

3065 - Vending Machines and Relations with Vendors

The School Board wishes to maintain good working relations with vendors who supply materials, supplies, and services to the school system. Constructive efforts by the administration to seek the advice and counsel of vendors about how to improve such relationships are encouraged.

Vendors who feel the specifications are unduly restrictive are encouraged to bring this to the Superintendent's attention by written communication.

Automatic vending machines or sales, the proceeds of which remain with the School Board, are authorized in any elementary or secondary public school in the city (i.e. sanitary equipment, milk, or other items designated by the School Board).

Automatic vending machines or sales, the proceeds of which physically remain in an individual school yet credited to the district's general fund, may be authorized if the sales supplement rather than conflict with existing School Board programs and policies. Non-conflicting vending machines or sales shall be originated at the discretion of the school principal.

All vending contracts over \$5000 must be obtained based on competitive bids and all contracts must be ratified by the School Board. In the event any vended or sold items are questioned or disputed as being in conflict with existing School Board programs or policies, the School Board, after proper review, shall make the determination.

Effective for all contracts entered into after June 30, 1995, student picture or yearbook contracts grossing over \$5000 in sales must also be obtained based on competitive bids and all contracts must be ratified by the School Board. In the event any item is questioned or disputed as being in conflict with existing School Board programs or policies, the School Board after proper review shall make the determination.

References: MSA 121.908
MSA 123.37
MSA 127.15
MSA 471.345

Adopted: 06-09-1970 ISD 709
Revised: 10-19-1993
04-25-1995
06-20-1995 ISD 709

3065R - Vending Machines and Relations with Vendors

Machines for the dispensing of foods and beverages may be used in the public schools of Duluth as a supplement to the cafeteria service and to provide after hours service. The following guidelines will govern their management, installation, use and specific items to be dispensed:

1. Management

The dispensing machines shall be under the general direction of the school principal. All proceeds are to be posted to the general fund but may be maintained at the school site. The proceeds may be expended as dictated by district accounting and purchasing policies. Proper accounting shall be submitted regularly to the Director of Business and Finance on all proceeds and expenditures.

2. Installation

Vending machines are to be installed at the expense of the local school. All contracts must be ratified by the School Board and shall go out for bid if the aggregate receipts from all machines located in a building exceed \$5000 in a fiscal year. The machines shall be so located as to meet building codes, convenience of operation, accessibility, and ease of maintenance. The placement shall be the joint decision of the local school administration, the engineering department, and the child nutrition department. All financial responsibility for the maintenance and repair shall remain with the individual school.

3. Use

Vending machines and their products may not operate in competition with school cafeterias. Their use is to broaden the services offered students and shall not be operated so as to detract or supplant the nutritional offerings of the school cafeteria. It is further recommended that attention be given to its use before or after school and before or during evening activities.

4. Guidelines for Specific Items to be Dispensed

It would be impractical to identify all items that should or should not be sold through a vending machine. With the guidelines identified under "use" the following regulations apply:

The following items may not be dispensed during lunch periods:

Coffee, tea, carbonated beverages, corn chips, potato chips, ice cream, candy, etc., and any items directly in competition with those being sold in the cafeteria. (But may be acceptable when the cafeteria is not in service.)

The following items are acceptable and may be operated at any time:

Fruit, noncarbonated beverages, milk, consommé', sandwiches, etc.

All efforts should be made to encourage cafeteria participation and the support of nutritious food.

The vending machines should be a supplement to the cafeteria and not to replace the services; consequently the major use should be before and after school hours, evening, and at those times in which the services of the cafeteria are not available.

5. Relations with Vendors

All supplies' representatives shall have a hearing relative to their products at the earliest convenient date. Subsequent visits shall be promptly acknowledged and interviews granted or not, depending upon the circumstances. Purchasing personnel are not required to put their time absolutely and indiscriminately at the disposal of all salesmen, however frequent or at whatever time, or on what mission they may be calling. The Director of Business and Finance may be the judge, but he/she is not relieved from his/her obligation of courtesy. The Duluth Public Schools shall not extend favoritism to any vendors. Each order shall be placed on the basis of quality, price, and delivery, with past service being a factor if all other considerations are equal.

All letters, wires, and other types of communications shall be answered or acknowledged promptly.

The schools shall not solicit funds or material from vendors, however worthy the purpose. No purchase will be made from an employee of the School District, nor from a member of the immediate household of an employee.

No purchase will be made from a member of the School Board, nor from a member of his/her immediate household, nor from any enterprise in which he/she holds a substantial interest, except for public utilities.

No employee shall endorse any product of any type or kind in such a manner as will identify him/her in any way as an employee of the School District.

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