

AMENDED IN SENATE APRIL 17, 2001

SENATE BILL

No. 450

Introduced by Senator Machado
@@@ (Coauthor: Assembly Member Alquist)

February 22, 2001

An act to add Article 4 (commencing with Section 38105) to Chapter 3 of Part 23 of the Education Code, relating to school food, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

SB 450, as amended, Machado. School Food Service Staff Development and Safe Food Handling Program.

Existing law authorizes school districts to operate programs to provide school meals for pupils and establishes public health standards for food and beverage handling. Existing law also authorizes staff development for school employees.

This bill would establish the School Food Service Staff Development and Safe Food Handling Program, to be administered by the Superintendent of Public Instruction to provide, subject to funding being made available for this purpose, eligible school districts and county offices of education with a school food service staff development allowance of \$140 per full-time equivalent ~~employee~~ *employee of training for school food service employees*, as specified, for training of up to 8 hours a year in areas such as safe food handling and preparation, school food service marketing techniques, and general food service management practices.

The bill would authorize for reimbursement, as specified, public school districts and county offices of education that participate in a federal child nutrition program if specified requirements are met.

The bill would require, beginning in the 2001–02 fiscal year, funding for the School Food Service Staff Development and Safe Food Handling Program to be disbursed to eligible school districts and county offices of education on a reimbursement basis, as specified.

The bill would appropriate \$4,120,000 from the General Fund to the Superintendent of Public Instruction for the School Food Service Staff Development and Safe Food Handling Program. The bill would require that no more than one \$120,000 be used by the Superintendent of Public Instruction for the purposes of administration.

Vote: ²/₃. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Article 4 (commencing with Section 38105) is
2 added to Chapter 3 of Part 23 of the Education Code, to read:

3
4 Article 4. School Food Service Staff Development and Safe
5 Food Handling Program

6
7 38105. This article shall be known and may be cited as the
8 School Food Service Staff Development and Safe Food Handling
9 Program.

10 38107. (a) There is hereby established in the State
11 Department of Education the School Food Service Staff
12 Development and Safe Food Handling Program. The
13 Superintendent of Public Instruction shall develop guidelines for
14 the purpose of implementing this article.

15 (b) Each fiscal year, the Superintendent of Public Instruction
16 shall provide, subject to funding being made available for this
17 purpose, each eligible school district and county office of
18 education applying for reimbursement under this article with a
19 school food service staff development allowance of one hundred
20 forty dollars (\$140), with an appropriate cost-of-living adjustment
21 being made on a yearly basis, per each full-time equivalent
22 ~~employee of training for school food service employees~~ pursuant
23 to subdivision ~~(j)~~ (i) for training of up to eight hours a year ~~of per~~
24 school food service ~~employees who participate~~ *employee who*
25 *participates* in staff development instruction in any the following
26 subject areas:



1 (1) Safe food handling techniques.

2 (2) Food preparation techniques.

3 (3) Menu planning.

4 (4) Recipe development.

5 (5) School food service marketing techniques.

6 (6) General food service management practices.

7 (c) All public school districts and county offices of education
8 that participate in a federal child nutrition program that is
9 reimbursed pursuant to Section 41350 for meals served pursuant
10 to Article 11 (commencing with Section 49550) of Chapter 9 of
11 Part 27 are eligible for reimbursement at the rate pursuant to
12 subdivision (b) if the requirements of this section are met.

13 ~~(d) If the sum appropriated for the purposes of this article is not~~
14 ~~sufficient to provide full reimbursement, reimbursement amounts~~
15 ~~shall be reduced proportionately.~~

16 ~~(e)–~~

17 (d) All programs implemented pursuant to this article shall, for
18 the purposes of reimbursement, meet all of the following
19 requirements:

20 (1) At least one hour in the area of safe, sanitary food handling
21 techniques shall be provided *per employee* for each year that
22 reimbursement is made.

23 (2) Guidelines issued by the Superintendent of Public
24 Instruction that define staff development shall be followed.

25 (3) Each eligible participant shall attend the full training
26 session. Records of attendance and the content of the training
27 session shall be maintained a minimum of three years in a manner
28 prescribed in the guidelines.

29 ~~(f)–~~

30 (e) Training sessions may be offered over several calendar
31 days.

32 ~~(g)–~~

33 (f) No reimbursement shall be made for the cost of an employee
34 repeating a training session in the same school year that the
35 training was previously attended by that employee.

36 ~~(h)–~~

37 (g) School districts and county offices of education shall
38 account for revenues and expenditures related to this article in
39 accordance with cafeteria budget codes pursuant to the California
40 School Accounting Manual.



1 ~~(i)~~

2 (h) This article is also applicable to food service employees and
3 food service management staff employed by joint powers
4 agreements, formed pursuant to Chapter 5 (commencing with
5 Section 6500) of the Government Code.

6 ~~(j)~~

7 (i) For the purposes of this section a “full time equivalent of
8 training for school food service employees” means ~~the quotient~~
9 ~~that results when the product of the number of hours of training is~~
10 ~~multiplied by the number of food service employees attending the~~
11 ~~full training session and is divided by eight hours. up to eight hours~~
12 ~~per year per food service employee.~~

13 38109. (a) In order to receive reimbursement under this
14 article, eligible school districts and county offices of education
15 shall submit for approval their intent to provide food service staff
16 development consistent with the guidelines and requirements
17 established by this article. Intent to provide food service staff
18 development training shall be part of the school food authority’s
19 permanent National School Lunch Program Agreement with the
20 State Department of Education.

21 (b) Reimbursement shall be provided under this article only
22 after the school district or county office of education certifies
23 completion of the school food service training sessions.

24 ~~(e) Beginning in the 2001–02 fiscal year, funding for the~~
25 ~~program shall be disbursed to eligible school districts and county~~
26 ~~offices of education on a reimbursement basis using the existing~~
27 ~~monthly claim for reimbursement process utilized by school food~~
28 ~~authorities pursuant to subdivision (b) of Section 49559. School~~
29 ~~districts and county offices of education shall submit claims for~~
30 ~~reimbursement no later than 50 business days after the end of each~~
31 ~~school year.~~

32 (c) *Beginning in the 2001–02 fiscal year, funding for the*
33 *program shall be disbursed to each school district food authority*
34 *that requests reimbursement. Upon submission by the school*
35 *district of a request for reimbursement, the district shall be*
36 *reimbursed within 60 days after the date upon which the request*
37 *is received. Each district may apply one time annually during the*
38 *fiscal year, but not later than August 20.*



1 38111. This article shall not be interpreted to provide the sole
2 source of funding for school food service staff development and
3 is intended to supplement, not supplant, other sources of funding.

4 SEC. 2. The sum of four million one hundred twenty thousand
5 dollars (\$4,120,000) is hereby appropriated from the General
6 Fund to the Superintendent of Public Instruction for the School
7 Food Service Staff Development and Safe Food Handling
8 Program implemented pursuant to Article 4 (commencing with
9 Section 38105) of Chapter 3 of Part 23 of the Education Code. No
10 more than one hundred twenty thousand dollars (\$120,000) shall
11 be used by the Superintendent of Public Instruction for the
12 purposes of administration.

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