

# NOVATO UNIFIED SCHOOL DISTRICT

## ADMINISTRATIVE RULES AND REGULATIONS

Series 3000

AR 3554

### **Business and Non-instructional Operations**

#### **Food and Nutritional Services**

#### **Nutritional Standards**

No foods of minimal nutritional value shall be sold in food service areas during breakfast and lunch periods. A minimum of 50% of the food sold by any entity on school grounds during regular school hours shall be from the list of nutritious foods provided in Education Code 38085.

Food sales outside the district's food service program shall comply with the nutritional standards specified in Education Code 38085. Beginning July 1, 2007, food sales outside the district's food service program shall comply with the standards described in Education Code 49431 for elementary schools and Education Code 49431.2 for middle schools, junior high schools, and high schools. (Education Code 38085, 49431, 49431.2) Beverage sales shall be subject to the nutritional standards specified in Education Code 49431.5. (Education Code 49431.5)

*(cf. 1230 - School-Connected Organizations)*

*(cf. 1321 - Solicitations of Funds from and by Students)*

*(cf. 3550 - Food Service/Child Nutrition Program)*

*(cf. 5030 - Student Wellness)*

When the food and beverage standards in Education Code 49431 and 49431.5 are effective, the sale of foods or beverages that do not comply with those standards may be permitted at an elementary school, as part of a fundraising event, only when the items are sold by students of the school and the sale meets one of the following conditions: (Education Code 49431, 49431.5)

1. It takes place off and away from school premises.
2. It takes place at least one-half hour after the end of the school day.

The sale of food items that do not comply with the nutritional standards in Education Code 49431.2, when effective, may be permitted at a middle school, junior high school, or high school in any of the following circumstances: (Education Code 49431.2)

1. The sale takes place off and away from school premises.
2. The sale takes place on school premises at least one-half hour after the end of the school day.
3. The sale occurs during a school-sponsored student activity after the end of the school day. Beverage sales that do not comply with the nutritional standards in law may be permitted at a middle school or junior high school as part of a school event under the following circumstances: (Education Code 49431.5)

# NOVATO UNIFIED SCHOOL DISTRICT

## ADMINISTRATIVE RULES AND REGULATIONS

Series 3000

AR 3554

4. The sale occurs during a school-sponsored event and takes place at the location of the event at least one-half hour after the end of the school day.
5. Vending machines, student stores, and cafeterias are used later than one-half hour after the end of the school day.

### **Additional Requirements for Schools Participating in the National School Lunch or Breakfast Program**

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)

No foods of minimal nutritional value, as listed in 7 CFR 210, Appendix B, and 7 CFR 220, Appendix B, shall be sold in food service areas during breakfast and lunch periods. (7 CFR 210.11, 220.12)

The Superintendent or designee shall not permit the sale of foods by student organizations in a school with any of grades K-8 that is participating in the National School Breakfast or Lunch Program, except when all of the following conditions are met: (5 CCR 15500)

1. The student organization may sell one food item per sale.
2. The specific nutritious food item is approved by the Superintendent or designee.
3. The sale does not begin until after the close of the regularly scheduled midday food service period.
4. The sale during the regular school day is not of food items prepared on the premises.
5. There are no more than four such sales per year per school.
6. The food sold is a dessert-type food, such as pastry, ice cream, or fruit.
7. The food sold is not one sold in the district's food service program at that school during that school day. (*cf. 3553 - Free and Reduced Price Meals*)

In high schools and junior high schools, a student organization may be approved to sell food items during or after the school day if all of the following conditions are met: (5 CCR 15501)

1. Only one student organization conducts a food sale on a given school day and the organization sells no more than three types of food or beverage items, except that 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.
2. The specific nutritious food items are approved by the Superintendent or designee.
3. Food items sold during the regular school day are not prepared on the premises. AR 3554(d)
4. The food items sold are not those sold in the district's food service program at that school during that school day.

# NOVATO UNIFIED SCHOOL DISTRICT

## ADMINISTRATIVE RULES AND REGULATIONS

Series 3000

AR 3554

### **Foods and Beverages Served/Sold on School Campuses During the School Day**

1. Nutrition standards for meals served through the national School Lunch and Breakfast Programs – School reimbursable meals shall:
  - a. Meet, at minimum, nutrition requirements established by local, state and federal statutes and regulations;
  - b. Offer a variety of fruits and vegetables;
    - i. To the extent possible, each school, will offer at least two non-fried vegetables and two fruit options each day
    - ii. To the extent possible, each school, will offer five different fruits and five different vegetables over the course of a week.
    - iii. Schools are encouraged to source fresh fruits and vegetables from local farmers when practicable.
  - c. Serve only low-fat (1%) and fat-free milk and nutritionally-equivalent non-dairy alternatives (to be defined by the USDA);
  - d. Ensure that half of the served grains are whole grains (defined as having a whole grain listed as the primary grain ingredient in the ingredient list, including whole wheat flour, cracked wheat, brown rice, oatmeal and corn)
2. Nutrition standards for competitive foods and beverages (e.g., sold outside the reimbursable meal program such as at snack bars, vending, school stores, school sponsored events outside of the school day, after school programs, sports programs and catering, etc.) – all competitive foods and beverages sold during the school day or through programs for students before or after the school day, will meet, at minimum, the following nutrition and portions size standards in addition to nutrition requirements established by local, state and federal statutes and regulations (whichever is most restrictive):
  - a. Beverages
    - Items allowed:
      - Water or seltzer water without added caloric sweeteners
      - 100% fruit and/or vegetable juice
      - Fruit or vegetable based drinks that contain at least 50% fruit juice that do not contain additional caloric sweeteners
      - Unflavored or flavored low-fat or fat-free fluid milk and nutritionally-equivalent nondairy beverages (to be defined by the USDA).
    - Items not allowed:
      - Soft drinks containing caloric sweeteners
      - Iced teas
      - Fruit-based drinks that contain less than 50% real fruit juice or that contain additional caloric sweeteners
        - Beverages containing caffeine, excluding low-fat or fat-free chocolate milk (which contain trivial amounts of caffeine)

# NOVATO UNIFIED SCHOOL DISTRICT

## ADMINISTRATIVE RULES AND REGULATIONS

Series 3000

AR 3554

### b. Foods

- Items allowed:
  - No more than 35% of calories from fat (excluding legumes, nuts, seeds, peanut butter, and other nut butters), vegetables that have not been deep fried and cheese packaged for individual sale).
  - No more than 10% of calories from saturated plus trans fats (excluding eggs, and cheese packaged for individual sales).
  - No more than 35% of weight from added sugars by weight (excluding fruits and vegetables)
  - No more than 300 mg sodium per serving for chips, cereals, crackers, French fries, baked goods, and other snack items; no more than 480 mg of sodium per serving for pastas, meats, and soups; and not more than 600 mg of sodium per serving for pizza, sandwiches, and main dishes.
- Items provided:
  - A choice of at least two fruits and/or non-fired vegetables will be offered for sale at any location on the school site where foods are sold (e.g., fresh fruits and vegetables. 100% fruit or vegetable juice, fruit-based drinks that are at least 50% fruit juice and that do not contain additional caloric sweeteners, cooked, dried or canned fruits (canned in fruit juice or light syrup), and cooked, dried or canned vegetables (that meet the above fat and sodium guidelines) Note: may not be feasible without refrigerated venting.

### c. Portion sizes

- Limited to the following:
  - An individually sold snack may not have more than 175 calories (elementary schools) or 250 calories (middle and high schools)
  - One and one-quarter ounces for chips, crackers, popcorn, cereal, trail mix, nuts, seeds, dried fruit, or jerky
  - One ounce for cookies
  - Two ounces for cereal bars, granola bars, pastries, muffins, doughnuts, bagels, and other baker items
  - Four fluid ounces for frozen desserts, including low-fat or fat-free ice cream
  - Eight ounces for non-fat frozen yogurt
  - Twelve fluid ounces for beverages, excluding water
  - A la carte entrees and side dishes, including potatoes, not greater than the size of comparable portions offered as part of school meals
  - Fruits and non-fired vegetables are exempt from portion-size limits

# NOVATO UNIFIED SCHOOL DISTRICT

## ADMINISTRATIVE RULES AND REGULATIONS

Series 3000

AR 3554

3. Policies to promote healthy fundraising and alternatives to food fundraising
  - a. To support children's health and school nutrition-education efforts, school fundraising activities will not involve food or will use only foods that meet the above nutrition and portion size standards for competitive foods and beverages.
  - b. Schools will encourage fundraising activities that promote physical activity.
  - c. Novato Wellness Council will disseminate a list of alternative fundraising ideas to students, parents, teachers, school administrators, and before/after-school program personnel.
  - d. The student organization using food as fundraiser may sell one food item per sale.
  - e. There are not more than four such sales per year per school if food is involved.
  - f. The food sales do not begin until after the close of the regularly scheduled midday food service period.
  - g. The food sold is not one sold in the district's food service program at that school during that school day.
  - h. Food sold as fundraiser during the regular school day are foods provided from Food & Nutrition Services that meet the health department guidelines to offer safe foods prepared under health regulations.
4. Guidance for using food as reward/punishment
  - a. Foods or beverages, especially those that do not meet the nutrition standards for competitive foods (above), shall not be used as rewards for academic performance or good behavior (unless this practice is allowed by a student's individual education plan).
  - b. Foods or beverages will not be withheld (including those served through school meals) as a punishment.
5. Guidance for food at classroom celebrations
  - a. Schools should limit celebrations that involve food during the school day to no more than one party per class per month.
  - b. Each party should include no more than one food or beverage that does not meet nutrition standards for competitive foods.
  - c. Novato Wellness Council shall disseminate a list of healthy party ideas to students, parents, teachers, school administrators, and before/after-school program personnel.
6. Guidance for food at school events (e.g., athletic events, dances, or performances)
  - a. To support children's health and school nutrition-education efforts, school events will use only foods that meet the above nutrition and portion size standards for competitive foods and beverages.
  - b. Novato Wellness Council will disseminate a list of healthy foods and beverages for school events to students, parents, teachers, school administrators, and before/after-school program personnel.
7. Guidance for classroom snacks
  - a. Schools will assess if and when to offer snacks based on timing of school meals, children's nutritional needs, children's ages and other considerations.

# NOVATO UNIFIED SCHOOL DISTRICT

## ADMINISTRATIVE RULES AND REGULATIONS

Series 3000

AR 3554

- b. An emphasis should be on serving fruits, vegetables, low or non-fat dairy and whole grains as the primary foods and water as the primary beverage.
    - c. Novato Wellness Council shall disseminate a list of healthy classroom snacks to students, parents, teachers, school administrators, and before/after-school program personnel.
  8. Guidance to parents for packed lunches
    - a. Students and parents shall be encouraged to pack lunches that are consistent with the guidelines for the reimbursable meals and competitive foods and beverages.
    - b. Novato Wellness Council shall disseminate a list of healthy packed lunch ideas to students, parents, teachers, administrators, and before/after-school program personnel.
  9. Importance of student/faculty involvement for menu development
    - a. The school district will engage students, parents, teachers, and school administrators in reviewing reimbursable meal menus on a semi-annual basis.
    - b. Taste testing by students will be performed annually.
  10. Food environment issues
    - a. Meals served through the national School Lunch and Breakfast Programs will:
      - Be appealing and attractive to children;
      - Be served in clean and pleasant settings.
    - b. Duration of meal times will:
      - Be at least 10 minutes long after sitting down for breakfast and 20 minutes long after sitting down for lunch
    - c. Meal schedules will:
      - Be at appropriate times (e.g., lunch should be between 11 am and 1 pm);
      - Not conflict with recess, tutoring, club, or organizational meetings or activities, unless students may eat during such activities
      - Provided after recess whenever possible
    - d. Other requirements:
      - Students should have access to hand washing or sanitizing before eating meals or snacks and be encouraged by signage to wash hands
      - Students should have access to tooth-brushing to accommodate special oral health needs (e.g., orthodontia or high tooth decay risk).
      - Nutrition education materials posted, shall be posted at all venues where reimbursable meals are offered.