ELSINBORO township board of education file code: 3542.3

**Salem, New Jersey**

# Policy

## Procurement Procedures for Child Nutrition Programs

In accordance with the provisions of N.J.S.A. 18A:18A-1 et seq., New Jersey Public School Contract Law, 21 CFR Part 200, 318, CFR Part 3019.42 and the policies of the Lawrence Township School District dealing with purchasing, the board shall ensure open and free competition for the procurement of food and adhere to the most restrictive federal/state/local requirements.

This district seeks to conduct all procurement procedures in compliance with stated regulations and to prohibit conflicts of interest and actions of employees engaged in the selection, award and administration of contracts.

No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a federal, state, or local award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.

The officers, employees, and agents of the non-federal entity may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, non-federal entities may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value.

The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the non-federal entity. Based on the severity of the infraction, the penalties could include a written reprimand to their personnel file, a suspension with or without pay, or termination.

Adopted: October 10, 2017

NJSBA Review/Revision: January 2022

Readopted:

Key Words

School Lunch, Food Service, Nutrition, Wellness,

**Legal References:** N.J.S.A. 18A:11‑1 General mandatory powers and duties

 N.J.S.A. 18A:18A-4.1 f.,h. Use of competitive contracting in lieu of public bidding; boards of education

 N.J.S.A. 18A:18A-5 Exceptions to requirement for advertising

 See particularly:

 N.J.S.A. 18A:18A-5a(6)

 N.J.S.A. 18A:18A‑6 Standards for purchase of fresh milk; penalties; rules and regulations

 N.J.S.A. 18A:33‑3

 through ‑5 Cafeterias for pupils

 N.J.S.A. 18A:33‑9

 through ‑14 Findings, declarations relative to school breakfast programs

 See particularly:

 N.J.S.A. 18A:33-10

 N.J.S.A. 18A:33-15 Improved Nutrition and Activity Act (IMPACT Act)

 through -19

 N.J.S.A. 18A:54‑20 Powers of board (county vocational schools)

 N.J.S.A. 18A:58‑7.1

 through ‑7.2 School lunch program

 N.J.A.C. 2:36-1.1 et seq. Child Nutrition Programs

 See particularly:

 N.J.A.C. 2:36-1.7 Local school nutrition policy

 N.J.A.C. 6A:16-5.1(b) School safety plans

 N.J.A.C. 6A:23A-1 et seq. Fiscal accountability, efficiency and budgeting procedures

 See particularly:

 N.J.A.C. 6A:23A-16.5 Supplies and equipment

 N.J.A.C. 6A:30-1.1et seq. Evaluation of the Performance of School Districts

 Form 326 Procurement Procedures for School Food Authorities, New Jersey

 Department of Agriculture

Sec. 204 at the Federal Child Nutrition and WIC Reauthorization Act of 2004 (P.L. 108-265)

 42 U.S.C. 1751 et seq. Richard B. Russell National School Lunch Act

 42 U.S.C. 1771 et seq. Child Nutrition Act of 1966

 7 CFR Part 210 and 220 Healthy, Hunger-Free Kids Act of 2010

 7 CFR Part 210 Medically authorized special needs diets

**Possible**

**Cross References:** \*1200 Participation by the public

 \*1220 Ad hoc advisory committees

 \*3000/3010 Concepts and roles in business and noninstructional operations; goals

 and objectives

 \*3220/3230 State funds; federal funds

 \*3320 Purchasing procedures

 \*3450 Money in school buildings

 \*3510 Operation and maintenance of plant

 \*3542 Food Service

 \*3542.31 Free or reduced‑price lunches/milk

 \*3542.44 Purchasing

 \*4222 Noninstructional aides

 \*5131 Conduct/discipline

 9123 Appointment of board secretary

 9124 Appointment of business official

\*Indicates policy is included in the Critical Policy Reference Manual.