

**72-5126. Food service contracts authorized.** (a) The board of education of any school district may enter into contracts with:

(1) The governing authority of any nonpublic school or any child-care institution for the provision of meals for children in attendance at such nonpublic school or child-care institution;

(2) the governing body of any municipality for the provision of meals to persons for whom the municipality is responsible for providing meals;

(3) subject to the provisions of K.S.A. 72-5127, and amendments thereto, any state educational institution or corporation whose operations are substantially controlled by a state educational institution for the provision of meals for students, alumni and other members of the public in attendance at functions or activities of the state educational institution; and

(4) any nonprofit organization for the provision of food services for the elderly, sick, homeless or other vulnerable persons.

(b) Any contract entered into by a board of education pursuant to the provisions of this section shall provide for payment to the district. Such payment shall not be less than the cost incurred by the school district. Moneys received by a school district under any such contract shall be deposited in the food service fund of the district and may be expended whether budgeted or not.

(c) The provisions contained in article 51 of chapter 72 of Kansas Statutes Annotated, except the provisions contained in K.S.A. 72-5117 and 72-5118, and amendments thereto, shall apply to meals provided by the board of education of a school district under any contract entered into pursuant to the provisions of this section.

(d) As used in this section:

(1) "Nonpublic school" means a nonpublic school approved by the state board of education for participation in food service programs defined in K.S.A. 72-5112, and amendments thereto;

(2) "child-care institution" has the meaning ascribed thereto in K.S.A. 72-5124, and amendments thereto;

(3) "municipality" means any political or taxing subdivision of the state and any agency, authority, institution or instrumentality of a municipality; and

(4) "state educational institution" has the meaning ascribed thereto by K.S.A. 76-711, and amendments thereto.

**History:** L. 1996, ch. 269, § 1; L. 1998, ch. 166, § 3; L. 1999, ch. 150, § 1; L. 2003, ch. 53, § 1; July 1.