Ohio | Department of Education

Ted Strickland, Governor
Deborah S. Delisle, Superintendent of Public Instruction

POLICY STATEMENT

Competitive Procurement and Private Grants for School Food Programs

Source: USDA Memo SP 09-2009.
Code: NSLP 07-09
Audience: All School Food Authorities
Effective Date: 04/09/2009
Replaces: None
Program: NSLP

INTRODUCTION

This memorandum serves to remind school food authorities (SFAs) that SFAs must comply with the requirements in 7 CFR 210.21, 220.16, and 225.17, as well as the requirements in 7 CFR 3016.36 and 3019.40-48 requiring that procurements are conducted in a competitive manner.

STATEMENT OF POLICY

A. **DEFINITION OF PRIVATE GRANTS FOR FOOD SERVICE PROGRAMS**
   1. Private Grant programs are aimed at assisting schools with start-up and/or expansion of Child Nutrition Programs, especially of the School Breakfast (SBP) and Summer Food Service Program (SFSP).
   2. The foundations sponsoring the grants are associated with companies that provide goods and services to the school meals programs.
   3. Review of recent grant programs revealed that at least some contain a mandatory purchasing component, requiring recipients to purchase and use a vendor's specified product for a stipulated amount of time.

B. **SCHOOL FOOD AUTHORITY INABILITY TO USE NON PROFIT FOOD SERVICE FUNDS WHILE PARTICIPATING IN PRIVATE GRANT PROGRAMS**
   1. Due to the proprietary purchasing requirements imposed by these grant programs, an SFA would be unable to participate in the grant while adhering to all required program regulations, specifically those addressing procurement activities.
   2. SFAs that have already received such a grant must take immediate steps to either curtail the grant or to ensure that all purchases made as a result of the grant requirements come only from non-program funding sources.
   3. The SFA may not go forward with the grant purchasing requirements using nonprofit school foodservice account funds.

Please keep this memo on file for reference. A copy of the memo is available for downloading from the Ohio Department of Education (ODE) website at: http://www.ode.state.oh.us/ . If you have any questions regarding this memo, please contact your ODE School Meal Programs Regional Consultant at 1-800-808-6325. The School Meal Programs are administered by the Ohio Department of Education, Office for Safety, Health, and Nutrition. The Office is located at 25 S. Front St, Mail Stop 303, Columbus, OH 43215.

Prepared By: Brigette Hires
Approved By: Cecelia Torok