

**CLOVIS UNIFIED
SCHOOL DISTRICT****BUSINESS AND NONINSTRUCTIONAL OPERATIONS~~GENERAL SERVICES~~**

Student Transportation Management

**TRANSPORTATION ~~FOR SCHOOL-RELATED TRIPS/OF STUDENTS BY~~ PRIVATE
VEHICLES**

PURPOSE: To establish requirements for transportation for school-related trips~~guidelines for~~
~~drivers of private vehicles when transporting students.~~

The District may provide transportation for students, employees, and other individuals for field trips and other school-related trips approved according to Board Policy and Administrative Regulation. School-related ~~groups~~~~organizations~~ requesting transportation shall be fully responsible for the costs of their trips unless funding has been approved by the ~~Governing~~ Board.

The Superintendent or designee shall determine the most appropriate and cost-effective mode of transportation for each approved trip which could include privately-owned vehicles, charter buses or District-owned buses or vehicles. When students will be transported by private vehicle, Administrative Regulation No. 3541.18302 shall be followed.

All authorized field trips are considered an extension of the school day and therefore governed by the same rules and regulations as apply for home-to-school transportation.

Adopted: 03/24/2010

Amended: __/__/__ (BP 8302 renumbered as BP 3541.1)

EDUCATION CODE

35330 Excursions and field trips

35332 Transportation by air

39830 School bus

39830.1 School pupil activity bus

39860 Liability when students not on school property

HEALTH AND SAFETY CODE

118947-118949 Prohibition against smoking in motor vehicle with minor

PUBLIC UTILITIES CODE

5384.2 District not liable for charter-party carrier

VEHICLE CODE

545 School bus, definition

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12814.6 Limitations of provisional driver's license
27315 Mandatory use of seat belts in private passenger vehicles
27360-27360.5 Child passenger restraint systems
27363 Child passenger restraint systems, exemptions

Doc# 37394-5 (11/2019, None)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BUSINESS AND NONINSTRUCTIONAL OPERATIONS****Student Transportation Management****TRANSPORTATION FOR STUDENTS WITH DISABILITIES**

PURPOSE: To describe the coordination of special education transportation with home-to-school transportation and set forth criteria for meeting the transportation needs of special education students.

The Board desires to meet the transportation needs of students with disabilities to enable them to benefit from special education and related services. The District shall provide appropriate transportation services for a student with disabilities when the District is the student's district of residence and the transportation services are required by his/her individualized education program (IEP) or Section 504 accommodation plan.

The specific needs of the student shall be the primary consideration when an IEP team is determining the student's transportation needs. Considerations may include, but are not limited to, the student's health needs, travel distances, physical accessibility and safety of streets and sidewalks, accessibility of public transportation systems, midday or other transportation needs, extended-year services, and, as necessary, implementation of a behavioral intervention plan.

The Superintendent or designee shall provide, if necessary, IEP teams with information about District transportation services to assist them in making decisions as to the mode, schedule, and location of transportation services that may be available to each student with disabilities. The IEP team may communicate, as needed, with District transportation staff.

Transportation services specified in a student's IEP or Section 504 plan shall be provided at no cost to the student or his/her parent/guardian.

If a student whose IEP or accommodation plan specifies transportation needs is excluded from school bus transportation for any reason, such as suspension, expulsion, or other reason, the District shall provide alternative transportation at no cost to the student or parent/guardian. (Education Code 48915.5)

When contracting with a nonpublic, nonsectarian school or agency to provide special education services, the Superintendent or designee shall ensure that the contract includes general administrative and financial agreements related to the provision of transportation services if specified in the student's IEP. (Education Code 56366)

The Superintendent or designee shall ensure that any mobile seating devices used on District buses are compatible with bus securement systems required by 49 CFR 571.222. (Education Code 56195.8)

As necessary, a student with disabilities may be accompanied on school transportation by a service animal, as defined in 28 CFR 35.104, including a specially trained guide dog, signal dog, or service

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dog. (Education Code 39839; Civil Code 54.1-54.2; 28 CFR 35.136)

When transportation is not specifically required by the IEP or Section 504 plan of a student with disabilities, the student shall be subject to the rules and policies regarding regular transportation offerings within the District.

It is necessary that drivers be especially courteous and helpful to those who need extra attention due to a physical or mental handicap. A driver shall never leave special education students unattended in a bus.

“In Lieu Of” Transportation

For those students meeting the ridership eligibility criteria, transportation may be provided by private carrier or the parent whenever such practices are determined by the District to be more economical or convenient than using ~~school-d~~District-owned vehicles.

Parents may be reimbursed for a portion of the transportation costs of eligible students based upon a one-way trip to school or to an existing bus stop.

The rate of reimbursement will be paid at the approved District mileage rate as specified in Board Policy. To receive payment for approved “In Lieu Of” transportation, parents must complete and submit in triplicate to the ~~Superintendent or designee~~Governing Board of the Clovis Unified ~~School District~~, a mileage certification form. Forms and instructions may be obtained from the Assistant Superintendent - Business Services. The final determination for “In Lieu Of” transportation service reimbursements is at the sole discretion of the ~~Superintendent or designee~~District.

Adopted: __/__/__ (provisions moved from AR 8301)

EDUCATION CODE

39807.5 Payment of transportation cost

39839 Guide dogs, signal dogs, and service dogs on bus

41850-41854 Allowances for transportation

48300-48315 Alternative interdistrict attendance program

48915.5 Expulsion of students with exceptional needs

56040 No cost for special education and related services

56195.8 Adoption of policies

56327 Assessment for special education and related services

56345 Individualized education program

56365-56366.1 Nonpublic nonsectarian schools or agencies

CIVIL CODE

54.1-54.2 Service animals

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SCHOOL DISTRICT****CODE OF REGULATIONS, TITLE 5****15243 Physically handicapped minors****15271 Exclusion from report****UNITED STATES CODE, TITLE 20****1400-1482 Individuals with Disabilities Education Act****UNITED STATES CODE, TITLE 29****794 Section 504 of the Rehabilitation Act of 1973****CODE OF FEDERAL REGULATIONS, TITLE 28****35.104 Definitions****35.136 Service animals****CODE OF FEDERAL REGULATIONS, TITLE 34****104.4 Equal opportunity under the Rehabilitation Act of 1973, Section 504****300.1-300.818 Individuals with Disabilities Education Act, especially:****300.34 Transportation defined as related service****CODE OF FEDERAL REGULATIONS, TITLE 49****571.222 Federal requirements for bus securement systems****Doc# 36449-5 (01/2020, 05/2016)**

**CLOVIS UNIFIED
SCHOOL DISTRICT****~~GENERAL SERVICES~~BUSINESS AND NONINSTRUCTIONAL OPERATIONS****Food Services****FOOD SERVICE/CHILD NUTRITION PROGRAM**

PURPOSE: To establish a comprehensive food service program.

The food service program is ~~basically a health program and an~~ integral part of the instructional educational program and is to operate. ~~A good cafeteria system is the concern of all. It involves the members of the Board, administrators, teachers, students, nurses, and classified staff. In instituting a sound food service program, it is of major importance that a policy be developed which provides for adequate and efficient central control without the subjugation of local initiative, and provides for the best possible lunch at the most reasonable cost on a self-supporting basis.~~

~~The Board shall establish annually the cost of meals to children and adults for all cafeterias in the District and shall establish hourly and/or monthly rates of pay for all employees.~~

The Superintendent or designee, ~~Associate Superintendent for Administrative Services and Assistant Superintendent for Business Services~~ is authorized to establish rules and regulations which ensure compliance with USDA guidelines for ~~the providing of~~ free or reduced price meals to qualified students in grades ~~pre-school~~kindergarten through continuation school.

The District is authorized to provide meals~~“Type A” lunches~~ eligible for ~~F~~federal and ~~S~~state reimbursement to serve eligible students ~~that are able to qualify~~ under the National School Lunch Act and other a la carte food items.

In accordance with law, the Superintendent or designee shall develop and maintain a food safety program to reduce the risk of foodborne hazards at each step of the food preparation process, from receiving to service. (42 USC 1758, 7 CFR 210.13 and 220.7; see also, Health and Safety Code 113700-114437)

~~All applications and records relating to free or reduced price meal eligibility as they relate to the National School Lunch Act shall be confidential and shall not be open to public examination for any purpose not directly connected with the administration of any free or reduced price meal program.~~

~~This notwithstanding, pursuant to California Education Code Section 49558, the Governing Board authorizes the use of individual records pertaining to pupil eligibility in any free or reduced price meal program by school district employees identified by the Superintendent, or designee, solely for the purpose of disaggregation of academic achievement data subject to the following conditions:~~

- ~~1. No individual indicators of participation in the free or reduced price meal program shall be maintained in the permanent records of any students if not otherwise allowed by law.~~

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- ~~2. Information regarding individual student participation in the free or reduced price meal program shall not be publicly released.~~
- ~~3. All other confidentiality provisions required by law shall be met.~~

~~This authorization shall be reviewed annually.~~

Adopted: 07/23/1975

Reviewed: 11/13/2006, 11/10/2010

Amended: 02/11/1976, 09/1977, 12/12/1979, 06/08/1992, 05/25/1994, 04/26/2000, 11/09/2005,
____/____/____ (BP 8401 renumbered as BP 3550)

EDUCATION CODE

38080-38103 Cafeteria, establishment and use
49430-49434 Pupil Nutrition, Health, and Achievement Act of 2001
49490-49494 School breakfast and lunch programs
~~Education Code~~ 49500-49505 School meals ~~et seq.~~
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 children
49570 National School Lunch Act

HEALTH AND SAFETY CODE

113700-114437 California Retail Food Code

CODE OF REGULATIONS, TITLE 5

1751-1769J National School Lunch Program, including:
1758b Local wellness policy
1761 Summer Food Service Program and Seamless Summer Feeding Options
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
220.2-220.22 National School Breakfast Program
245.1-245.13 Eligibility for free and reduced-price meals and free milk

Doc# 36356-6 (01/2020, 12/2014)



**CLOVIS UNIFIED
SCHOOL DISTRICT****BUSINESS AND NONINSTRUCTIONAL OPERATIONS****Food Services****FOOD SERVICES OPERATIONS/CAFETERIA FUND**

PURPOSE: To specify the standards for food services operations and cafeteria fund.

The Board intends that school food services shall be a self-supporting, ~~nonprofit~~ program. To ensure program quality and increase cost effectiveness, the Superintendent 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 District.

The Superintendent or designee shall ensure that all food service personnel possess the required qualifications and receive ongoing professional development related to the effective management and implementation of the District's food service program in accordance with law.

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)

A. Meal Sales

Meals may be sold to students, District employees, Board members, and employees or members of the fund or association maintaining the cafeteria. (Education Code 38082)

In addition, 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.

The Board authorizes the Superintendent or designee, subject to Board approval, to ~~establishes~~ the cost of meals ~~food~~ provided to the District's students through the District's ~~Campus Catering Department~~ ~~Food Services Program~~. Meal prices shall be based on the costs of providing food services and consistent with Education Code 38084 and 42 USC 1760. Food may be paid for on a daily basis or parents may deposit money into an account for food purchases by their child throughout the school year.

When the student's account becomes low or has a negative balance, parents will be notified in writing and shall be responsible for reparation. (Education Code 49557.5)

The Superintendent or designee shall establish strategies and procedures for the collection of meal payments, including delinquent meal payments. Such procedures shall conform with 2 CFR 200.426 and any applicable CDE guidance. The Superintendent or designee shall clearly communicate these procedures to students and parents/guardians and shall make this policy and the accompanying administrative regulation available to the public.

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The Superintendent 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)

Students who are enrolled in the free or reduced-price meal program 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.

B. Cafeteria Fund

The wages, salaries, and benefits of food service employees shall be paid from the cafeteria fund. (Education Code 38103)

The Superintendent 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 as allowed by law.

C. Contracts with Outside Services

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

D. 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 District's food service program when the product is not produced or manufactured in the United States in sufficient and reasonable 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 Superintendent or designee shall retain documentation justifying the use of the exception.

Furthermore, the District shall accept a bid or price for an agricultural product grown in California before accepting a bid or price for an agricultural product grown outside the state, if the quality of the California-grown product is comparable and the bid or price does not exceed the lowest bid or price of a product produced outside the state. (Food and Agricultural Code 58595)

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Bid solicitations and awards for purchases of equipment, materials, or supplies in support of the District's child nutrition program, 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 party. Price shall be the primary consideration, but not the only determining factor, in making such an award. (Public Contract Code 20111)

E. Program Monitoring and Evaluation

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

The Superintendent or designee shall provide all necessary documentation required for the Administrative Review conducted by the CDE to ensure compliance of the District's food service program with federal requirements related to maintenance of the nonprofit school food service account, meal charges, paid lunch equity, revenue from nonprogram goods, indirect costs, and USDA foods.

Adopted: / / (provisions moved from BP 4604)

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
49550-49564.5 Meals for needy students
49580-49581 Food recovery program

FOOD AND AGRICULTURAL CODE

58595 Preference for California-grown agricultural products

HEALTH AND SAFETY CODE

113700-114437 California Retail Food Code

PUBLIC CONTRACT CODE

2000-2002 Responsive bidders
20111 Contracts

CODE OF REGULATIONS, TITLE 5

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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

200.318-200.326 Procurement standards

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

Doc# 36395-5 (01/2020, 03/2018)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BUSINESS AND NONINSTRUCTIONAL OPERATIONS****Food Services****SUMMER MEAL PROGRAM**

PURPOSE: To establish standards for a summer meal program.

The Board 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 District may sponsor a summer meal program as approved by the California Department of Education (CDE).

The District may apply to the CDE to provide meals to children during any extended break in a year-round school schedule. (42 USC 1761; 7 CFR 225.2, 225.6, 225.14)

The District may serve meals at a non-school 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 Board authorizes the Superintendent or designee to select one or more sites for summer meal services based on state and federal program criteria and an assessment of family and community needs. When feasible, the Superintendent 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.

The Superintendent or designee may 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.

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

The Superintendent 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 may shall direct the Superintendent or designee to identify program modifications to increase program quality or children's access to meal services.

Board may direct the Superintendent or designee to identify program modifications to increase program quality or children's access to meal services.

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SCHOOL DISTRICT**Adopted: / / **EDUCATION CODE**

49430-49434 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

1751-1769j School lunch programs, including:

1758b 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

Doc# 36396-4 (01/2020, 07/2010)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BUSINESS AND NONINSTRUCTIONAL OPERATIONS****Food Services****FREE AND REDUCED-PRICE MEALS**

PURPOSE: To specify the requirements and standards for free and reduced-price meals.

The District 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 Superintendent or designee shall assess the eligibility of District schools to provide breakfast and/or lunch free of charge to all students at the school under a federally funded universal meal service provision, such as Provision 2 or the Community Eligibility Provision, pursuant to 42 USC 1759a.

If any District school meets the criteria for a "very high poverty school" through its eligibility for the federal Community Eligibility Provision reimbursement rate pursuant to 42 USC 1759a, the District shall apply to the California Department of Education (CDE) to operate a universal meal service, unless the Board adopts a resolution stating that the District is unable to comply with this requirement due to fiscal hardship. The resolution shall be part of the public agenda for at least two consecutive Board meetings, first as an information item and then as an action item. The Board shall reconsider the resolution at least once every four years. (Education Code 49564; 42 USC 1759a)

The Superintendent 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.

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

Confidentiality/Release of Records

All applications and records concerning any individual relating to free ~~or~~ reduced-price meal eligibility ~~as they relate to the National School Lunch Act~~ shall be confidential, and ~~may~~ **shall** not be open to ~~public~~ examination for any purpose not directly connected with the administration of any free or reduced-price meal program, or any investigation, prosecution, or criminal or civil proceeding conducted in connection with the administration of any free or reduced-priced meal program. ~~All applications and records related to eligibility for the free and reduced-price meal program shall be confidential,~~ except as provided by law or pursuant to a court order. (Education Code 49558)

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~~This notwithstanding, pursuant to California Education Code Section 49558, the Governing Board authorizes the disclosure of from the individual meal records only the student's name and school meal pertaining to pupil eligibility status for the in any free or reduced price meal program by school district employees designated identified by the Superintendent, or designee, solely for the purposes of disaggregation of academic achievement data or to identify students eligible for public school choice and direct pupil services pursuant to the federal Elementary and Secondary Education Act (20 USC 6301 et seq.) if the subject to the following conditions are met:~~

1. No individual indicators of participation in the free or reduced-price meal program shall be maintained in the permanent records of any students, ~~unless if not~~ otherwise allowed by law.
2. Information regarding individual student participation in the free or reduced-price meal program shall not be publicly released.
3. All other confidentiality provisions required by law shall be met.
4. The information collected regarding individual students certified to participate in the free or reduced-price meal program is destroyed when it is no longer needed for its intended purpose.

This authorization ~~may~~ shall be reviewed annually by the Board.

~~If a student transfers from the District to another school district, charter school, county office of education program, or private school, the Superintendent or designee may share the student's meal eligibility information to the other educational agency to assist in the continuation of the student's meal benefits.~~

The Superintendent or designee may release:

1. Upon request, the name and eligibility status of a student participating in the free or reduced-price meal program to another school district, charter school, or county office of education that is serving a student living in the same household as the enrolled student for purposes related to free or reduced-price meal program eligibility and for data used in local control funding formula calculations. (Education Code 49558)
2. The name and eligibility status of a student participating in the free or reduced-price meal program to the Superintendent of Public Instruction for purposes of determining allocations under the local control funding formula and for assessing accountability of that funding. (Education Code 49558)
3. Information on the School Lunch Program application to the local agency that determines eligibility participation in the Medi-Cal program if the student has been approved for free meals and if the applicant consents to the sharing of information pursuant to Education

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Code section 49557.5.

4. Information on the School Lunch Program application to the local agency that determines eligibility for CalFresh program or to an agency that determines eligibility for nutrition assistance program authorized under 7 CFR 210.1 if the student has been approved for free or reduced-price meals and if the applicant consents to the sharing of information pursuant to Education Code section 49557.3.

Information may be released for these purposes stated in 3 and 4 above only if the student's parent/guardian consents to the sharing of information and the District has entered into a memorandum of understanding with the local agency which, at a minimum, includes the roles and responsibilities of the District and local agency and the process for sharing the information. After sharing information with the local agency 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)

Adopted: __/__/__ (provisions moved from BP 8401)

EDUCATION CODE

48980 Notice at beginning of term
49430-49434 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
49550-49564.5 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
6301-6576 Elementary and Secondary Education Act

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

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220.10-220.21 National School Breakfast Program

245.1-245.13 Determination of eligibility for free and reduced-price meals and free milk

Doc# 36397-5 (01/2020, 03/2018)

**CLOVIS UNIFIED
SCHOOL DISTRICT****~~GENERAL SERVICES~~BUSINESS AND NONINSTRUCTIONAL OPERATIONS**

Food Services

OTHER FOOD SALES

PURPOSE: To establish guidelines for competitive food sales that occur on school premises.

The Board believes that sales of foods and beverages at school during the school day should be aligned with the District's goals. Any food sales conducted outside the District's food service program shall meet nutritional standards specified in law, Board policy, and administrative regulation and shall not reduce student participation in the District's food service program.

The Board authorizes the Superintendent or designee to approve the sale of foods and beverages outside the District's food service program, including sales by student or school-connected organizations, sales through vending machines, and/or sales at secondary school student stores for fundraising purposes.

When vending machines are sponsored by the District or a student or adult organization, the Superintendent or designee shall determine how and where vending machines may be placed at school sites, District offices, or other school facilities.

Adopted: 05/23/2001

Reviewed: 06/17/2010

Amended: 11/09/2005, 05/23/2007, __/__/____ (BP 8402 renumbered as BP 3554)

EDUCATION CODE

35182.5 Contracts, non-nutritious beverages

~~38085 Availability of nutritious foods~~

48931 Authorization and sale of food

49430-49434 Pupil Nutrition, Health, and Achievement Act of 2001

~~49431 Sale of food to elementary students~~~~49431.2 Sale of food to intermediate and high school students~~~~49431.5 Sale of beverages to pupils~~

51520 School premises; prohibits solicitations

CODE OF REGULATIONS, TITLE 5

15500 Food sales in elementary schools

15501 Food sales in high schools ~~and~~ intermediate schools

15575-15578 Requirements for foods and beverages outside federal meals program

HEALTH AND SAFETY CODE113700-114434 California ~~Uniform Retail Food Code~~ ~~Facilities Law~~**UNITED STATES CODE, TITLE 42**

1751-1769 National School Lunch Act, including:

1758b Local wellness policy

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1771-1791 Child nutrition, School Breakfast Program

CODE OF FEDERAL REGULATIONS, TITLE 7

210.1-210.31 National School Lunch Program

220.1-220.21 National School Breakfast Program

~~NATIONAL SCHOOL LUNCH PROGRAM AND SCHOOL BREAKFAST PROGRAM;
COMPETITIVE FOODS (7 CFR Parts 210.11 and 220.)~~

Doc# 35417-6 (01/2020, 11/2007)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BUSINESS AND NONINSTRUCTIONAL OPERATIONS****Food Services****NUTRITION PROGRAM COMPLIANCE**

PURPOSE: To set forth procedures for compliance with nondiscrimination laws relating to the District's nutrition programs.

The Board recognizes the District's responsibility to comply with state and federal nondiscrimination laws as they apply to the District's nutrition programs. The District shall not deny any student the benefits or service of any nutrition program or discriminate against him/her on any basis prohibited by law. (7 CFR 210.23, 220.7; 34 CFR 100.1-100.13)

Coordinator

The Board designates the compliance officer specified in the District's Administrative Regulation for Uniform Complaint Procedures as the District's civil rights coordinator to ensure compliance with the laws governing its nutrition programs and to investigate any related complaints. (5 CCR 4610, 4621)

Notifications

The U.S. Department of Agriculture's (USDA) "And Justice for All" civil rights poster or a substitute poster approved by the USDA's Food and Nutrition Service (FNS) shall be displayed in accordance with applicable laws, regulations, and requirements of FNS. All notices, forms, and communications required to be made available shall comply with applicable laws, regulations, and requirements of FNS.

Complaints

Any complaint concerning the District's nutrition programs shall be investigated using the process identified in the District's Board Policy and Administrative Regulation for Uniform Complaint Procedures.

When a complaint alleging discrimination of the basis of race, color, national origin, sex, age, or disability is unresolved at the District 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
2. U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410, (866) 632-9992, (800) 877-8339 (Federal Relay Service - English), (800) 845-6136 (Federal Relay Service - Spanish),

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fax (202) 690-7442, or email program.intake.usda.gov.

Adopted: / /

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
4600-4670 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

CODE OF FEDERAL REGULATIONS, TITLE 34

100.1-100.13 Nondiscrimination in federal programs, effectuating Title VI

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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

Doc# 36398-4 (11/2019, 07/2016)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BUSINESS AND NONINSTRUCTIONAL OPERATIONS****Records****DISTRICT RECORDS**

PURPOSE: To establish a policy addressing the classification and retention of District records.

The Board recognizes the importance of securing and retaining District records. The Superintendent or designee shall ensure that District records are developed, maintained, and disposed of in accordance with law, Board policy, and administrative regulation.

The Superintendent or designee may consult with District legal counsel, site administrators, District 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 District records, including electronically stored information such as email. This document management system may consist of multiple components and 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.

The Superintendent or designee shall ensure the confidentiality of records as required by law and shall establish regulations to safeguard data against damage, loss, or theft.

The Superintendent or designee shall ensure that employees receive information about the District'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.

If the District discovers or is notified that a breach of security of District electronic records containing unencrypted personal information has occurred, the Superintendent or designee shall notify every individual whose personal information was, or is reasonably believed to have been, acquired by an unauthorized person. (Civil Code 1798.29) Personal information includes, but is 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. (Civil Code 1798.29)

The Superintendent or designee shall provide the notice in a timely manner either in writing or electronically, unless otherwise provided in law. The notice shall include the material specified in Civil Code 1798.29, be formatted as required, and be distributed in a timely manner, consistent with the legitimate needs of law enforcement to conduct an uncompromised investigation or any measures necessary to determine the scope of the breach and restore reasonable integrity of the data system. (Civil Code 1798.29)

**CLOVIS UNIFIED
SCHOOL DISTRICT**Safe at Home Program

District 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)

When a substitute address card is provided pursuant to the Safe at Home Program, the confidential, actual address may be used to establish District residency requirements for enrollment and for school emergency purposes.

Adopted: / /

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
49069 Absolute right to access

CIVIL CODE

1798.29 Breach of security involving personal information

CODE OF CIVIL PROCEDURE

1985.8 Electronic Discovery Act
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

430 Individual student records; definition
432 Varieties of student records
16020-16022 Records, general provisions
16023-16027 Retention of records

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act

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CODE OF FEDERAL REGULATIONS, TITLE 34
99.1-99.8 Family Educational Rights and Privacy Act

Doc# 36429-3 (10/2019, 05/2016)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BUSINESS AND NONINSTRUCTIONAL OPERATIONS**
Purchasing and Contracting
CONSULTANTS

PURPOSE: To establish a procedure for using and contracting with consultants.

The Board is committed to encourages the use of consultants when it is clear they can provide valuable and necessary specialized services not normally required on a continuing basis and which cannot be provided by District personnel because of limitations of time, experience, or knowledge.

Consultants as used in this policy are individuals, firms, or organizations who are independent contractors and with whom the District has contracted to provide specific technical or training services, or professional, technical, or expert advice, opinion, or guidance to management personnel on a limited and as needed basis which may assist management in decision-making and/or project development.

All contracts with consultants must be in writing, signed by authorized District personnel, and approved by the Board to be valid and binding upon the District.

Standard Operating Procedures outlining the process to be followed when entering into agreements with consultants, including information that is required from the consultant and the department or site that will be utilizing the services, have been developed by the Superintendent or designee District. Payment for consultant services will only be rendered upon receipt of an invoice from the consultant and receipts from the department or site be in accordance with Board Policy No. 3312 - Contracts.

Adopted: 11/20/1995

Reviewed: 01/14/2009

Amended: 03/24/2004, 12/12/2007, __/__/____ (BP 6208 renumbered as BP 3600)

~~Education Code sections 10400; 35010; 35046; 35172 (a)~~

~~Government Code section 53060~~

EDUCATION CODE

10400-10407 Cooperative improvement programs

35010 Control of Districts; prescription and enforcement of rules

35172 Promotional activities

35204 Contract with attorney

17596 Limit on continuing contracts

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

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a temporary basis

GOVERNMENT CODE
53060 Contract for special services and advice

Doc# 37680-6 (03/2020, 10/1996)