

HAWAII ADMINISTRATIVE RULES

TITLE 8 DEPARTMENT OF EDUCATION

SUBTITLE 2 EDUCATION

PART 1 PUBLIC SCHOOLS

CHAPTER 40

USE OF KITCHEN AND FOOD PREPARATION EQUIPMENT

Historical Note: This chapter is based substantially upon Department of Education "Rule 7, Relating to Use of Kitchen and Food Preparation Equipment." [Eff. 9/23/63; am 10/5/78; R AUG 22, 1983]

§8-40-1 General rule. Kitchen and food preparation equipment of the public schools may be used by school and community-related organizations. The foregoing general rule shall be carried out within the policy of the department of education that no available public school building, facility, or ground shall be denied for use by the public and community on the grounds of race, color, religion, sex, age, national origin, or handicap. The department of education shall not assist any public or community group which discriminates on the basis of race, color, sex, national origin, or handicap by making available for use public school buildings, facilities and grounds, except for groups specifically exempted by the federal or State law. [Eff. AUG 22, 1983] (Auth: HRS §302A-1112) (Imp: HRS §302A-1112; 20 U. S C. 1681, §901; 42 U.S.C. 2000d, §§601-603, 6101, §§3-2, 6102, §303; 29 U.S.C. 706)

§8-40-2 Applications. Applications for the use of kitchen and food preparation equipment shall be submitted in writing to the school principal for approval. [Eff. AUG 22, 1983] (Auth: HRS §302A-1112) (Imp: HRS §§302A-1112, 302A-1148)

§8-40-3 Supervision of use. The kitchen and food preparation equipment may be used to prepare and serve food only if permanent school food services personnel from the base kitchen are on duty to supervise proper use of equipment and clean up of work area. The sponsoring organization shall accept assignment of school food services personnel at the level determined by the principal and the school food services manager to be essential to assure adequate supervision of use of equipment and clean up of work area. [Eff. AUG 22, 1983] (Auth: HRS §302A-1112) (Imp: HRS §§302A-1112, 302A-1148)

§8-40-4 Removal of equipment. Cafeteria equipment, including dining tables and chairs, shall not be loaned or moved from the cafeteria for other than school purposes. There shall be no exception to this section. [Eff. AUG 22, 1983] (Auth: HRS §302A-1112) (Imp: HRS §302A-1112)

§8-40-5 Public emergency. In the event of a public emergency, the kitchen and food preparation equipment shall be made available as required by the superintendent or the superintendent's authorized representative. [Eff. Aug. 22, 1983] (Auth: HRS §302A-1112) (Imp: HRS §§127-9, 302A-1112)

§8-40-6 Fees.

(a) Fees related to actual costs shall be assessed. A charge of \$10 per hour for a minimum of two hours shall be assessed for the first school food services employee scheduled. For additional school food services personnel scheduled, a charge of \$8 per hour for a minimum of two hours shall be assessed. All hours worked in excess of the two hour minimum shall result in additional assessment at the hourly rates indicated.

(b) The superintendent may annually revise the average hourly utility cost for kitchen use. This hourly cost shall be charged for each hour of kitchen use.

(c) A charge equal to that charged the department of education shall be assessed when the amount of trash or garbage generated requires an extra pick-up by the refuse collector.

(d) A community-related organization shall pay a deposit of \$50 prior to use of kitchen. The user organization shall be liable for any replacement or repair costs which may exceed the amount of deposit. The deposit shall be returned once all charges have been paid by the organization to the department of education and the principal and school food services manager approve release of deposit less any charges for lost or damaged equipment, or both.

(e) Failure by the organization to meet all financial obligations to the department of education within thirty days shall warrant forfeiture of deposit and denial of use of any school kitchen for a period of up to two years. [Eff. AUG 22, 1983] (Auth: HRS §302A-1112) (Imp: HRS §§302A-1112, 302A-1148)

§8-40-7 Collection, disposition, and use of fees and charges.

(a) The school principal or designee shall be responsible for the collection of fees and charges from the users of kitchen and food preparation equipment. The moneys shall be deposited into a special revenue fund.

(b) The office of business services is authorized to expend money collected from the use of kitchen and food preparation equipment. The expenditures from the special revenue fund shall be limited to the school food service program. [Eff. AUG 22, 1983] (Auth: HRS §302A-1148) (Imp: HRS §302A-1148)