

Board Policy
Business and Non-instructional Operations
Food Service/Child Nutrition Program

The Governing Board recognizes that students need adequate, nourishing food in order to grow, learn and maintain good health. To reinforce the district's nutrition education program, foods available on school premises shall be:

1. Carefully selected so as to contribute to students' nutritional well-being and the prevention of disease.
2. Meet or exceed nutritional standards specified in law or administrative regulation.
3. Prepared in ways that will appeal to students, retain nutritive quality and foster healthful eating habits.
4. Served in age-appropriate quantities and at reasonable prices.

Students shall be provided adequate space to eat meals in pleasant surroundings as well as adequate time to eat, relax and socialize. The Superintendent or designee shall periodically review the adequacy of school facilities for cafeteria eating and food preparation. School cafeterias shall comply with the sanitation and safety requirements of California Retail Food Facilities Law as set forth in Health and Safety Code 113700-114455.

The Superintendent or designee shall ensure that the meals offered by the district's food service program meet the nutritional standards established by the Governing Board and the nutritional standards and dietary guidelines required for participation in the National School Lunch and School Breakfast Programs.

The Superintendent or designee shall establish procedures whereby students and parents/guardians may participate in the selection of foods of good nutritional quality for school menus. Parents/guardians are encouraged to also consider nutritional quality and support the district's nutrition education efforts when selecting any snacks that they may donate for occasional class parties.

To the extent permitted under the National School Lunch and School Breakfast Programs, students in all grades shall be allowed to decline parts of their meal that they do not intend to consume.

The Superintendent or designee shall annually report to the Board regarding the district's compliance with District, State and Federal nutrition standards for food and beverages.

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Other Food Sales

The Governing Board believes that foods and beverages sold or provided to students on school campuses during the school day should promote student health and reduce childhood obesity. Any food sales conducted outside the district's food service program shall meet nutritional standards specified in law, Board Policy, and administrative regulations and shall not reduce student participation in the district's food service program.

With the approval of the Superintendent or designee, food sales may be held by school-related groups, including but not limited to students, teachers, parents/guardians, booster groups, and vending machines provided that these sales are in compliance with District policies, state and federal regulations.

Food sales shall not impair student participation in the district's food service program.

Sanitation and safety procedures shall comply with the requirements of the California Uniform Retail Food Facilities Law as set forth in Health and Safety Code 113700-114455.

All foods offered for sale at any school on any school day during school hours by any student or adult entity or organization must be approved by the Governing Board, and meet the requirements of SB 12, SB 965 and District standards as specified in BP 3550. (Education Code 38085; 5 CCR 15500-15501, SB 12, SB 965)

This policy does not apply to the food and beverages students bring from home for their individual consumption.

Fund-Raisers

All profits from fund-raisers shall benefit the school or student groups sponsoring the sale.

Legal Reference:

EDUCATION - 38085, 48931, 51520,

CODE OF REGULATIONS, TITLE 5 - 15500, 15501,

HEALTH AND SAFETY CODE - 113700-114455, 113785, 113825

UNITED STATES CODE, TITLE 42 - 1751-1769h National School Lunch Act, 1771-1791

National School Breakfast Act

CODE OF FEDERAL REGULATIONS, TITLE 7 - 210 National School Lunch Program and
School Breakfast Program, 220 National School Lunch Program and School Breakfast Program

Board Policy Adopted: 3/8/01

Board Policy Revised: 3/11/04, 8/24/06

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Other Food Sales

Student organizations may sell nutritious food items approved by the Board only if such sales are conducted in compliance with 5 CCR 15500-15501. Items sold during the regular school day must not be food items prepared on school premises or sold in the food service program at school during that day. (5 CCR 15500-15501)

In schools with any of grades K through 5, a student organization may sell not more than one food item per sale. The food item sold shall meet the following criteria, and there shall no more than four such sales per year per school. In addition, these sales shall not begin until after the close of the regularly scheduled midday food service period. (5 CCR 15500)

Nutritional Values:

- a. Not more than 35 percent of the total calories of the food item, excluding nuts or seeds, is from fat (not including fruits, vegetables and 100% juices).
- b. Not more than 10 percent of the food item's total calories are from saturated fat and the food item contains no added trans fats.
- c. Not more than 35 percent of the total weight of the food item, excluding fruits or vegetables, is composed of sugar or have high fructose corn syrup as the first or second ingredient.
- d. No individual item may contain more than 175 calories for elementary schools and 250 calories for secondary schools

Approved beverages:

- a. Water
- b. Milk
- c. Vegetable based drinks that are composed of no less than 50% vegetable juice and have no added sweeteners
- d. 100 percent fruit juices
- e. Fruit-based drinks that are composed of no less than 50% fruit juice and have no added sweeteners

In the high schools and middle schools, only one organization each school day may sell no more than three types of food or beverage items at any time during the school day. In addition, up to four days during the school year may be designated on which any number of organizations may conduct the sale of any food items. (5 CCR 15501)

The sale of foods during meal periods in food service areas shall be allowed only if all income from the sale, including the sale of approved foods or drinks from vending machines, accrues to the benefit of the school, the school food service program, or the student organization(s) sponsoring the sale. (7 CFR 210.11, 220.12)

In order to be eligible to conduct food sales during school hours and within one hour before and one hour after school hours, a parent/guardian group or outside group must be legally organized for charitable and nonpartisan purposes. (Education Code 51520)

Home-baked goods may be sold by an organization during school hours on no more than three occasions during any 90-day period. Any such sale must be conducted on school property. (Health and Safety Code 113785, 113825)

Food Availability

Foods sold or distributed outside of the district sponsored food service program are permitted as follows:

Snack, snack bars, student stores – Snacks served during the school day or in after-school care or enrichment programs will make a positive contribution to children’s diets and health, with an emphasis on serving fruits and vegetables as the primary snack and water as the primary beverage. Food or beverages sold must meet the nutrition values as defined in AR 3550 for food and beverages sold individually.

Vending machines – Regardless of the time of day, food or beverages sold in vending machines on campus must meet the nutrition values as defined in AR 3550 for food and beverages sold individually. Sports drinks (Electrolyte drinks) may only be sold after the end of lunch period and only in the locker rooms and gyms of the high schools.

Fund raisers – To support children’s health and school nutrition education efforts, school fundraising activities are encouraged to not involve food. After school fund raising efforts that involve food are encouraged to include a least fifty percent (50%) healthy choices as defined in AR 3550 for food and beverages sold individually. School fundraising activities during school hours will not involve food or will use only foods and beverages that meet the nutrition values as defined in AR 3550 for food and beverages sold individually. No selling of food is allowed during class time.

Rewards – Schools will not use foods or beverages, especially those that do not meet the nutrition standard as set forth in AR 3550 for foods and beverages sold individually, as rewards for academic performance or good behavior, and will not withhold food or beverages (including food sold through school meals) as a punishment.

Celebrations/Recognitions –

School-wide events: Schools should limit school-wide celebrations that involve the free distribution of food to no more than four times per year and should encourage the use of at least 50% healthy food choices. If food or beverages are sold they must meet the nutrition values as defined in AR 3550. If more than four school-wide events are held, the additional events shall offer only healthy food and beverage choices as set forth in AR 3550.

Individual classroom events: Individual classroom parties and celebrations held during school hours are encouraged to not involve food, but if they do, classrooms are encouraged to include foods and beverages that meet the nutrition values for foods and beverages that are allowed to be sold individually as set forth in AR 3550.

School sponsored events – (such as, but not limited to, athletic events, dances, or performances). All foods and beverages sold during the school day shall meet the nutrition values for foods and beverages that are allowed to be sold individually as set forth in AR 3550. Events occurring during the school day and offering free food and beverages are encouraged to offer fifty percent (50%) or more of the foods and beverages that meet the nutrition standards for meals or foods and beverages sold individually as set forth in AR 3550. Organizations selling or offering foods and beverages at school sponsored events outside the school day are encouraged to offer fifty percent (50%) or more of the foods and beverages that meet the nutrition standards for meals or foods and beverages sold individually as set forth in AR 3550.

Curriculum based events – Teachers, classrooms or other organizations preparing food as part of a school or class curriculum, or presented as part of understanding multiple world cultures are encouraged to prepare healthy food options and highlight the healthy food options of each culture.

Administrative Regulation Approved: 3/8/01

Administrative Regulation Revised: 3/11/04, 8/24/06

Legal Reference:

EDUCATION CODE – 38080-38103, 45103.5 49490-49493, 49500-49505, 49510-49520, 49530-49536, 49540-49546, 49547-49548.3, 49550-49560

CODE OF REGULATIONS, TITLE 5 – 15500-15501, 15510, 15530-15535, 15550-15565

CODE OF FEDERAL REGULATIONS, TITLE 7-210, 220

Management Resources:

CDE PROGRAM ADVISORIES – 1200.89, 1200.90, 1200.91

SBE POLICIES:

Nutritional Quality of Foods and Beverages Available in California Public Schools, 1/92

Nutritional Education and Training, 1/92

Establishment of Local Policies on Nutritional Quality of Food and Beverage Sales on Public School Campus, 1/92

U.S. DEPARTMENT OF AGRICULTURE AND DEPARTMENT OF HEALTH AND HUMAN SERVICES – 1990 Dietary Guidelines for Americans

Board Policy Adopted: 3/8/01

Board Policy Revised: 3/11/04, 8/24/06

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Posting Requirements

Each school shall post the district's policies and regulations on nutrition and physical activity in public view within all school cafeterias or in other central eating places.

Each school may also post a summary of nutrition and physical activity laws and regulations prepared by the California Department of Education (Education Code 49432).

Nutritional Standards

The Superintendent or designee shall ensure that the sale of all foods to students on school grounds complies with the following nutritional standards:

1. The only food that may be sold to students in elementary schools during breakfast and lunch periods is food that is sold as a full meal. Fruit, non-fried vegetables, legumes, beverages, dairy products or grain products, if sold as individual food items, may be offered for sale during the morning or afternoon breaks if:
 - a. Not more than 35 percent of the total calories of the food item, excluding nuts or seeds, is from fat (not including fruits, vegetables and 100% juices).
 - b. Not more than 10 percent of the food item's total calories is from saturated fat and the food item contains no added trans fats.
 - c. Not more than 35 percent of the total weight of the food item, excluding fruits or vegetables, is composed of sugar or have high fructose corn syrup as the first or second ingredient.
 - d. No individual item may contain more than 175 calories.

2. The food that may be sold to students in middle and high schools during breakfast and lunch periods is food that is sold as a full meal, sold through a la carte lines or vending machines. Fruit, non-fried vegetables, legumes, beverages, dairy products or grain products, if sold as individual food items, may be offered for sale through a la carte lines and vending machines if:
 - a. Not more than 35 percent of the total calories of the food item, excluding nuts or seeds, is from fat (not including fruits, vegetables and 100% juices).
 - b. Not more than 10 percent of the food item's total calories is from saturated fat and the food item contains no added trans fats.

- c. Not more than 35 percent of the total weight of the food item, excluding fruits or vegetables, is composed of sugar or have high fructose corn syrup as the first or second ingredient.
- d. No individual item may contain more than 250 calories.

If sold as a full meal, each entrée item shall:

- a. Not exceed 400 calories
 - b. Contain no more than four grams of fat per 100 calories
 - c. Be categorized as an entrée item in the National School Lunch or School Breakfast program
3. Elementary Schools: Regardless of the time of day, the only beverages that may be sold to elementary students are water, milk, vegetable based drinks that are composed of no less than 50% vegetable juice and have no added sweetener, 100 percent fruit juices, or fruit-based drinks that are composed of no less than 50% fruit juice and that have no added sweeteners. This applies to beverages sold in the lunch line, a la carte line, student store, or vending machines.

Secondary Schools: Regardless of the time of day, the only beverages that may be sold to middle and high school students in the lunch line, a la carte line, student store, or vending machines are water, milk, vegetable based drinks that are composed of no less than 50% vegetable juice and have no added sweetener, 100 percent fruit juices, or fruit-based drinks that are composed of no less than 50% fruit juice and that have no added sweeteners. Sports drinks (Electrolyte drinks) may be sold at high schools after the end of the lunch period only in the locker room areas and gymnasium areas.

4. Ensure fruits and vegetables are made available wherever food is sold on campus, with an emphasis on fresh fruits and vegetables where practicable and feasible.

Nutrition Education

The Superintendent or Designee shall ensure that:

1. Nutrition education is part of the eating experience where food is sold through posters, reminders from staff and other appropriate means.
2. Menus are distributed to students and parents, and included in the district's website, that contains nutrition education information.
3. Students receive consistent nutrition messages throughout the school and classroom.

Administrative Regulation revised: 3/11/04, 8/24/06