



## History

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Senate Bill 09-230 gives charter schools options to participate in the USDA Child Nutrition Programs (CNP), such as the National School Lunch Program (NSLP). SB 09-230 allows charter schools to apply to become a charter school food authority (SFA) or participate through an alternative SFA.

The following are ways a charter school may participate in a CNP:

1. Through its local education agency (LEA)
2. Through an alternate SFA\*
3. Become a charter SFA\*

*\*In order for a charter school to participate in a CNP through an alternate SFA or as a charter SFA, the charter school must first consult their authorizing LEA.*

## Procedures for Changing SFAs

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The charter school must first negotiate with and request in writing from its authorizing LEA to contract food services under terms specified by the charter school.

1. If the LEA is unable to provide the requested service, then the LEA board shall allow the charter school to transfer the maintenance, supervision and operation of the charter school's food service facility from the LEA to an alternate SFA.
2. The charter school shall submit to CDE Office of School Nutrition a written authorization (attached) signed by the LEA signing authority releasing the charter school from the existing LEA.



**Charter School Request for Food Service Transfer**

If a charter school requests in writing that the LEA provide food services pursuant to a contract with the charter school that includes terms specified by the charter school, the LEA may attempt to negotiate the terms of the contract with the charter school. If the LEA and the charter school attempt to negotiate contract terms that are mutually satisfactory, and the negotiations fail to produce such mutually satisfactory terms, the LEA shall: (Initial choice below)(ref: CRS 22-32-120 (4):

\_\_\_\_ (a) agree to provide food services to the charter school according to the terms requested by the charter school.

\_\_\_\_ (b) allow the charter school to transfer the maintenance, supervision, and operation of charter school's food-service facility from the LEA to an alternate SFA.

Complete Release for Transfer (see below). The SFA must keep a completed copy with all signatures on file and return one to the CDE Office of School Nutrition at [NutritionProcurement@cde.state.co.us](mailto:NutritionProcurement@cde.state.co.us).

**Release for Transfer (School Food Authority (SFA) submits a signed copy to CDE)**

\_\_\_\_\_ Charter School requests \_\_\_\_\_ LEA to (b) allow the charter school to transfer Food Service from the LEA or current SFA to an alternate SFA

\_\_\_\_\_ LEA has released \_\_\_\_\_ Charter School to operate under an alternate SFA.

Print Name: \_\_\_\_\_

Print Name \_\_\_\_\_

Signature: \_\_\_\_\_

Signature \_\_\_\_\_

Authorized Charter Board Official

LEA Signing Authority

\_\_\_\_\_

\_\_\_\_\_

Date

Date