



## SAN DIEGO COMMUNITY COLLEGE DISTRICT

### Administrative Procedure

#### CHAPTER 6 – BUSINESS AND FINANCIAL SERVICES

#### AP 6905.1 District Enterprise Activities and Food Vending

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Office(s) of Primary Responsibility:

Vice Chancellor of Business Services  
Director, Financial Support Services

A. Purpose/Scope

The purpose of this procedure is to implement certain provisions of Board Policy 6905 – Enterprise Activities. The District is committed to providing specialized programs that are of general benefit to the students, staff, faculty and public of the San Diego Community College District (SDCCD). In order to provide services related to Bookstore and Food Service activities, the Board created the Auxiliary Business Services Organization (ABSO). In an effort to be self-supporting enterprise operations, the ABSO is protected from competition by any internal or external activities.

The Vice Chancellor of Business Services, and the Director, Financial Support Services, shall be responsible for the approval and monitoring of on-campus vending, commercial solicitation and transactions, including campus sponsored events. Inquiries about these activities should be directed to that the Director, Financial Support Services office at (619) 388-6980.

Nothing contained in this procedure should be construed as authorization to enter into or carry on any enterprise activity that will compete with District Bookstores, Food Services, or other activities authorized in the ABSO Articles of Organization unless specifically approved by the Director, Financial Support Services, and/or Bookstore and Food Service Managers.

1.0 Commercial Transactions and Solicitation

- 1.1 Coordination and approval of commercial activity, including but not limited to sale of merchandise, books, printed material, food and beverages, or services for sale requires written permission from the Director, Financial Support Services, (619) 388-6980.

- 1.2 Sites available to marketers of student credit cards are limited and marketers are prohibited from offering gifts to students for filling-out student credit card applications.
- 1.3 The sale of Tobacco and Alcohol products on District property is expressly prohibited.

## 2.0 Liability

The User/Vendor/Reserving party of campus outdoor space shall be liable for any damages to District property due to user/licensee's misconduct or negligence.

## 3.0 Sound Amplification

Use of amplified sound in outdoor space is restricted and must be approved in advance in order to preserve the academic mission of the SDCCD.

## 4.0 Parking and Vehicles

Access to parking and permission to drive vehicles on-campus should be coordinated through the District Facilities Services, (619) 388-6546, and District College Police, (619) 388-6405.

## B. Allowable Activities

Enterprise, vending and food-handling activities are typically sponsored through or by one of the following District groups:

- District Enterprise activities – Auxiliary Business Services Organization (ABSO)  
References: Board authorized Auxiliary Business Services Organization  
Articles of Organization
- Associated Student Clubs or Organizations  
References: Policy 3925, Manual 3200  
Policy 7325, AP 6200.1,  
Student Affairs Procedures and Forms
- Campus non-student sponsored events  
References: Policy 3925, Policy 7325,  
Campus Major Events Procedures and Forms
- Community Groups  
References: Policy 3925, Policy 7325,  
Campus Major Events Procedures and Forms

## 1.0 Auxiliary Business Services Organization (ABSO) Enterprise activities.

These are activities providing goods and services on a continuing basis where the total costs of operation are to be recovered primarily through user charges, or such that the periodic determination of revenues earned, expenses incurred,

and/or net income is appropriate for capital maintenance public policy management control, accountability or for other purposes. Activities include Bookstore, Food Service, vending and other enterprise activities as may be determined periodically.

## 2.0 Associated Student Clubs or Organizations

References: Policy 3925, Manual 3200  
Policy 7325, AP 6200.1,  
Student Affairs Procedures and Forms

As part of Budget Preparation – Policy BP 6200 Budget Preparation, the District provides financial support to the Associated Student (AS) organizations at the campuses in lieu of the AS conducting fund raising via food sales, the selling of Student I.D. cards, or sharing in the commissions from vending machines.

Requests to conduct specific activities or events may be approved by the ABSO Director and/or Bookstore or Food Service Managers. Specific requirements and applicable laws and permits will be determined at the time of the request.

See also: Auxiliary Business Services Organization Articles of Organization.

## 3.0 Campus Non-Associated Students Sponsored Events

References: Policy 3925, Policy 7325,  
Campus Major Events Procedures and Forms

Major campus events, i.e., Festival of Colors, Cinco de Mayo, and other major campus events, may be conducted periodically. A campus Sponsor must be identified to complete all administrative and legal requirements, and follow established campus procedures.

3.1 Requirements for events not involving vendors include:

3.1.1 Completion of respective Campus Major Event Approval Form, and approval of Campus President or designee.

3.1.2 Completion of Civic Center use forms, and approved by the designated campus manager.

## 4.0 Vended Events – Off-site Food Vendors

Note: If there are questions related to this section of the Procedure, please contact the District's Director of Financial Support Services

The purpose of this section of the procedure is to:

- Ensure that the District complies with the California Retail Food Code (CalCode) as outlined in the California Health and Safety Code of the State of California

- Ensure that Food Vendors coming onto the college campuses can meet, and are compliant with, CalCode
- To minimize food borne illness risks and subsequent liability to the District
- To establish and provide a standardized District-wide process for the approval of off-site Food Vendors

For events involving (food) vendors, the County of San Diego Department of Environmental Health considers all campuses to be open campuses, and therefore, considers all functions held on campus to be “*open to the general public*” and subject to all applicable CalCode laws, rules and regulations. The campus sponsor may apply for a waiver of the “*open to the public*” designation. The waiver request must be filed with the Department of Environmental Health Administrative offices at 1255 Imperial Avenue, 3<sup>rd</sup> Floor, San Diego, CA 92101. The Department of Environmental Health considers each waiver on a case-by-case basis. There are no blanket waivers. If a waiver of the “*open to the public*” designation is granted, a Sponsor Permit *may not* be required.

#### 4.1 CalCode Requirements:

- 4.1.1 All off-site Food Vendors must have a Temporary Food Facility (TFF) Permit as specified by Sec. 114387 of the CA Health and Safety Code. This includes existing restaurants doing off-site catering.

If two (2) or more off-site vendors are present at the same event and time, then the campus is considered the Sponsor of the event and must apply for a Sponsor Permit per Sec. 114381.1 of the CalCode (unless a waiver is secured).

Complete application packet at link below:

[http://www.co.san-diego.ca.us/deh/food/pdf/publications\\_specevent\\_vendor.pdf](http://www.co.san-diego.ca.us/deh/food/pdf/publications_specevent_vendor.pdf)

- 4.1.2 Any person or organization that stores, prepares, packages, serves, vends or otherwise provides food or beverage for human consumption at the retail level regardless of whether there is a charge for the food, operating in a fixed location at an approved community event must have a TFF – CA Health and Safety Code 113789, 1193930.
- 4.1.3 TFF’s must meet all applicable requirements in CalCode chapters 1-8, inclusive, and chapter 13, unless specifically exempted.
- 4.1.4 Temporary events are limited to no more than 25 days in a 90-day period.
- 4.1.5 The TFF permit is good for a single booth location, not multiple locations.

- 4.1.6 The original permit must be displayed at all times in the booth while it is open.
- 4.1.7 Foods stored, handled or prepared at home are never allowed in a permitted food facility/kitchen.
- 4.1.8 BBQ's, grills or other equipment approved for outdoor cooking may be located adjacent to the TFF. They must be separated from public access by using ropes or other methods suitable to protect food from contamination and the public from injury. BBQ's may be used for cooking foods only. Any further processing (i.e. slicing, portioning, serving) must be done from the confines of the booth enclosure.
- 4.1.9 Off-Site Food Vendor Responsibilities:

The Temporary Food Facility must ensure the following food handling guidelines are practiced:

- Foods to be served cold must be kept at 41° or lower
  - Foods to be served hot must be kept at 135° or higher
  - Potentially Hazardous Foods (PHF) may be held at 45° for up to 12 hours in any 24-hour period during operations of the TFF but must be discarded at the end of the service day.
  - PHF held at 135° or above must be discarded at the end of the service day.
  - Potentially Hazardous Foods are identified as:
    - Milk products
    - Eggs
    - Meat, poultry, fish or shellfish
    - Cooked vegetables
    - Soups
    - Potato salad
    - Cut melons
    - Cream pies
    - Etc.
- 4.1.10 The off-site vendor must have, or be willing to secure, the proper licensing (i.e., Temporary Food Facility permit) and be able to show proof of permit to the District.
- 4.1.11 The off-site vendor must display original permit in booth while selling food.
- 4.1.12 The off-site vendor must provide proof of liability insurance to the District, and the District must be listed as co-insured or certificate holder on the certificate of insurance. Minimum liability coverage in the amount of \$1 million must be provided.
- 4.1.13 The off-site vendor must sign a District "Hold Harmless" agreement. Form available at ([District URL](#))

- 4.1.14 The off-site vendor must provide the District with the names of the employees working the booth or location during the event and a valid Food Handler's permit for each employee.
- 4.1.15 The off-site vendor is responsible for providing their own utensils, serving containers, paper products, equipment storage and ice.
- 4.1.16 The off-site vendor is responsible for cleaning up their area after the event/function unless other arrangements have been made with the sponsor prior to the event.
- 4.1.17 The off-site vendor must provide a valid, current tax license/ID and is responsible for collecting, reporting and remitting all appropriate sales and use taxes to the appropriate taxing authority.

#### 4.2 Campus / District Responsibilities

- 4.2.1 The Campus office, department or organization representing the District will ensure that all required approvals, permits and applications will be completed and filed on time, at least 30 days in advance of the date of the function for which an off-site food vendor will be involved.
- 4.2.2 Signature pre-approval from the Vice President of Student Affairs, and the Campus President or designee is needed to invite off-site food vendors on campus.
- 4.2.3 All off-site food vendor documentation (items 4. b. 2, 4, and 5 above) are required for administrative approval.
- 4.2.4 If two (2) or more off-site vendors will be present at the same event and time, the campus is considered the Sponsor of the event and must apply for a Sponsor Permit per Sec. 114381.1 of CalCode, or secure a waiver (See section 4 above for waiver application information).

#### 4.3 Campus Sponsor permit requirements are as follows:

- Ensure all off-site vendors have TFF's
- Submit Sponsor application to San Diego County Dept. of Environmental Health no less than 30 days prior to event
- List of off-site vendors including name, address, phone, type of food being sold/menu items, business type and TFF permit number
- Site map including:
  - Location of food vendors
  - Potable and non-potable water supply
  - Waste water disposal
  - Trash dumpsters
  - Ware washing sinks
  - Hand washing sinks

- Restrooms within 200 feet of booths

5.0 District Permanent Snack/Concession Type Operations ( i.e., Miramar Field House Snack Bar, Mesa College Softball Concession Facility)

This section of the procedure provides for limited snack service to be offered on an occasional basis during athletic and similar events.

Authority to operate this type of concession must be approved by the Director, Financial Support Services, prior to operation/event. Operations should be reviewed and approved annually.

Snack/Concession operating requirements:

- 5.1 The service to be offered will be occasional. Snack service with regularly scheduled days/hours will not be offered.
- 5.2 The service should include packaged foods and beverages only:
  - 5.2.1 Should prepared foods be offered, the service offered must comply with section (B.4.1) and section (B.4.2) of this procedure.
  - 5.2.2 The Dean or appropriate Manager overseeing snack operations will be responsible for making sure that sales taxes are collected, and that appropriate reports are prepared and taxes submitted to the CA Board of Equalization.
  - 5.2.3 The Dean or appropriate Manager shall implement adequate internal controls and separation of duties to ensure that District assets are appropriately safeguarded.
  - 5.2.4 The Dean or appropriate Manager shall be responsible for all record-keeping for this activity, and should submit records periodically to the District Controller, District Internal Auditor and should be available for review by the District's Contract Auditor.
  - 5.2.5 The Dean or appropriate Manager shall be responsible for ensuring that all monies shall be adequately controlled and safeguarded and deposited in appropriate District bank accounts.
  - 5.2.6 The Dean or appropriate Manager shall be responsible for collecting, submitting and reporting all appropriate taxes related to sales activities.
  - 5.2.7 Scheduling and approval of prepared foods events should must meet Section (B.4.2) requirements of this procedure.
  - 5.2.8 Sale of Tobacco and Alcohol products is expressly prohibited.

Reference: BP 6905

Approved by Chancellor:

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Date

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Constance M. Carroll, Ph.D.

Reviewed by Cabinet on 9-22-09 and approved by concurrence.