TRIO Wolf Creek Distance Learning Charter School #4095

720 VENDING MACHINES

I. PURPOSE

The purpose of this policy is to establish procedures to govern vending machines installed in school facilities in the charter school.

II. GENERAL STATEMENT OF POLICY

The policy of the charter school is to contract for, supervise, maintain, and account for the proceeds from vending machines located in school facilities in a manner that is fair, that maximizes the revenues from those machines, that allows those revenues to be included in the budget of the facility in which they are generated, and that establishes controls to avoid fraud, theft, or the appearance of impropriety.

III. AUTHORIZATION

Automatic vending machines for the dispensing of food, beverages, or other approved items are authorized in the charter school provided that all contracts for such vending machines must be approved by the school board as provided in this policy.

IV. SUPERVISION; APPROVAL; LOCATION

A. All vending machines shall be under the supervision of the Charter School Director. That administrator shall be responsible to supervise the machine in compliance with this policy and any applicable laws.

B. The items to be dispensed from a vending machine shall be approved by the Charter School Director. All food, beverages, or other items approved shall be appropriate to the school setting. Machines dispensing cigarettes or tobacco products are not authorized under any circumstances.

C. Vending machines may be approved that will dispense items only during certain hours, through the use of timers or otherwise. The Charter School Director may regulate the hours of operation of any machine.

D. Vending machines shall be located to meet any applicable building, fire, or life/safety codes and to provide convenience of operation, accessibility, and ease of maintenance.

V. CONTRACT APPROVAL

A. All contracts for the purchase or rental of vending machines shall be considered by the school board.

B. Since the aggregate receipts from vending machines located at TRIO Wolf Creek

is less than $10,000 in a fiscal year, the contract for any vending machine may be awarded after the receipt of two or more quotations after taking into consideration conformity with the specifications, terms of delivery, other conditions imposed in the call for quotations, and compliance with Minn. Stat. § 123B.52.

C. The contracting process shall be conducted in compliance with Minn. Stat. § 123B.52. A copy of this policy shall be included in any specifications or request for proposals or quotations. A record shall be kept of all quotations received with the names, amounts, and successful bidder indicated. All quotations shall be kept on file as a public record for a period of at least one year after their receipt.

D. Any quotation must specify all commissions to be paid from the machine and any other noncommission amounts to be paid as a result of the award of the contract. The noncommission amounts include, but are not limited to, cash payments, in-kind payments, equipment donations, scholarship contributions, bonus payments, or other payments or contributions of any kind or nature. The noncommission amounts shall be reduced to a cash equivalency and shall be specified on the bid or quotation as an additional amount to be paid for the award of the contract.

E. If a contract contains a provision allowing exclusivity, such as all machines in the building carrying only a certain manufacturer's brand of pop, that provision must be reviewed by the administration prior to requesting quotations to ensure that it does not conflict with other contracts of the charter school.

F. All contracts for vending machines must be approved by the school board. Any contract not made in compliance with this policy shall be void. Any charter school employee signing an unauthorized contract may be subject to personal liability thereon and may be disciplined for said action.

G. No teacher, administrator, charter school employee, or school board member shall be interested, directly or indirectly, in a vending machine contract with the charter school or personally benefit financially therefrom.

VI. ACCOUNTING

A. Proceeds from vending machine sales and contracts shall be under the control of the school board, shall be accounted for in one of the regular charter school funds, and must be accounted for and reported in compliance with UFARS.

B. An amount equal to the amount of the proceeds from the machines shall be included in the budget. That amount may be expended in accordance with established expenditure procedures.

C. Pursuant to the vending machine contract or otherwise, proper auditing and inventory control procedures shall be established to ensure that commissions are

being correctly calculated and paid. These controls must include daily, weekly, or other periodic inventories and written reconciliations of variances between inventory and cash. Each time cash is removed from, or inventory is added to a machine, a written reconciliation between cash and inventory must be performed by the person taking the cash from the machine and must be signed by the Charter School Director or other person in charge of the facility. The original written reconciliation reports shall be filed with the business office as needed and a copy shall be retained by the Charter School Director's office.

Legal References: Minn. Stat. § 123B.20 (Dealing in Supplies)
Minn. Stat. § 123B.52 (Contracts)
Minn. Stat. § 471.345 (Contracts)
Minn. Stat. § 471.87 (Conflict of Interest)

Cross References: MSBA Model Policy 210 (Conflict of Interest – School Board Members)
MSBA Model Policy 702 (Accounting)