FOOTHILL-DE ANZA
Community College District

Book	Administrative Procedures
Section	Chapter 6 - Business and Fiscal Affairs (including former Article 3 - Business, Operations, Systems and Facilities)
Title	Food Purchase Procedures
Number	AP 6331
Status	New
Legal	California Constitution, Article XVI, Section 6
Cross References	AP 3140 Purchasing Procedures AP 3152 Administrative Travel Procedures Procard Policies and Procedures
Origin	Chancellor's Cabinet
Office	Vice Chancellor Business Services

Use of college/district funds for business meals or refreshments

All district and college funds, regardless of their source of origin, are considered to be public funds and are governed by California law and/or college or district guidelines.

The California Constitution prohibits the legislature from using public funds as a gift to any individual or entity. As no statute exists giving educational agencies the right to make a gift of public funds, this constitutional provision has been interpreted as limiting the use of school funds to public purposes, not for the benefit of a specific individual or group. In the case of a community college, the purpose is the education of its students.

The purchase of food and refreshments can be viewed as a gift of public funds, and it is crucial that the district be prudent in its management and oversight of this area of spending.

This procedure provides guidance on the appropriate use of Foothill-De Anza Community College District funds related to business meals and refreshments and a noninclusive list of functions for which public funds may or may not be used. In all cases, departments must document how the event and associated food purchase benefits the institution. In addition to the following guidelines, please refer to the district Administrative Travel Procedures (AP 3152), Procard Policies & Procedures, purchasing guidelines, and accounts payable procedures regarding use of funds for food and refreshments.

Public expenditures for food must demonstrate prudence in the utilization of public funds and be:

1) In accordance with state policy;
2) Reasonable and necessary;
3) Part of a bona fide business function of the college; and
4) Clearly demonstrate benefit to the institution and its students.

When in doubt, check with the campus Vice President, Finance and Administrative Services for Foothill College; Vice President of Finance and College Operations for De Anza College; or the Vice Chancellor, Business Services for Central Services to verify if the expenditure is an appropriate use of college/district funds.

Procurement Cards

District Procards cannot be used for the purchase of food, including business meals or refreshments. A list of special exceptions is maintained in the district Business Services Office.

Expenditures from the General Fund (Fund 114 and 115)

The Self Sustaining Fund (115) is subject to the same laws and college/district guidelines as the General Operating Fund (Fund 114).

Business Meals and Refreshments

It MAY BE appropriate to utilize State funds (General Fund, Fund 14) for business meals or refreshments in the following circumstances:

- Interview schedules that require an abbreviated meal break
- Preapproved special department committee meetings or functions (not routine committee or department meetings). Approval required by appropriate campus vice president, president, vice chancellor, or chancellor
- College-hosted events with invited guests from outside the college
- Training sessions, workshops, or working meetings for which the timing or location of the event necessitates an abbreviated meal break for participants
- Refreshment breaks at college/district-hosted events that foster community partner collaboration or advance the goals/mission of the institution/district. Events must be preapproved by the campus Vice President, Finance and Administrative Services for Foothill, Vice President of Finance and College Operations for De Anza and the Vice Chancellor, Business Services for Central Services to verify the expenditure is an appropriate use of college funds.

Proper documentation must be included for payment/reimbursement (invoices/receipts, attendee sign-in sheet, and meeting agenda).

It is NOT appropriate to utilize State funds for business meals or refreshments in the following circumstances, including but not limited to:

- Lunches or refreshments for department staff not in accordance with allowable food purchases as defined by "Use of college funds for business meals/refreshments"
- Regular food purchases that only benefit a select few
- Round table discussions
- Group planning meetings
- Social events
- Training sessions, workshops, or meetings for employees (length of event does not necessitate food for participants)
- Employee related milestones or life events
- Alcohol is never an appropriate expenditure of State funds.

Expenditures from Foothill-De Anza Foundation Funds

Many individual programs receive program-specific funding from donors to support curriculum, scholarships, general operations, etc. Before using Foundation funds for meals or refreshments, please verify that those funds can be used for that purpose. Often donors do not support the use of their contributions for activities that are not related to instruction or support of students or for the purchase of food for personal consumption by district staff or their invitees. Proper documentation must be included for payment/reimbursement (invoices/receipts, attendee sign-in sheet, and meeting agenda)

Expenditures from other funds (categorical/restricted)

Unless specifically identified by the federal government, state, grant, etc., no food purchases are allowed from these funds.

De Anza Associated Student Body (DASB)/Associated Students of Foothill College(ASFC)-Student Government and Clubs

Food purchases for DASB/ASFC events should be limited to student-centered events, including but not limited to, all-day meetings, club events, or workshops. All applicable rules governing the use of DASB/ASFC funds should be followed.

Allowable Food Purchases

- **Athletic travel meals for away games (refer to Athletic meal policy guidelines)**
- **Conference attendance meals for student and staff participants**
- **Training sessions, workshops, or student meetings including Senate and Finance Committee (length of event necessitates food for participants)**
- **Collegewide events such as orientation, hospitality, recognition. or graduation events for students**
- **Club functions for student officers and students (must have approval form)**

Non-allowable Food Purchases

- **Lunches or refreshments for departmental staff**
- **Regular food purchases that only benefits a select few**
- **Non-preapproved round table discussions**
- **Group planning meetings**
- **Social events that only benefit a selected few**
- **Training sessions, workshops, or meetings for employees (length of event does not necessitate food for participants)**
- **Alcohol is never an appropriate expenditure for De Anza Associated Student Body (DASB)/Associated Students of Foothill College (ASFC)/Club Funds**

Consequences for Inappropriate Use of Foothill-De Anza Funds

Employees who spend college or district funds inappropriately as defined in this policy will either not be reimbursed or will reimburse the district for any funds expended. In addition, the employee may be subject to disciplinary action for misappropriation of public funds.

See Administrative Procedure 3140 Purchasing Procedures
See Administrative Procedure 3152 Administrative Travel Procedures

Approved ______________