12213 Americans with Disabilities Act

Management Resources:

CSBA PUBLICATIONS

Avian Influenza, Governance and Policy Services Fact Sheet, April 2006

911! A Manual for Schools and the Media During a Campus Crisis, 2001

CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS

Pandemic Influenza Planning Checklist, 2006

CONTRA COSTA COUNTY OFFICE OF EDUCATION

Pandemic Flu School Action Kit, June 2006

GOVERNOR'S OFFICE OF EMERGENCY SERVICES

School Emergency Response: Using SEMS at Districts and Sites, June 1998

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Practical Information on Crisis Planning: A Guide for Schools and Communities, May 2003

WEB SITES

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

American Red Cross: <http://www.redcross.org>

California Department of Education, Crisis Preparedness: <http://www.cde.ca.gov/lr/ss/cp>

California Emergency Management Agency: <http://www.calema.ca.gov>

California Seismic Safety Commission: <http://www.seismic.ca.gov>

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

Contra Costa County Office of Education, Pandemic influenza resources:

http://www.cccoe.k12.ca.us/about/flu/resources_flu_action_kit

Federal Emergency Management Agency: <http://www.fema.gov>

U.S. Department of Education, Emergency Planning:

<http://www.ed.gov/admins/lead/safety/emergencyplan>

U.S. Department of Homeland Security: <http://www.dhs.gov>

RISK MANAGEMENT/INSURANCE

The Board of Directors strongly supports a risk management program that protects Santa Clarita Valley School Food Services Agency (SCVSFSA) resources and promotes the safety of the students it serves, its staff and the public.

The Chief Executive Officer (CEO) or designee shall establish a risk management program that uses effective safety and loss control practices. SCVSFSA shall strive to keep its liability at a minimum and its insurance premiums as low as possible while maintaining adequate protection. To determine the most economical means of insuring SCVSFSA consistent with required services, the CEO or designee shall annually review SCVSFSA's options for obtaining coverage, including qualified insurance agents, a joint powers agency, self-insurance, or a combination of these means.

The Board reserves the right to remove an insurance agent-of-record or a participating agent whenever, in the judgment of the Board, such action becomes desirable for the best interests of the SCVSFSA.

To attempt to minimize the SCVSFSA's exposure to liability, the Board shall adopt clear policies related to discrimination, harassment, safety procedures, and the timely handling of claims. The CEO or designee shall ensure that these policies and related procedures are enforced fairly and consistently.

(cf. 0410 - Nondiscrimination in District Programs and Activities)

(cf. 3320 - Claims and Actions Against the District)

(cf. 4030 - Nondiscrimination in Employment)

(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

(cf. 4132/4232/4332 - Publication or Creation of Materials)

(cf. 4157.1/4257.1/4357.1 - Work-Related Injuries)

(cf. 4158/4258/4358 - Employee Security)

(cf. 5141.4 - Child Abuse Prevention and Reporting)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 6162.6 - Use of Copyrighted Materials)

(cf. 9260 - Legal Protection)

The CEO or designee shall report to the Board twice a year on SCVSFSA's risk management activities.

Legal Reference: (see next page)

RISK MANAGEMENT/INSURANCE (continued)

Legal Reference:

EDUCATION CODE

17029.5 Contract funding; board liability

17565-17592 Board duties re property maintenance and control

32350 Liability on equipment loaned to district

35162 Power to sue, be sued, hold and convey property

35200-35214 Liabilities, especially:

35208 Liability insurance

35211 Driver training civil liability insurance

35213 Reimbursement for loss, destruction or damage of personal property

35214 Liability self-insurance

35331 Medical or hospital service for students on field trip

39837 Transportation of pupils to places of summer employment

41021 Requirement for employees' indemnity bonds

44873 Qualifications for physician (liability coverage)

49470-49474 District medical services and insurance

GOVERNMENT CODE

820.9 Board members not vicariously liable for injuries caused by district

989-991.2 Local public entity insurance

LABOR CODE

3200-4855 Workers' compensation

RISK MANAGEMENT/INSURANCE

Risk Management

The Chief Executive Officer (CEO) or designee shall take action to:

1. Identify the risks inherent in the operation of the Santa Clarita Valley School Food Services Agency (SCVSFSA) programs
2. Assess the above risks and keep records of accidents, losses and damage
3. Mitigate risks through loss control and safety-related activities
4. Determine the extent to which risks should be assumed by SCVSFSA or covered by the purchase of insurance or pooling with other districts

Employees are expected to take reasonable precautions for the care and safety of SCVSFSA equipment with which they have been entrusted. Employees may be held responsible for recurring damage or losses that occur due to their negligence or lack of supervision. Responsibilities related to safety and loss control shall be included in employee job descriptions.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 1240 - Volunteer Assistance)

(cf. 1330 - Use of School Facilities)

(cf. 3400 - Management of District Assets/Accounts)

(cf. 3430 - Investing)

(cf. 3440 - Inventories)

(cf. 3512 - Equipment)

(cf. 3514 - Environmental Safety)

(cf. 3514.1 - Hazardous Substances)

(cf. 3515.4 - Recovery for Property Loss or Damage)

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

(cf. 3541.1 - Transportation for School-Related Trips)

(cf. 3543 - Transportation Safety and Emergencies)

(cf. 4112.42/4212.42/4312.43 - Drug and Alcohol Testing for School Bus Drivers)

(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)

(cf. 4157/4257/4357- Employee Safety)

(cf. 4212.5 - Criminal Record Check)

(cf. 5131.1 - Bus Conduct)

(cf. 5131.61 - Drug Testing)

(cf. 5141 - Health Care and Emergencies)

(cf. 5141.22 - Infectious Diseases)

(cf. 5142 - Safety)

(cf. 6145.2 - Athletic Competition)

(cf. 6153 - School-Sponsored Trips)

(cf. 9260 - Legal Protection)

RISK MANAGEMENT/INSURANCE (continued)

Insurance

Insurance coverage shall include, but may not be limited to:

1. Liability insurance (Education Code 35200-35214)
2. Fire insurance for buildings, equipment, and vehicles (Education Code 17565)
3. Workers' compensation insurance (Labor Code 3700)
4. Fidelity bond insurance (Education Code 41021)

A suitable bond indemnifying SCVSFSA against loss shall be purchased for employees responsible for handling SCVSFSA funds and may be purchased for employees responsible for handling SCVSFSA property. SCVSFSA shall bear the cost of this bonding. (Education Code 41021)

(cf. 1330 - Use of School Facilities)

(cf. 4154/4254/4354 - Health and Welfare Benefits)

(cf. 4156.3/4256.3/4356.3 - Employee Property Reimbursement)

(cf. 4157.1/4257.1/4357.1 - Work-Related Injuries)

(cf. 5143 - Insurance)

(cf. 9260 - Legal Protection)

FOOD SERVICE/CHILD NUTRITION PROGRAM

The Board of Directors recognizes that adequate, nourishing food is essential to student health, development, and ability to learn. The Chief Executive Officer (CEO) or designee shall develop strategies to increase students' access to the Santa Clarita Valley School Food Services Agency's (SCVSFSA) food service programs and to maximize their participation in available programs.

Foods and beverages available through SCVSFSA's food service program shall:

1. Be carefully selected so as to contribute to students' nutritional well-being and the prevention of disease and comply with the guidelines of wellness policy and state and federal dietary guidelines

(cf. 5141.27 - Food Allergies/Special Dietary Needs)

2. Meet or exceed nutrition standards specified in law and administrative regulation

(cf. 3552 - Summer Meal Program)

(cf. 3554 - Other Food Sales)

(cf. 5030 - Student Wellness)

(cf. 5148 - Child Care and Development)

(cf. 5148.2 - Before/After School Programs)

(cf. 5148.3 - Preschool/Early Childhood Education)

3. Be prepared in ways that will appeal to students, retain nutritive quality, and foster lifelong healthful eating habits
4. Be served in age-appropriate portions
5. Be available to students who meet federal eligibility criteria at no cost or at reduced prices, and to other students at reasonable prices

(cf. 3551 - Food Service Operations/Cafeteria Fund)

(cf. 3553 - Free and Reduced Price Meals)

SCVSFSA's food service program shall give priority to serving unprocessed foods and fresh fruits and vegetables.

To encourage student participation in school meal programs, SCVSFSA may offer multiple choices of food items within a meal service, provided all food items meet nutrition standards and all students are given an opportunity to select any food item.

FOOD SERVICE/CHILD NUTRITION PROGRAM (continued)

The CEO or designee may invite students and parents/guardians to participate in the selection of foods of good nutritional quality for school menus.

The CEO or designee shall periodically review the adequacy of school facilities for cafeteria eating and food preparation.

(cf. 1312.4 - Williams Uniform Complaint Procedures)

(cf. 3517- Facilities Inspection)

(cf. 7110 - Facilities Master Plan)

In accordance with law, the CEO or designee shall develop and maintain a food safety program in order to reduce the risk of foodborne hazards at each step of the food preparation process, from receiving to service.

The CEO or designee shall annually report to the Board on student participation in SCVSFSA's nutrition programs and the extent to which the SCVSFSA's food services program meets state and federal nutrition standards for foods and beverages. In addition, the CEO or designee shall provide all necessary and available documentation required for the Administrative Review conducted by the California Department of Education (CDE) to ensure the food service program's compliance with federal requirements related to nutrition standards, meal patterns, provision of drinking water, school meal environment, food safety, and other areas as required by the CDE.

(cf. 0500 - Accountability)

(cf. 3555 - Nutrition Program Compliance)

Legal Reference: (see next page)

FOOD SERVICE/CHILD NUTRITION PROGRAM (continued)

Legal Reference:

EDUCATION CODE

35182.5 *Contracts, non-nutritious beverages*
38080-38103 *Cafeteria, establishment and use*
45103.5 *Contracts for management consulting services; restrictions*
49430-49436 *Pupil Nutrition, Health, and Achievement Act of 2001*
49490-49494 *School breakfast and lunch programs*
49500-49505 *School meals*
49510-49520 *Nutrition*
49530-49536 *Child Nutrition Act*
49540-49546 *Child care food program*
49547-49548.3 *Comprehensive nutrition services*
49550-49562 *Meals for needy students*
49570 *National School Lunch Act*
51795-51797 *School gardens*

HEALTH AND SAFETY CODE

113700-114437 *California Retail Food Code*
CODE OF REGULATIONS, TITLE 5
15510 *Mandatory meals for needy students*
15530-15535 *Nutrition education*
15550-15565 *School lunch and breakfast programs*
15575-15578 *Requirements for foods and beverages outside federal meal programs*

UNITED STATES CODE, TITLE 42

1751-1769j *National School Lunch Program, including:*
1758b *Local wellness policy*
1761 *Summer Food Service Program and Seamless Summer Feeding Option*
1769a *Fresh Fruit and Vegetable Program*
1771-1793 *Child nutrition, especially:*
1772 *Special Milk Program*
1773 *National School Breakfast Program*
CODE OF FEDERAL REGULATIONS, TITLE 7
210.1-210.31 *National School Lunch Program*
215.1-215.18 *Special Milk Program*
220.42-220.243 *National School Breakfast Program*
245.1-245.13 *Eligibility for free and reduced-price meals and free milk*

Management Resources:

CSBA PUBLICATIONS

Building Healthy Communities: A School Leader's Guide to Collaboration and Community Engagement, 2009
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

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

School Meals Initiative Summary

Healthy Children Ready to Learn, January 2005

CALIFORNIA PROJECT LEAN PUBLICATIONS

Policy in Action: A Guide to Implementing Your Local School Wellness Policy, October 2006

Management Resources continued: (see next page)

FOOD SERVICE/CHILD NUTRITION PROGRAM (continued)

Management Resources: (continued)

U.S. DEPARTMENT OF AGRICULTURE PUBLICATIONS

School Breakfast Toolkit

Fresh Fruit and Vegetable Program: Handbook for Schools, December 2010

Food Buying Guide for Child Nutrition Programs, December 2007

Civil Rights Compliance and Enforcement - Nutrition Programs and Activities, FNS Instruction 113-1, November 2005

Guidance for School Food Authorities: Developing a School Food Safety Program Based on the Process Approach to HACCP Principles, June 2005

Dietary Guidelines for Americans, 2005

WEB SITES

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

California Department of Education, Nutrition Services Division: <http://www.cde.ca.gov/ls/nu>

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

California Farm Bureau Federation: <http://www.cfbf.com>

California Food Policy Advocates: <http://www.cfpa.net>

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

California Project LEAN (Leaders Encouraging Activity and Nutrition):

<http://www.californiaprojectlean.org>

California School Nutrition Association: <http://www.calsna.org>

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

National Alliance for Nutrition and Activity: <http://www.cspinet.org/nutritionpolicy/nana.html>

U.S. Department of Agriculture, Food and Nutrition Service: <http://www.fns.usda.gov/fns>

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FOOD SERVICE/CHILD NUTRITION PROGRAM

Nutrition Standards for School Meals

Meals, food items and beverages provided through the Santa Clarita Valley School Food Services Agency's (SCVSFSA) food services program shall: (Education Code 49531, 49553; 42 USC 1758, 1773)

1. Comply with the National School Lunch and Breakfast Program standards for meal patterns, nutrient levels, and calorie requirements for the ages/grade levels served, as specified in 7 CFR 210.10 or 220.8 as applicable.
2. Not be deep fried, par fried, or flash fried, as defined in Education Code 49430 and 49430.7.

(cf. 3552 - Summer Meal Program)

(cf. 3553 - Free and Reduced Price Meals)

(cf. 3554 - Other Food Sales)

(cf. 5030 - Student Wellness)

(cf. 5141.27 - Food Allergies/Special Dietary Needs)

Drinking Water

SCVSFSA shall ensure that district schools provide access to free, fresh drinking water during meal times in food service areas at all district schools, including, but not limited to, areas where reimbursable meals under the National School Lunch or Breakfast Program are served or consumed. (Education Code 38086; 42 USC 1758)

Food Safety

The Chief Executive Officer (CEO) or designee shall ensure that SCVSFSA's food service program meets the applicable sanitation and safety requirements of the California Retail Food Code as set forth in Health and Safety Code 113700-114437.

For all schools participating in the National School Lunch and/or School Breakfast Program, the CEO or designee shall implement a written food safety program for the storage, preparation, and service of school meals which complies with the national Hazard Analysis and Critical Control Point (HACCP) system. SCVSFSA's HACCP plan shall include, but not be limited to, a determination of critical control points and critical limits at each stage of food production, monitoring procedures, corrective actions, and recordkeeping procedures. (42 USC 1758; 7 CFR 210.13, 220.7)

The CEO or designee shall provide ongoing staff development on food safety to food service managers and employees. Each new employee, including a substitute, or volunteer shall complete initial food safety training prior to handling food. The CEO or designee shall document the date, trainer, and subject of each training.

(cf. 4231 - Staff Development)

FOOD SERVICE/CHILD NUTRITION PROGRAM (continued)

The CEO or designee shall assign staff to maintain records and logs documenting food safety activities, including, but not limited to, records of food deliveries, time and temperature monitoring during food production, equipment temperature (freezer, cooler, thermometer calibration), corrective actions, verification or review of safety efforts, and staff training.

Inspection of Food Facilities

All food preparation and service areas shall be inspected in accordance with Health and Safety Code 113725-113725.1 and applicable county regulations.

Each school participating in the National School Lunch and/or Breakfast Program shall, during each school year, obtain a minimum of two food safety inspections conducted by the county environmental health agency. (42 USC 1758; 7 CFR 210.13, 220.7)

The CEO or designee shall retain records from the most recent food safety inspection. All schools shall post a notice indicating that the most recent inspection report is available to any interested person upon request. (Health and Safety Code 113725.1; 42 USC 1758; 7 CFR 210.13, 210.15, 220.7)

(cf. 1340 - Access to District Records)

(cf. 3580 - District Records)

FOOD SERVICE/CHILD NUTRITION PROGRAM

Nutrition Standards for School Meals

Meals, food items and beverages provided through the Santa Clarita Valley School Food Services Agency's (SCVSFSA) food services program shall: (Education Code 49531, 49553; 42 USC 1758, 1773)

1. Comply with the National School Lunch and Breakfast Program standards for meal patterns, nutrient levels, and calorie requirements for the ages/grade levels served, as specified in 7 CFR 210.10 or 220.8, or 220.23 as applicable.
2. Not be deep fried, par fried, or flash fried, as defined in Education Code 49430 and 49430.7.

(cf. 3552 - Summer Meal Program)

(cf. 3553 - Free and Reduced Price Meals)

(cf. 3554 - Other Food Sales)

(cf. 5030 - Student Wellness)

(cf. 5141.27 - Food Allergies/Special Dietary Needs)

Drinking Water

SCVSFSA shall ensure that district schools provide access to free, fresh drinking water during meal times in food service areas at all district schools, including, but not limited to, areas where reimbursable meals under the National School Lunch or Breakfast Program are served or consumed. (Education Code 38086; 42 USC 1758)

Food Safety

The Chief Executive Officer (CEO) or designee shall ensure that SCVSFSA's food service program meets the applicable sanitation and safety requirements of the California Retail Food Code as set forth in Health and Safety Code 113700-114437.

For all schools participating in the National School Lunch and/or School Breakfast Program, the CEO or designee shall implement a written food safety program for the storage, preparation, and service of school meals which complies with the national Hazard Analysis and Critical Control Point (HACCP) system. SCVSFSA's HACCP plan shall include, but not be limited to, a determination of critical control points and critical limits at each stage of food production, monitoring procedures, corrective actions, and recordkeeping procedures. (42 USC 1758; 7 CFR 210.13, 220.7)

The CEO or designee shall provide ongoing staff development on food safety to food service managers and employees. Each new employee, including a substitute, or volunteer shall complete initial food safety training prior to handling food. The CEO or designee shall document the date, trainer, and subject of each training.

(cf. 4231 - Staff Development)

FOOD SERVICE/CHILD NUTRITION PROGRAM (continued)

The CEO or designee shall assign staff to maintain records and logs documenting food safety activities, including, but not limited to, records of food deliveries, time and temperature monitoring during food production, equipment temperature (freezer, cooler, thermometer calibration), corrective actions, verification or review of safety efforts, and staff training.

Inspection of Food Facilities

All food preparation and service areas shall be inspected in accordance with Health and Safety Code 113725-113725.1 and applicable county regulations.

Each school participating in the National School Lunch and/or Breakfast Program shall, during each school year, obtain a minimum of two food safety inspections conducted by the county environmental health agency. (42 USC 1758; 7 CFR 210.13, 220.7)

The CEO or designee shall retain records from the most recent food safety inspection. All schools shall post a notice indicating that the most recent inspection report is available to any interested person upon request. (Health and Safety Code 113725.1; 42 USC 1758; 7 CFR 210.13, 210.15, 220.7)

(cf. 1340 - Access to District Records)

(cf. 3580 - District Records)

FOOD SERVICE OPERATIONS/CAFETERIA FUND

Payments for Meals

With the exception of students who are eligible to receive meals at no cost, students may pay on a per-meal basis or may submit payments in advance. The Chief Executive Officer (CEO) or designee shall maintain a system for accurately recording payments received and tracking meals provided to each student.

(cf. 3550 – Food Service/Child Nutrition Program)

(cf. 3552 – Summer Meal Program)

(cf. 3553 – Free and Reduced Price Meals)

(cf. 3555 – Nutrition Program Compliance)

At the beginning of the school year, parents/guardians shall be notified of the Santa Clarita Valley School Food Services Agency's (SCVSFSA) meal payment policies and encouraged to prepay for meals whenever possible. The CEO or designee shall communicate the Agency's meal payment policies through multiple methods, including, but not limited to:

1. Explaining the meal charge policy within registration materials provided to parents/guardians at the start of the school year
2. Including the policy in print versions of student handbooks, if provided to parents/guardians annually
3. Providing the policy whenever parents/guardians are notified regarding the application process for free and reduced-price meals, such as in the distribution of applications at the start of the school year
4. Posting the policy on the agency's web site
5. Establishing a system to notify parents/guardians when a student's meal payment account has a low or negative balance

(cf. 1113 - District and School Web Sites)

(cf. 5145.6 – Parental Notifications)

In order to avoid potential misuse of a student's food service account by someone other than the student in whose name the account has been established, each student's identity shall be visually verified when setting up the account and when charging any meal to the account. The CEO or designee shall investigate any claim that a bill does not belong to a student or is inaccurate, shall not require a student to pay a bill that appears to be the result of identity

theft, and shall open a new account with a new account number for a student who appears to be the subject of identity theft.

Any payments made to a student's food service account shall, if not used within the school year, be carried over into the next school year or be refunded to the student's parents/guardians.

Unpaid and Delinquent Meal Charges

Students and their parents/guardians shall be notified no later than 10 days after a student's school meal account has reached a low or negative balance. In cases of repeated nonpayment by a student, the CEO or designee may contact parents/guardians to discuss the reasons for the nonpayment and evaluate individual circumstances to determine if the student's parents/guardians need assistance completing an application for free or reduced-price meals or need referral to social services. (Education Code 49557.5)

The CEO or designee may enter into a repayment plan with a student's parents/guardians for payment of the student's unpaid meal charge balance over a period of time. As necessary, the repayment plan may allow the unrecovered or delinquent debt to carry over into the next fiscal year.

The Agency shall not direct any action toward a student to collect unpaid school meal fees. (Education Code 49557.5)

The agency's efforts to collect debt shall be consistent with agency policy and procedures, California Department of Education (CDE) guidance, and 2 CFR 200.426. The agency shall not spend more than the actual debt owed in efforts to recover unpaid meal charges.

(cf. 1340 - Access to District Records)

(cf. 3580 - District Records)

Reimbursement Claims

The CEO or designee shall maintain records of the number of meals served each day by school site and by category of free, reduced-price, and full-price meals. The CEO or designee shall submit reimbursement claims for school meals to the California Department of Education (CDE) using the online Child Nutrition Information and Payment System.

Cafeteria Fund

All proceeds from food sales and other services offered by the cafeteria shall be deposited in the cafeteria fund as provided by law. The income and expenditures of any cafeteria revolving account established by the Board of Directors shall be recorded as income and expenditures of the cafeteria fund. (Education Code 38090, 38091, 38092)

FOOD SERVICE OPERATIONS/CAFETERIA FUND (continued)

AR 3551(c)

(cf. 3100 - Budget)
(cf. 3300 - Expenditures and Purchases)

The cafeteria fund shall be used only for those expenditures authorized by the Board as necessary for the operation of school cafeterias in accordance with Education Code 38100-38103, 2 CFR 255, and the California School Accounting Manual. (Education Code 38091, 38101; 2 CFR 255)

Any charges to, or transfers from, a food service program shall be dated and accompanied by a written explanation of the expenditure's purpose and basis. (Education Code 38101)

(cf. 3110 - Transfer of Funds)

Net cash resources in the nonprofit school food service shall not exceed three months average expenditures. (2 CFR 210.14)

U.S. Department of Agriculture Foods

The CEO or designee shall ensure that foods received through the U.S. Department of Agriculture (USDA) are handled, stored, and distributed in facilities which: (7 CFR 250.14)

1. Are sanitary and free from rodent, bird, insect, and other animal infestation
2. Safeguard foods against theft, spoilage, and other loss
3. Maintain foods at proper storage temperatures
4. Store foods off the floor in a manner to allow for adequate ventilation
5. Take other protective measures as may be necessary

The CEO or designee shall maintain inventories of USDA foods in accordance with 7 CFR 250.59 and CDE procedures, and shall ensure that foods are used before their expiration dates.

USDA foods shall be used in school lunches as far as practicable, USDA foods also may be used in other nonprofit food service activities, including, but not limited to, school breakfasts or other meals, a la carte foods sold to students, meals served to adults directly involved in the operation and administration of the food service and to other school staff, and training in nutrition, health, food service, or general home economics instruction for students, provided that any revenues from such activities accrue to SCVSFSA's nonprofit food service account. (7 CFR 250.59)

Contracts with Outside Services

The term of any contract for food service management or consulting services shall not exceed one year. Any renewal of the contract or further requests for proposals to provide such

services shall be considered on a year-to-year basis. (Education Code 45103.5; 7 CFR 210.16)

Any contract for management of the food service operation shall be approved by CDE and comply with the conditions in Education Code 49554 and 7 CFR 210.16 as applicable. The SCVSFSA shall retain control of the quality, extent, and general nature of its food services, including prices to be charged to students for meals, and shall monitor the food service operation through periodic on-site visits. The SCVSFSA shall not enter into a contract with a food service company to provide a la carte food services only, unless the company agrees to offer free, reduced-price, and full-price reimbursable meals to all eligible students. (Education Code 49554; 42 USC 1758; 7 CFR 210.16)

Any contract for consulting services shall not result in the supervision of food service classified staff by the management consultant, nor shall it result in the elimination of any food service classified staff or position or have any adverse effect on the wages, benefits, or other terms and conditions of employment of classified food service staff or positions. All persons providing consulting services shall be subject to applicable employment conditions related to health and safety as listed in Education Code 45103.5. (Education Code 45103.5)

(cf. 3312 - Contracts)

(cf. 3515.6 - Criminal Background Checks for Contractors)

(cf. 3600 - Consultants)

(cf. 4112.4/4212.4/4312.4 - Health Examinations)

(cf. 4212 - Appointments and Conditions of Employment)

(12/13) (5/17)

Regulation **SANTA CLARITA VALLEY SCHOOL FOOD SERVICES AGENCY**
approved: March 27, 2012 Valencia, California
REVISED: October 27, 2017
March 28, 2018 (LS)

FOOD SERVICE OPERATIONS/CAFETERIA FUND

The Governing Board intends that school food services shall be a self-supporting, nonprofit program. To ensure program quality and increase cost effectiveness, the Chief Executive Officer (CEO) or designee shall centralize and direct the purchasing of foods and supplies, the planning of menus, and the auditing of all food service accounts for the Santa Clarita Valley School Food Services Agency (SCVSFSA).

(cf. 3100 - Budget)

(cf. 3300 - Expenditures and Purchases)

(cf. 3311 - Bids)

(cf. 3550 - Food Service/Child Nutrition Program)

(cf. 3552 - Summer Meal Program)

(cf. 5030 - Student Wellness)

The CEO or designee shall ensure that all food service personnel possess appropriate qualifications and receive ongoing professional development related to the effective management and implementation of SCVSFSA's food services program.

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

At least once each year, food service administrators, other appropriate personnel who conduct or oversee administrative procedures, and other food service personnel shall receive training provided by the California Department of Education (CDE). (42 USC 1776).

Meal Sales

Meals may be sold to students, SCVSFSA employees, Board members and member district employees. (Education Code 38082)

Meals may be sold to nonstudents, including parents/guardians, volunteers students' siblings, or other individuals who are on campus for a legitimate purpose. Any meals served to nonstudents shall not be subsidized by federal or state reimbursements, food service revenues, or U.S. Department of Agriculture (USDA) foods.

Meal prices, as recommended by the CEO or designee and approved by the Board shall be based on the costs of providing food services and consistent with Education Code 38084 and 42 USC 1760.

Students who are enrolled in the free or reduced-price meal programs shall receive meals free of charge or at a reduced price in accordance with law, Board policy, and administrative regulation. Such students shall not be overtly identified or treated differently from other students.

(cf. 3553 - Free and Reduced Price Meals)

Any meals served to nonstudents shall not be subsidized by federal or state reimbursements, food service revenues, or U.S. Department of Agriculture foods.

The CEO or designee shall establish strategies and procedures for the collection of meal payments, including delinquent meal payments, and shall clearly communicate these procedures and related policies to students and parents/guardians. The procedures adopted by the CEO or designee shall conform with 2 CFR 200.426 and any applicable CDE guidance, and shall not overtly identify students with unrecovered or delinquent debt or treat them differently than other students.

The CEO or designee shall ensure that a student whose parent/guardian has unpaid school meal fees is not overtly identified, shamed, treated differently, or served a meal that differs from the meal served to other students. (Education Code 49557.5)

Cafeteria Fund

The CEO or designee shall ensure that state and federal funds provided through school meal programs are allocated only for purposes related to the operation or improvement of food services and reasonable and necessary indirect program costs allowed by law.

(cf. 3230 – Federal Grant Funds)

(cf. 3400 – Management of District Assets/Accounts)

(cf. 3460 – Financial Reports and Accountability)

Contracts with Outside Services

With Board approval, SCVSFSA may enter into a contract for food service consulting services or management services in one or more district/SCVSFSA schools. (Education Code 45103.5; 42 USC 1758; 7 CFR 210.16)

(cf. 3312 - Contracts)

(cf. 3600 - Consultants)

Procurement of Foods, Equipment and Supplies

To the maximum extent practicable, foods purchased for use in school meals by the district or by any entity purchasing food on its behalf shall be domestic commodities or products. Domestic commodity or product means an agricultural commodity that is produced in the United States and a food product that is processed in the United States substantially using agricultural commodities that are produced in the United States. (42 USC 1760; 7 CFR 210.21)

A nondomestic food product may be purchased for use in the Agency's food service program only as a last resort when the product is not produced or manufactured in the United States in sufficient quantities of a satisfactory quality, or when competitive bids reveal the costs of a United States product are significantly higher than the nondomestic product. In such cases, the CEO or designee shall retain documentation justifying the exception.

Bid solicitations and awards for purchases of equipment, material, or supplies in support of the Agency, or for contracts awarded pursuant to Public Contract Code 2000, shall be consistent with the federal procurement standards in 2 CFR 200.318-200.326. Awards shall be let to the most responsive and responsible part. Price shall be the primary consideration, but not the only determining factor, in making such an award. (Public Contract Code 20111)

Program Monitoring and Evaluation

The CEO or designee shall present to the Board, at least annually, financial reports regarding revenues and expenditures related to the food service program.

The CEO or designee shall provide all necessary documentation based upon information provided by the member districts required for the Administrative Review conducted by the CDE to ensure compliance of the SCVSFSA's food service program with federal requirements related to maintenance of the nonprofit school food service account, paid lunch equity, revenue from nonprogram goods, indirect costs, and USDA foods.

(cf. 3555 – Nutrition Program Compliance)

Legal Reference:

EDUCATION CODE

38080-38086 Cafeteria, establishment and use

38090-38095 Cafeterias, funds and accounts

38100-38103 Cafeterias, allocation of charges

42646 Alternate payroll procedure

45103.5 Contracts for management consulting services; restrictions

49490-49493 School breakfast and lunch programs

49500-49505 School meals

49554 Contract for services

49550-49562 Meals for needy students

49580-49581 Food recovery program

HEALTH AND SAFETY CODE

113700-114437 California Retail Food Code

PUBLIC CONTRACT CODE

2000-2002 Responsive Bidders

20111 Contracts

CODE OF FEDERAL REGULATIONS, TITLE 5

15550-15565 School lunch and breakfast programs

UNITED STATES CODE, TITLE 42

1751-1769j School lunch programs

1771-1791 Child nutrition, including:

1773 School breakfast program

CODE OF FEDERAL REGULATIONS, TITLE 2

200.56 *indirect costs, definition*
200.400-200.475 *Cost principles*
200 *Appendix VII Indirect cost proposals*
CODE OF FEDERAL REGULATIONS, TITLE 7
210.1-210.31 *National School Lunch Program*
220.1-220.21 *National School Breakfast Program*
250.1-250.70 *USDA foods*

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California School Accounting Manual

Food Distribution Program Administrative Manual

Unpaid Meal Charges: Local Meal Charge Policies, Clarification on Collection of Delinquent Meal Payments, and Excess Student Account Balances, Management Bulletin, SNP-03-2017, April 2017

Clarification for the Use of Alternate Meals in the National School Lunch and School Breakfast Programs, Bad Debt Policies, and the Handling of Unpaid Meal Charges, Management Bulletin USDA-SNP-06-2015, May 2017

Cafeteria Funds—Allowable Uses, Management Bulletin NSD-SNP-07-2013, May 2013

Paid Lunch Equity Requirement, Management Bulletin USDA-SNP-16-2012, October 2012

Storage and Inventory Management of United States Department of Agriculture (USDA) Donated Foods, Management Bulletin USDA-FDP-02-2010, August 2010

Adult and Sibling Meals in the National School Lunch and School Breakfast Programs, Management Bulletin 00-111, July 2000

U.S. DEPARTMENT OF AGRICULTURE PUBLICATIONS

FAQs About School Meals

Unpaid Meal Charges: Guidance and Q & A, SP 23-2017, March 2017

Indirect Costs: Guidance for State Agencies and School Food Authorities SP 60-2016, September 2016
Overcoming the Unpaid Meal Challenge: Proven Strategies from Our Nation's Schools, September 2016

Unpaid Meal Charges: Local Meal charge Policies, SP 46-2016, July 2016

Compliance with Enforcement of the Buy American Provision in the National School Lunch Program, SP 24-2016, February 2016

Discretionary Elimination of the Reduced Price Charge in the School Meal Programs, SP 17-2014, January 2014

WEB SITES

California Department of Education, Nutrition Services Division: <http://www.cde.ca.gov/ls/nu>

California School Nutrition Association: <http://www.calsna.org>

U.S. Department of Agriculture, Food and Nutrition Service: <http://www.fns.usda.gov/cnd>

(12/13) (5/17) **(3/18)**

SUMMER MEAL PROGRAM

The Board of Directors recognizes that child nutrition programs have a positive and direct impact upon children's well-being and achievement. To help students and other children in the community remain well nourished throughout the summer vacation, the Santa Clarita Valley School Food Services Agency (SCVSFSA) shall sponsor a summer meal program as approved by the California Department of Education (CDE).

(cf. 3550 - Food Service/Child Nutrition Program)
(cf. 3553 - Free and Reduced Price Meals)
(cf. 5030 - Student Wellness)
(cf. 5141.27 - Food Allergies/Special Dietary Needs)

Between October and April, or at any time or school on a year-round schedule, SCVSFSA may serve meals at a nonschool site in cases of unanticipated school closures, such as a natural disaster, unscheduled major building repair, court order related to school safety or other issues, labor-management dispute, or similar cause as approved by the CDE. (42 USC 1761; 7 CFR 225.6)

The Chief Executive Officer (CEO) or designee shall recommend to the Board one or more sites for meal services based on state and federal program criteria and an assessment of family and community needs. When feasible, the CEO or designee shall involve local governmental agencies, food banks, and/or community organizations in identifying suitable site locations. The site(s) shall be approved by the CDE before meal service is initiated.

The summer meal program may be offered in conjunction with educational enrichment or recreational activities in order to encourage participation in other wellness and learning opportunities.

(cf. 1020 - Youth Services)
(cf. 1330.1 - Joint Use Agreements)
(cf. 5148 - Child Care and Development)
(cf. 5148.2 - Before/After School Programs)
(cf. 6142.7 - Physical Education and Activity)
(cf. 6177 - Summer School)

The CEO or designee shall develop and coordinate outreach and promotional activities to inform parents/guardians and the community about the availability of the summer meal program and its location(s) and hours.

(cf. 1100 - Communication with the Public)
(cf. 1112 - Media Relations)
(cf. 1113 - District and School Web Sites)

SUMMER MEAL PROGRAM (continued)

The CEO or designee shall maintain accurate records of all meals served and shall ensure the timely submission of reimbursement claims in accordance with state procedures.

(cf. 3551 - Food Service Operations/Cafeteria Fund)

The CEO or designee shall regularly report to the Board regarding program implementation, number of participants at each site, feedback from participating children and their parents/guardians regarding menus and service, and program costs. As needed, the Board shall direct the CEO or designee to identify program modifications to increase program quality or children's access to meal services.

(cf. 0500 - Accountability)

(cf. 3555 - Nutrition Program Compliance)

Legal References:

EDUCATION CODE

49430-49436 *Pupil Nutrition, Health, and Achievement Act of 2001*

49490-49494 *School breakfast and lunch programs*

49500-49505 *School meals*

49510-49520 *Nutrition*

49530-49536 *Child Nutrition Act*

49547-49548.3 *Comprehensive nutrition services*

49550-49562 *Meals for needy students*

49570 *National School Lunch Act*

CODE OF REGULATIONS, TITLE 5

15510 *Mandatory meals for needy students*

15550-15565 *School lunch and breakfast programs*

UNITED STATES CODE, TITLE 42

1751-1769i *School lunch programs, including:*

1751 *Note Local wellness policy*

1761 *Summer Food Service Program and Seamless Summer Feeding Option*

1771-1792 *Child nutrition, especially:*

1773 *School breakfast program*

CODE OF FEDERAL REGULATIONS, TITLE 7

210.1-210.31 *National School Lunch Program*

220.1-220.22 *National School Breakfast Program*

225.1-225.20 *Summer Food Service Program*

Management Resources:

CSBA PUBLICATIONS

Providing Access to Nutritious Meals During Summer, Policy Brief, June 2010

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

Management Resources: (continued on next page)

SUMMER MEAL PROGRAM (continued)

Management Resources: (continued)

CALIFORNIA DEPARTMENT OF EDUCATION MANAGEMENT BULLETINS

USDA-SFSP-06-2008 Summer Food Service Program Outreach Requirement Clarification, October 2008

U.S. DEPARTMENT OF AGRICULTURE PUBLICATIONS

The Summer Food Service Program: Food That's In When School is Out, 2010, Nutrition Guidance for Sponsors, rev. March 2010

The Summer Food Service Program: Food That's In When School is Out, 2010 Site Supervisor's Guide, rev. January 2010

The Summer Food Service Program: Food That's In When School is Out, 2010 Monitor's Guide, rev. January 2010

The Summer Food Service Program: Food That's In When School is Out, 2010 Administrative Guidance for Sponsors, rev. December 2009

National School Lunch Program's Seamless Summer Option Questions and Answers, 2009

WEB SITES

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

California Center for Research on Women and Families, Summer Meal Program Coalition: <http://www.ccrwf.org>

California Department of Education, Nutrition: <http://www.cde.ca.gov/ls/nu>

California Food Policy Advocates: <http://www.cfpa.net>

California School Nutrition Association: <http://www.calsna.org>

Child Nutrition Information and Payment System: <https://www.cnips.ca.gov>

U.S. Department of Agriculture, Food and Nutrition Service: <http://www.fns.usda.gov>

SUMMER MEAL PROGRAM

Site Selection

In identifying locations where summer meals may be provided, the Chief Executive Officer (CEO) or designee shall document site eligibility according to the following criteria: (7 CFR 225.2, 225.15)

1. **Open Site:** The site provides meals to all children in the area and is located at a school or nonschool site within the geographical boundaries of a school attendance area where at least 50 percent of the children are eligible for free or reduced-price meals.

(cf. 3553 - Free and Reduced Price Meals)

2. **Restricted Open Site:** The site initially meets the criteria of an "open site," but the Santa Clarita Valley School Food Services Agency (SCVSFSA) must restrict or limit participation on a first-come, first-served basis due to security, safety, or control concerns.
3. **Closed Enrolled Site:** The site is open only to enrolled children, as opposed to the community at large, and at least 50 percent of the enrolled children at the site are eligible for free or reduced price school meals, as determined by approval of applications in accordance with 7 CFR 225.15(f).

Whenever SCVSFSA offers the summer meal program at a site that provides summer school sessions, it shall ensure that the site is open to students enrolled in summer school and to all children residing in the area served by the site. (7 CFR 225.14)

(cf. 3555 - Nutrition Program Compliance)
(cf. 6177 - Summer School)

Meal Service

In accordance with SCVSFSA's agreement with the California Department of Education (CDE), the summer meal program may offer breakfast, morning snack, lunch, afternoon snack, and/or supper. The program may provide up to two meals/snacks per day in any combination, except that lunch and supper shall not be provided by the same site on the same day. Sites that primarily serve children from migrant families may apply to serve up to three meals, or two meals and one snack, per day. All meals/snacks shall be provided within the time periods specified in 7 CFR 225.16. (42 USC 1761; 7 CFR 225.16)

(cf. 3551 - Food Service Operations/Cafeteria Fund)
(cf. 5030 - Student Wellness)

Meals provided through SCVSFSA's summer meal program shall be available at no cost to: (42 USC 1761; 7 CFR 225.2)

SUMMER MEAL PROGRAM (continued)

1. Children age 18 or younger
2. Persons over age 18 who meet the CDE's definition of having a physical or mental disability and who are participating in a public or nonprofit private school program established for individuals with a disability

(cf. 6164.4 - Identification of Individuals for Special Education)

The CEO or designee shall designate a person at each participating site to serve as the program's site supervisor. The site supervisor shall oversee the order or preparation of meals, ensure the site is cleaned before and after the meal, and record the number of complete meals served to eligible children each day.

Additional Requirements for Seamless Summer Feeding Option

All meals offered through the summer meal program shall meet menu planning requirements for the National School Lunch or Breakfast Program pursuant to 7 CFR 210.10 or 7 CFR 220.8. (42 USC 1761)

(cf. 3550 - Food Service/Child Nutrition Program)
(cf. 5141.27 - Food Allergies/Special Dietary Needs)

Whenever SCVSFSA operates an open site as defined in the section entitled "Site Selection" above, the CEO or designee shall advertise the availability of summer meal services to the neighborhood community. A large banner or marquee shall be prominently displayed at each site before and during the meal service. Other outreach strategies may include, but are not limited to, sending a news release to the local media, distributing a flyer to parents/guardians of member district students, posting information on SCVSFSA or school web site, and placing posters throughout the community.

(cf. 1100 - Communication with the Public)
(cf. 1112 - Media Relations)
(cf. 1113 - District and School Web Sites)

At the point of service, on-site staff shall count the number of eligible meals served. Reimbursement claims shall be submitted using the same procedure used during the school year for the National School Lunch or Breakfast Program.

Each year the CEO or designee shall conduct at least one review of each site to ensure its compliance with meal counting, claiming, menu planning, and food safety requirements. For newly established sites, such reviews shall be conducted within three weeks of the start of operation.

SUMMER MEAL PROGRAM (continued)

Additional Requirements for Summer Food Service Program

SCVSFSA shall annually submit to the CDE a program application and budget for anticipated operational and administrative costs.

The CEO or designee shall annually send a notice to the media serving the area from which member districts of SCVSFSA draw their attendance regarding the availability of free meals. (7 CFR 225.15)

(cf. 1112 - Media Relations)

In addition, SCVSFSA and each open site shall:

1. Make program information available to the public upon request
2. Make reasonable efforts to provide information in the appropriate translation concerning the availability and nutritional benefits of the program
3. Display, in a prominent place at the site and in the SCVSFSA office, the nondiscrimination poster developed or approved by the U.S. Department of Agriculture's Food and Nutrition Service
4. Include the nondiscrimination statement and instructions for filing a complaint in the public release and in any program information directed to parents/guardians of participants and potential participants

(cf. 0410 - Nondiscrimination in District Programs and Activities)

(cf. 1100 - Communication with the Public)

(cf. 1113 - District and School Web Sites)

5. Post signage, such as a banner, marquee, poster, or other large display on the exterior of the building facing the street nearest the entrance of the meal service area at each site, before the meal service begins and throughout the service time

All meals offered through the summer meal program shall meet U.S. Department of Agriculture minimum meal patterns as specified in 7 CFR 225.16 or the meal patterns required for the National School Lunch and Breakfast Programs. (42 USC 1761; 7 CFR 225.16)

(cf. 3550 - Food Service/Child Nutrition Program)

(cf. 5141.27 - Food Allergies/Special Dietary Needs)

The CEO or designee shall submit to the CDE monthly reimbursement claims based on the number of eligible meals served.

SUMMER MEAL PROGRAM (continued)

Program administrative personnel shall annually attend mandatory training provided by the CDE. In addition, the CEO or designee shall annually hold program training sessions for administrative and site personnel and shall allow no site to operate until personnel have attended at least one of these training sessions. Training of site personnel shall include, but not be limited to, the purpose of the program, site eligibility, record keeping, site operations, meal pattern requirements, and the duties of a program monitor. The CEO or designee shall provide training throughout the summer to ensure that administrative personnel are thoroughly knowledgeable in all required areas of program administration and operation and are provided with sufficient information to carry out their program responsibilities. Each site shall have present at each meal service at least one person who has received this training. (42 USC 1761; 7 CFR 225.15, 225.7)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

The CEO or designee shall monitor program operations by conducting site visits prior to opening a new site, during the first week of operation, during the first four weeks of operation, and then at a reasonable level thereafter. (7 CFR 225.15)

The CEO or designee shall retain all records pertaining to the program for a period of three years after the end of the fiscal year to which they pertain. (7 CFR 225.6, 225.15)

(cf. 3580 - District Records)

FREE AND REDUCED PRICE MEALS

The Board of Directors recognizes that adequate nutrition is essential to the development, health, and learning of all students. The Chief Executive Officer (CEO) or designee shall facilitate and encourage the participation of member districts' students from low-income families in the Santa Clarita Valley School Food Services Agency's (SCVSFSA) food service program.

(cf. 3551 - Food Service Operations/Cafeteria Fund)

(cf. 3552 - Summer Meal Program)

(cf. 5030 - Student Wellness)

(cf. 5148 - Child Care and Development)

(cf. 5148.2 - Before/After School Programs)

(cf. 6177 - Summer School)

SCVSFSA shall provide at least one nutritionally adequate meal each school day, free of charge or at a reduced price, for students whose families meet federal eligibility criteria. (Education Code 49550, 49552)

The CEO or designee shall ensure that meals provided through the free and reduced-price meals program meet applicable state and/or federal nutritional standards in accordance with law, Board policy, and administrative regulation.

(cf. 3550 - Food Service/Child Nutrition Program)

The Board shall approve, and shall submit to the California Department of Education for approval, a plan that ensures that students eligible to receive free or reduced-price meals and milk are not treated differently from other students. (Education Code 49557)

(cf. 0410 - Nondiscrimination in District Programs and Activities)

(cf. 3555 - Nutrition Program Compliance)

(cf. 5145.3 - Nondiscrimination/Harassment)

Confidentiality/Release of Records

All applications and records related to eligibility for the free and reduced-price meals program shall be confidential except as provided by law. (Education Code 49558)

If a student transfers from a member district of SCVSFSA to another district or to a private school, the CEO or designee may release the student's eligibility status or a copy of his/her free and reduced-price meal application to the other district or school to assist in the continuation of the student's meal benefits.

FREE AND REDUCED PRICE MEALS (continued)

BP 3553(b)

The Board authorizes designated employees to release to member districts' authorized employees, individual records pertaining to student eligibility for the free and reduced-price meals program, for the purposes of: (Education Code 49558)

1. Disaggregation of academic achievement data
2. Identification of students eligible for services under the federal Elementary and Second Education Act pursuant to 20 USC 6301-6576.

(cf. 5125 - Student Records)
(cf. 6162.51 - Standardized Testing and Reporting Program)
(cf. 6171 - Title I Programs)

The Board further authorizes the release of information on the school lunch program application to the local agency that determines Medi-Cal program eligibility, provided that the student is approved for free meals and the parent/guardian consents to the sharing of information in accordance with Education Code 49557.2. The Board further authorizes the release of information on the school lunch application to the local district that determines eligibility for CalFresh or another nutrition assistance program authorized under 7 CFR 210.1 if the student has been approved for free or reduced-price meals. Information may be released for these purposes only if the student's parent/guardian consents to the sharing of information and the Agency has entered into a memorandum of understanding with the local district which, at a minimum, includes the roles and responsibilities of the Agency and local district and the process for sharing the information. After sharing information with the local district for purposes of determining eligibility for that program, no further information shall be shared unless otherwise authorized by law. (Education Code 49557.2, 49557.3, 49558)

(cf. 5141.6 - School Health Services)

Legal Reference:

EDUCATION CODE

48980 *Notice at beginning of term*
49430-49436 *Pupil Nutrition, Health, and Achievement Act of 2001*
49490-49494 *School breakfast and lunch programs*
49500-49505 *School meals*
49510-49520 *Nutrition*
49530-49536 *Child Nutrition Act of 1974*
49547-49548.3 *Comprehensive nutrition service*
49550-49562 *Meals for needy students*
CODE OF REGULATIONS, TITLE 5

15510 *Mandatory meals for needy students*
15530-15535 *Nutrition education*
15550-15565 *School lunch and breakfast programs*
UNITED STATES CODE, TITLE 20
1232g *Federal Educational Rights and Privacy Act*
6301-6514 *Title I programs*

Legal Reference: (continued)

UNITED STATES CODE, TITLE 42
1751-1769j *School lunch program*
1771-1791 *Child nutrition, especially:*
1773 *School breakfast program*
CODE OF FEDERAL REGULATIONS, TITLE 7
210.1-210.31 *National School Lunch Program*
220.10-220.21 *National School Breakfast Program*
245.1-245.13 *Determination of eligibility for free and reduced-price meals and free milk*

Management Resources:

CSBA PUBLICATIONS
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
CALIFORNIA DEPARTMENT OF EDUCATION MANAGEMENT BULLETINS
USDA-SNP-07-2010 *Change in Free and Reduced-Price Meal Application Approval Process, September 2010*
NSD-SNP-12-2010 *Clarification Regarding the Ability to Share Student Meal Program Eligibility Information Between School Food Authorities, April 2010*
04-103 *Implementation of Final Rule on Verification of Applications for Free and Reduced-Price Meals, August 2004*
98-101 *Confidentiality of Free and Reduced-Price Eligibility Information, February 1998*
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Feed More Kids, Improve Program Participation
Direct Certification Implementation Checklist, May 2008
U.S. DEPARTMENT OF AGRICULTURE PUBLICATIONS
Eligibility Manual for School Meals: Federal Policy for Determining and Verifying Eligibility, January 2008
Provision 2 Guidance: National School Lunch and School Breakfast Programs, Summer 2002
WEB SITES
CSBA: <http://www.csba.org>
California Department of Education, Nutrition Services Division: <http://www.cde.ca.gov/ls/nu>
California Healthy Kids Resource Center: <http://www.californiahealthykids.org>
California Project LEAN (Leaders Encouraging Activity and Nutrition):
<http://www.californiaprojectlean.org>
U.S. Department of Agriculture, Food and Nutrition Service: <http://www.fns.usda.gov/cnd>

FREE AND REDUCED PRICE MEALS

Applications

The Chief Executive Officer (CEO) or designee shall ensure that the Santa Clarita Valley School Food Services Agency's (SCVSFSA) application form for free and reduced-price meals and related materials include the statements specified in Education Code 49557 and 7 CFR 245.5. In addition, the application packet may include the notifications and information listed in Education Code 49557.2.

The application form and related information shall be distributed to all parents/guardians at the beginning of each school year and shall be available to students at all times during the school day. (Education Code 48980, 49520; 42 USC 1758; 7 CFR 245.5)

(cf. 3550 - Food Service/Child Nutrition Program)
(cf. 3551 - Food Service Operations/Cafeteria Fund)
(cf. 3552 - Summer Meal Program)
(cf. 5145.6 - Parental Notifications)

In addition, the agency application form for free and reduced-price meals shall be available online. The online application form shall require completion of only those questions necessary for determining eligibility, contain clear instructions for families that are homeless or migrant, and comply with other requirements specified in Education Code 49557.

An application form and related information shall also be provided whenever a new student is enrolled.

At the beginning of each school year, the CEO or designee shall send a public release, containing the same information supplied to parents/guardians and including eligibility criteria, to local media, the local unemployment office, and any major employers contemplating large layoffs in the member districts' attendance area. Copies of the public release shall be made available upon request to any interested person. (7 CFR 245.5)

(cf. 1112 - Media Relations)

Eligibility

The CEO or designee shall determine students' eligibility for the free and reduced-price meals program based on the criteria specified in 42 USC 1758 and 1773 and 7 CFR 245.1-245.13 and made available by the California Department of Education.

When authorized by law, participants in other federal or state programs may be directly certified, without further application, for enrollment in the free and reduced-price meals program. (Education Code 49561; 42 USC 1758)

(cf. 6173 - Education for Homeless Children)
(cf. 6173.1 - Education for Foster Youth)
(cf. 6175 - Migrant Education Program)

FREE AND REDUCED PRICE MEALS (continued)**Verification of Eligibility**

Not later than November 15 of each year, the CEO or designee shall verify the eligibility of a sample of household applications approved for the school year in accordance with the sample sizes and procedures specified in 42 USC 1758 and 7 CFR 245.6a. (42 USC 1758; 7 CFR 245.6a)

If the review indicates that the initial eligibility determination is correct, the CEO or designee shall verify the approved household application. If the review indicates that the initial eligibility determination is incorrect, the CEO or designee shall: (42 USC 1758; 7 CFR 245.6a)

1. If the eligibility status changes from reduced price to free, make the increased benefits immediately available and notify the household of the change in benefits
2. If the eligibility status changes from free to reduced price, first verify the application, then notify the household of the correct eligibility status, and, when required by law, send a notice of adverse action as described below
3. If the eligibility status changes from free or reduced price to paid, send the household a notice of adverse action as described below

If any household is to receive a reduction or termination of benefits as a result of verification activities, or if the household fails to cooperate with verification efforts, the CEO or designee shall reduce or terminate benefits, as applicable, and shall properly document and retain on file the reasons for ineligibility. He/she also shall send a notice of adverse action to any household that is to receive a reduction or termination of benefits. Such notice shall be provided 10 days prior to the actual reduction or termination of benefits. The notice shall advise the household of: (7 CFR 245.6a)

1. The change and the reasons for the change
2. The right to appeal, when the appeal must be filed to ensure continued benefits while awaiting a hearing and decision, and instructions on how to appeal
3. The right to reapply at any time during the school year

Confidentiality/Release of Records

In releasing student records for the purposes, specified in Board policy the following conditions shall be satisfied: (Education Code 49558)

FREE AND REDUCED PRICE MEALS (continued)

1. No individual indicators of participation in the free and reduced-price meals program shall be maintained in the permanent records of any student if not otherwise allowed by law.

(cf. 5125 - Student Records)

2. Information regarding individual student participation in the free and reduced-price meals program shall not be publicly released.

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)

3. All other confidentiality provisions required by law shall be met.
4. Information collected regarding individual students certified to participate in the free and reduced-price meals program shall be destroyed when no longer needed for its intended purpose.

Nondiscrimination Plan

SCVSFSA's plan for students receiving free or reduced-price meals shall ensure the following: (Education Code 49557; 42 USC 1758)

1. The names of the students shall not be published, posted, or announced in any manner, or used for any purpose other than the National School Lunch and School Breakfast Programs, unless otherwise provided by law.
2. There shall be no overt identification of any of the students by the use of special tokens or tickets or by any other means.
3. The students shall not be required to work for their meals or for milk.
4. The students shall not be required to use a separate dining area, go through a separate serving line or entrance, or consume their meals or milk at a different time.

(cf. 0410 - Nondiscrimination in District Programs and Activities)

(cf. 3555 - Nutrition Program Compliance)

When more than one lunch, breakfast, or type of milk is offered, the students shall have the same choice of meals or milk as is available to those students who pay the full price. (Education Code 49557; 7 CFR 245.8)

FREE AND REDUCED PRICE MEALS (continued)

Prices

The maximum price that shall be charged to eligible students for reduced-price meals shall be \$.40 cents for lunch and \$0.00 for breakfast. (42 USC 1758, 1773)

OTHER FOOD SALES

Requirements for Schools Not Participating in Federal Meal Program

The sale of foods or beverages that do not comply with the standards in Education Code 49431-49431.5 may be permitted in either of the following circumstances: (Education Code 49431-49431.5)

- 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.

(cf. 1230 - School-Connected Organizations)

(cf. 1321 - Solicitations of Funds from and by Students)

(cf. 6145 - Extracurricular and Cocurricular Activities)

Requirements for Schools Participating in Federal Meal Program

All district/SCVSFSA schools participating in the National School Lunch and/or Breakfast Program, food and beverage sales conducted outside the SCVSFSA'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 49431-49431.7 and 5 CCR 15500-15501 and 15575-15578, 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. (7 CFR 210.11)

In a school with any of grades K-8 that is participating in the National School Lunch and/or Breakfast Program, the CEO or designee shall not permit the sale of foods by a student organization except when all of the following conditions are met: (5 CCR 15500)

- 1.The student organization sells only one food item per sale.
- 2.The specific nutritious food item is approved by the CEO 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 SCVSFSA'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: (5 CCR 15501)

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 CEO 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 SCVSFSA's food service program at that school during that school day.

The CEO or designee shall maintain records, or 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 SCVSFSA's food services program. At a minimum, these records shall include receipts, nutrition labels, and/or product specifications. (7 CFR 210.11)

NUTRITION PROGRAM COMPLIANCE

The Board of Directors recognizes the Santa Clarita Valley School Food Services Agency's (SCVSFSA) responsibility to comply with state and federal nondiscrimination laws as they apply to nutrition programs. SCVSFSA shall not deny any individual the benefits or service of any nutrition program or discriminate against him/her on any basis prohibited by law.

(cf. 0410 - Nondiscrimination in District Programs and Activities)

(cf. 3550 - Food Service/Child Nutrition Program)

(cf. 3552 - Summer Meal Program)

(cf. 3553 - Free and Reduced Price Meals)

(cf. 5030 - Student Wellness)

Coordinator

The Board designates the compliance officer specified in AR 1312.3 - Uniform Complaint Procedures as SCVSFSA's civil rights coordinator to ensure compliance with the laws governing its nutrition programs and to investigate any related complaints.

The responsibilities of the compliance officer/coordinator include, but are not limited to:

1. Providing the name of the civil rights coordinator to the California Department of Education and other interested parties,
2. Annually providing mandatory civil rights training to all frontline staff who interact with program applicants or participants and to those who supervise frontline staff. The subject matter of such training shall include, but not be limited to, collection and use of data, effective public notification systems, complaint procedures, compliance review techniques, resolution of noncompliance, requirements for reasonable accommodation of persons with disabilities, requirements for language assistance, conflict resolution, and customer service.
3. Sending a public release announcing the availability of child nutrition programs and/or changes in the program to public media and to community and grassroots organizations that interact directly with eligible or potentially eligible participants.
4. Communicating the program's nondiscrimination policy and applicable complaint procedures, as provided in the section "Notification" below.
5. Providing appropriate translation services when a significant number of persons in the surrounding population have limited English proficiency.
6. Ensuring that every part of the facility is accessible to and usable by persons with disabilities and that participants with disabilities are not excluded from the benefits or services due to inaccessibility of facilities by reporting needs for correction to JPA Member Districts.

NUTRITION PROGRAM COMPLIANCE (continued)

7. Ensuring that special meals are made available to participants with disabilities who have a medical statement on file documenting that their disability restricts their diet.

(cf. 5141.27 – Food Allergies/Special Dietary Needs)

8. Implementing procedures to process and resolve civil rights (discrimination) complaints and program-related complaints, including maintaining a compliant log and working with the appropriate person to resolve any complaint.

9. Encouraging member districts to develop methods, which preferably use self-identification or self-reporting, to collect racial and ethnic data for potentially eligible populations, applicants, and participants.

(cf. 5022 - *Students and Family Privacy Rights*)

(cf. 5125 - *Student Records*)

Notifications

The coordinator shall ensure that the U.S. Department of Agriculture's "And Justice for All" or other approved Nutrition Programs Civil Rights posters are displayed in areas visible to SCVSFSA's nutrition program participants, such as food service areas and school offices.

Annually, the coordinator shall notify the public, all program applicants, participants, and potentially eligible persons of their program rights and responsibilities and steps necessary for participation. Applicants, participants, and the public shall also be advised of their right to file a complaint, the complaint procedures, and that a complaint may be filed anonymously or by a third party.

(cf. 5145.6 - *Parental Notifications*)

In addition, all forms of communication available to the public regarding program availability shall contain, in a prominent location, the following statement:

"In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted by the USDA.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (state or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339.

NUTRITION PROGRAM COMPLIANCE (continued)

Additionally, program information may be made available in languages other than English.

To file a complaint of discrimination, complete the USDA Program Discrimination Complaint Form (AD-3027) found online at: http://www.ascr.usda.gov/complaint_filing_cust.html, and at any USDA office, and write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

1. Mail: U.S. Department of Agriculture
 - a. Office of the Assistant Secretary for Civil Rights
 - b. 1400 Independence Avenue, SW
 - c. Washington, D.C. 20250-9410
2. Fax: (202) 690-7742, or
3. Email: program.intake@usda.gov

"This institution is an equal opportunity provider and employer."

Forms of communication requiring this nondiscrimination statement include, but are not limited to, web sites, public information releases, publications, and posters, but exclude menus. The nondiscrimination statement need not be included on every page of program information on the agency's web site, but the statement or a link to the statement shall be included on the home page of the program information,

A short version of the nondiscrimination statement, "This institution is an equal opportunity provider" maybe used on pamphlets, brochures, and flyers in the same print size as the rest of the text.

Complaints

Any complaint concerning SCVSFSA's nutrition programs shall be investigated using the process identified in AR 1312.3 – Uniform Complaint Procedures.

When a complaint alleging discrimination on the basis of race, color, national origin, sex, age, or disability is unresolved at SCVSFSA's level, the coordinator shall notify the complainant of the option to contact and/or forward his/her complaint to one of the following agencies:

1. Child Nutrition Program Civil Rights and Program Complaint Coordinator, California Department of Education, Nutrition Services Division, 1430 N Street, Room 4503, Sacramento, CA 95814-2342 or call 916-323-8531 or 800-952-5609

NUTRITION PROGRAM COMPLIANCE (continued)

2. US Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410 or call (866) 632-9992, (800) 877-8339 (Federal Relay Service – English), (800) 845-6136 (Federal Relay Service – Spanish), fax (202) 690-7442, or email program.intake@usda.gov.

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

48985 Notices to parents in language other than English

49060-49079 Student records

49490-49590 Child nutrition programs

PENAL CODE

422.6 Interference with constitutional right or privilege

CODE OF REGULATIONS, TITLE 5

3080 Application of section

4600-4687 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities in Education Act

1681-1688 Discrimination based on sex or blindness, Title IX

UNITED STATES CODE, TITLE 29

794 Section 504 of the Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

2000d-2000d-7 Title VI, Civil Rights Act of 1964

2000e-2000e-17 Title VII, Civil Rights Act of 1964 as amended

2000h-2000h-6 Title IX

12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 7

210.23 National School Lunch Program, district responsibilities

215.7 Special Milk Program, requirements for participation

215.14 Special Milk Program, nondiscrimination

220.7 School Breakfast Program, requirements for participation

225.3 Summer Food Service Program, administration

225.7 Summer Food Service Program, program monitoring

CODE OF FEDERAL REGULATIONS, TITLE 28

35.101-35.190 Americans with Disabilities Act

36.303 Auxiliary aids and services

Legal Reference (continued):

CODE OF FEDERAL REGULATIONS, TITLE 34

100.1-100.13 Nondiscrimination in federal programs, effectuating Title VI

104.1-104.39 Section 504 of the Rehabilitation Act of 1973

106.1-106.61 Discrimination on the basis of sex, effectuating Title IX, especially:

106.9 Dissemination of policy

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION, NUTRITION SERVICES DIVISION
PUBLICATIONS

Civil Rights and Complaint Procedures for Child Nutrition Programs rev. November 2015

U.S. DEPARTMENT OF AGRICULTURE, FOOD AND NUTRITION SERVICE PUBLICATIONS

NUTRITION PROGRAM COMPLIANCE (continued)

Civil Rights Compliance and Enforcement - Nutrition Programs and Activities, FNS Instruction 113-1, November 2005

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS

Notice of Non-Discrimination, August 2010

WEB SITES

California Department of Education, Nutrition Services Division: <http://www.cde.ca.gov/ls/nu>

U.S. Department of Agriculture, Food and Nutrition Services: <http://www.fns.usda.gov>

U.S. Department of Agriculture, Office for Civil Rights: <http://www.ascr.usda.gov>

U.S. Department of Education, Office for Civil Rights: <http://www2.ed.gov/ocr>

THE SANTA CLARITA VALLEY SCHOOL FOOD SERVICES AGENCY (SCVSFSA) RECORDS

The Board of Directors recognizes the importance of securing and retaining Santa Clarita Valley School Food Services Agency (SCVSFSA) documents. The Chief Executive Officer (CEO) or designee shall ensure that SCVSFSA records are developed, maintained, and disposed of in accordance with law, Board policy, and administrative regulation.

(cf. 1340 - Access to District Records)

(cf. 3440 - Inventories)

The CEO or designee shall consult with SCVSFSA legal counsel, site administrators, SCVSFSA information technology staff, personnel department staff, and others as necessary to develop a secure document management system that provides for the storage, retrieval, archiving, and destruction of SCVSFSA documents, including electronically stored information such as email. This document management system shall be designed to comply with state and federal laws regarding security of records, record retention and destruction, response to "litigation hold" discovery requests, and the recovery of records in the event of a disaster or emergency.

(cf. 0440 - District Technology Plan)

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

(cf. 4040 - Employee Use of Technology)

(cf. 9011 - Board Member Electronic Communications)

The CEO or designee shall ensure the confidentiality of records as required by law and shall establish regulations to safeguard data against damage, loss, or theft.

(cf. 4112.6/4212.6/4312.6 - Personnel Files)

(cf. 5125 - Student Records)

(cf. 5125.1 - Release of Directory Information)

In the event of any known or reasonably suspected breach of the security of district records containing confidential personal information including, but not limited to, a social security number, driver's license or identification card number, medical information, health insurance information, or an account number in combination with an access code or password that would permit access to a financial account, the CEO or designee shall immediately notify local law enforcement agencies and any affected persons. Notification of affected individuals may be delayed if a law enforcement agency determines that the notification would impede a criminal investigation.

The CEO or designee shall ensure that employees receive information about SCVSFSA's document management system, including retention and confidentiality requirements and an employee's obligations in the event of a litigation hold established on the advice of legal counsel.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

**THE SANTA CLARITA VALLEY SCHOOL FOOD SERVICES AGENCY
RECORDS (continued)**

Safe at Home Program

SCVSFSA public records shall not include the actual addresses of students, parents/guardians, or employees when a substitute address is designated by the Secretary of State pursuant to the Safe at Home program. (Government Code 6206, 6207)

(cf. 5111.1 - District Residency)

(cf. 5141 - Health Care and Emergencies)

Legal Reference:

EDUCATION CODE

35145 *Public meetings*

35163 *Official actions, minutes and journal*

35250-35255 *Records and reports*

44031 *Personnel file contents and inspection*

49065 *Reasonable charge for transcripts*

CODE OF CIVIL PROCEDURE

2031.010-2031.060 *Civil Discovery Act, scope of discovery demand*

2031.210-2031.320 *Civil Discovery Act, response to inspection demand*

GOVERNMENT CODE

6205-6210 *Confidentiality of addresses for victims of domestic violence, sexual assault or stalking*

6252-6265 *Inspection of public records*

12946 *Retention of employment applications and records for two years*

PENAL CODE

11170 *Retention of child abuse reports*

CODE OF REGULATIONS, TITLE 5

432 *Varieties of student records*

16020-16022 *Records, general provisions*

16023-16027 *Retention of records*

Management Resources:

SECRETARY OF STATE PUBLICATIONS

Letter re: California Confidential Address Program Implementation (SB 489), August 27, 1999

WEB SITES

California Secretary of State: <http://www.ss.ca.gov/safeathome>

(3/12) **4/13**

AGENCY RECORDS

Classification of Records

Records means all records, maps, books, papers, and documents of Santa Clarita Valley School Food Services Agency (SCVSFSA) required by law to be prepared or retained as necessary or convenient to the discharge of official duty. (5 CCR 16020)

(cf. 1340 - Access to District Records)

Before January 1, the Chief Executive Officer (CEO) or designee shall review the prior year's records and shall classify them as either a Class 1 (Permanent), Class 2 (Optional), or Class 3 (Disposable) record. (5 CCR 16022)

Records of continuing nature (active and useful for administrative, legal, fiscal, or other purposes over a period of years) shall not be classified until such usefulness has ceased. (5 CCR 16022)

An inventory of equipment shall be a continuing record and shall not be classified until the inventory is superseded or until the equipment is removed from SCVSFSA ownership. (5 CCR 16022)

(cf. 3440 - Inventories)

When an electronic or photographed copy of a Class 1 (Permanent) record has been made, the copy may be classified as Class 1 (Permanent) and the original classified as either Class 2 (Optional) or Class 3 (Disposable). However, no original record that is basic to any required audit may be destroyed prior to the second July 1st succeeding the completion of the audit. (Education Code 35254)

Class 1 - Permanent Records

The original of each of the following records, or one exact copy of it when the original is required by law to be filed with another agency, is a Class 1 (Permanent) record and shall be retained indefinitely unless microfilmed in accordance with 5 CCR 16022: (5 CCR 16023)

1. Annual Reports
 - a. Official budget
 - b. Financial reports of all funds, including cafeteria funds
 - c. Audit of all funds
 - d. Other major annual reports, including:

AGENCY RECORDS (continued)

- (1) Those containing information relating to property, activities, financial condition, or transactions
- (2) Those declared by Board of Directors minutes to be permanent

(cf. 3100 - Budget)

(cf. 3460 - Financial Reports and Accountability)

(cf. 3551 - Food Service Operations/Cafeteria Fund)

2. Official Actions

- a. Minutes of the Board or Board committees, including the text of rules, regulations, policies, or resolutions included by reference only
- b. The call for and the result of any elections called, conducted, or canvassed by the Board
- c. Records transmitted by another agency pertaining to its action with respect to SCVSFSA reorganization

(cf. 7214 - General Obligation Bonds)

(cf. 9324 - Minutes and Recordings)

3. Personnel Records

Class 1 (Permanent) records include all detailed records relating to employment; assignment; amounts and dates of service rendered; termination or dismissal of an employee in any position; sick leave record; rate of compensation, salaries, or wages paid; and deductions or withholdings made and the person or agency to whom such amounts were paid. In lieu of the detailed records, a complete proven summary payroll record for each employee containing the same data may be classified as Class 1 (Permanent) record and the detailed records may then be classified as Class 3 (Disposable) records.

Information of a derogatory nature as defined in Education Code 44031 shall be retained as a Class 1 (Permanent) record only when the time for filing a grievance has passed or the document has been sustained by the grievance process.

(cf. 4112.6/4212.6/4312.6 - Personnel Files)

(cf. 4112.5/4212.5/4312.5 - Criminal Record Check)

AGENCY RECORDS (continued)

4. Property Records

Class 1 (Permanent) records include all detailed records relating to land, buildings, and equipment. In lieu of detailed records, a complete property ledger may be classified as Class 1 (Permanent) record. The detailed records may then be classified as Class 3 (Disposable) records if the property ledger includes all fixed assets; an equipment inventory; and, for each piece of property, the date of acquisition, name of previous owner, a legal description, the amount paid, and comparable data if the unit is disposed of.

(cf. 3280 - Sale or Lease of District-Owned Real Property)

Class 2 - Optional Records

Any record considered temporarily worth keeping, but which is not a Class 1 record, may be classified as a Class 2 (Optional) record and shall be retained until it is reclassified as a Class 3 (Disposable) record. If by agreement of the Board and CEO or designee, classification of the prior year records has not been made before January 1 as specified in 5 CCR 16022, all records of the prior year may be classified Class 2 (Optional) records pending further review and classification within one year. (5 CCR 16024)

Class 3 - Disposable Records

All records not classified as Class 1 (Permanent) or as Class 2 (Optional) records shall be classified as Class 3 (Disposable) records. These include, but are not limited to, detailed records basic to audit, including those relating to business or financial transactions; detailed records used in preparing another report; and periodic reports, including daily, weekly, and monthly reports, bulletins, and instructions. (5 CCR 16025)

All Class 3 (Disposable) records shall be destroyed during the third school year after the school year in which the records originated. In addition, Class 3 (Disposable) records shall not be destroyed until after the third school year following the completion of any legally required audit or the retention period required by any agency other than the State of California, whichever is later. A continuing record shall not be destroyed until the fourth year after it has been classified as a Class 3 (Disposable) record. (5 CCR 16026, 16027)

(cf. 5113.2 - Work Permits)

AGENCY RECORDS (continued)

Electronically Stored Information

All electronically stored information related to the conduct of district business, including information created, saved, sent, or received on an agency employee's personal account or device, shall be saved as an electronic file to a district provided device or account and retained in accordance with the section "Classification of Records" above. Such information includes but is not limited to, email, text messages, instant messages, computer files, and other electronic communications related to agency business. In addition, when appropriate, the information may be printed and physically filed in a way that allows it to be easily retrieved when needed.

(cf. 9012 – Board Member Electronic Communications)

Employees shall be required to regularly purge their email accounts and SCVSFSA-issued computers, cell phones, and other communication devices of personal electronically stored information and other information unrelated to SCVSFSA business. The CEO or designee may check for appropriate use of any SCVSFSA-owned equipment at any time.

(cf. 4040 - Employee Use of Technology)

Any employee to whom a SCVSFSA-owned computer, cell phone, or other electronic communication device is provided shall be notified about the Agency's electronic information management system and, as necessary, provided training on effectively using the device.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

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Business and Noninstructional Operations

CONSULTANTS

The Board of Directors authorizes the use of consultants to provide expert professional advice or specialized technical or training services which are not needed on a continuing basis and which cannot be provided by Santa Clarita Valley School Food Services Agency (SCVSFSA) staff because of limitations of time, experience, or knowledge. Individuals, firms or organizations employed as consultants may assist management with decisions and/or project development related to financial, economic, accounting, engineering, legal, administrative, instructional, or other matters.

As part of the contract process, the Chief Executive Officer (CEO) or designee shall determine, in accordance with Internal Revenue Service guidelines, that the consultant is properly classified as an independent contractor. SCVSFSA employees who perform extra-duty consultant services shall not be retained as independent contractors. They shall be considered employees for all purposes, even if the additional services are not related to their regular duties.

All consultant contracts shall be brought to the Board for approval.

(cf. 3312 - Contracts)

SCVSFSA shall not contract for consulting services that can be performed without charge by a public agency or official unless these services are unavailable from the public source for reasons beyond SCVSFSA's control.

All qualified firms or resource persons shall be accorded equal opportunity for consultant contracts regardless of race, creed, color, gender, national or ethnic origin, age or disability.

(cf. 3311 - Bids)

(cf. 3551 - Food Service Operations/Cafeteria Fund)

(cf. 4030 - Nondiscrimination in Employment)

Independent contractors applying for a consultant contract shall submit a written conflict of interest statement disclosing financial interests as determined necessary by the CEO or designee, depending on the range of duties to be performed by the consultant. The CEO or designee shall consider this statement when deciding whether to recommend the consultant's employment.

(cf. 9270 - Conflict of Interest)

When employees of a public university, county office of education or other public agency serve as consultant or resource persons for SCVSFSA, they shall certify as part of the consultant agreement that they will not receive salary or remuneration other than vacation pay from any other public agency for the specific days when they work for SCVSFSA.

Legal Reference: (see next page)

CONSULTANTS (continued)

Legal Reference:

EDUCATION CODE

10400-10407 *Cooperative improvement programs*

17596 *Limit on continuing contracts*

35010 *Control of districts; prescription and enforcement of rules*

35172 *Promotional activities*

35204 *Contract with attorney*

44925 *Part-time readers employed as independent contractors*

45103 *Classified service in districts not incorporating the merit system*

45103.5 *Contracts for food service consulting services*

45134-45135 *Employment of retired classified employee*

45256 *Merit system districts; classified service; positions established for professional experts on a temporary basis*

GOVERNMENT CODE

53060 *Contract for special services and advice*

Management Resources:

INTERNAL REVENUE SERVICE PUBLICATIONS

15-A *Employer's Supplemental Tax Guide*