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# Healthy School Food Policies: A Checklist

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**A Working Paper of the Center for Food and Justice, Urban and Environmental Policy Institute**

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Throughout the country people are working to make schools healthier places to learn. They are getting fresh, tasty, locally-sourced food into school cafeterias and junk food out. Health-oriented school food policies have been one way that educators, concerned parents, and community advocates have advanced these goals.

This working paper collects many of the innovative policies that have been adopted or proposed to improve school food. It provides a checklist of approximately 65 such policies. Legislative language and sources for all of the policies can be found in the endnotes.

When the Center for Food and Justice (CFJ) released the first version of this checklist in October 2002, most of the ideas were drawn from a small number of pioneering school districts. In the years since, driven by growing concerns over childhood obesity, more and more schools and states have debated and adopted healthy school food policies.

This updated version largely maintains the organization and intent of the original paper: to present a wide range of policy ideas and legislative language in a compact form. Over a dozen new policy ideas have been added to the list. The examples of policy language in the endnotes are now drawn from a much wider range of jurisdictions: states as diverse as Arkansas, California, Hawaii, Kentucky, Texas, and Washington; and the nation's largest school districts as well as some smaller districts and even individual schools. Perhaps the most significant change is the addition of a new category on monitoring and enforcement – areas that bridge the policy process and the critical task of implementation.

A new federal mandate requires all school districts participating in federal meal programs to adopt school wellness policies by the beginning of the 2006-7 school year.<sup>1</sup> We hope the revised checklist can continue to serve as a source of ideas for those working to create or strengthen school food policies at the local and state levels. This paper is an evolving document. It only captures a slice of the exciting work being done to improve school food policies. Please send us policies or proposals so we can include them in future versions of the checklist. Submit comments to [mvalli@oxy.edu](mailto:mvalli@oxy.edu). Updates will be available online at our website: [www.uepi.oxy.edu](http://www.uepi.oxy.edu).

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# Policy Options

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## Improve the Nutrition, Freshness, Quality, and Appeal of Food Served and Sold in Schools

### Restrict unhealthy competitive foods

- ▶ There shall be nutrition standards regulating all food and beverages sold or served at school, including school meals, a la carte items, vended items, items sold as part of fund raisers, and items given to students as rewards.<sup>2</sup>
  - ▶ The district shall set nutritional and portion size limits on all competitive foods and beverages.<sup>3</sup>
  - ▶ Elementary schools shall not have vending machines or school stores accessible by students.<sup>4</sup>
  - ▶ Vending machines and school stores shall only offer approved items.<sup>5</sup>
  - ▶ Schools should encourage purchase of nutritious items by pricing healthy items affordably.<sup>6</sup>
  - ▶ If sales of unhealthy items are allowed during special after-school events, school cafeterias, vending machines and stores shall not be used as points of sale.<sup>7</sup>
  - ▶ Fast food and “branded” food items shall not be offered for sale as part of the school meal program or as a la carte items.<sup>8</sup>
  - ▶ Unhealthy foods and beverages may not be sold by any group conducting a fundraiser on school grounds or given to students as a reward.<sup>9</sup>
  - ▶ Provide technical support to schools that are implementing stronger nutrition standards.<sup>10</sup>
  - ▶ Tax soda or junk food and use the proceeds to fund nutrition programs.<sup>11</sup>
  - ▶ All revenue accrued by schools from foods sold on school campuses shall be spent only on school food services.<sup>12</sup>
- ### Offer more healthy food items
- ▶ Nutritious and appealing foods, such as fruits, vegetables, low fat dairy foods and low fat grain products shall be available wherever and whenever food is sold or offered at school.<sup>13</sup>
  - ▶ Schools shall feature and encourage students to eat more fruits and vegetables.<sup>14</sup>

▶ Food items served and sold in schools shall to the extent possible be prepared from fresh, locally grown or produced, and organic ingredients.<sup>15</sup>

▶ Food items should be served fresh and in an appealing manner.<sup>16</sup>

▶ Food items served and sold in schools shall reflect the cultural diversity of the student body and consideration of special dietary needs, and food preferences and practices.<sup>17</sup>

▶ All schools shall publicize and post information on the nutritional content of food served and publicize and post a summary of laws and school district policies pertaining to nutrition.<sup>18</sup>

### Restrict Advertising and Vending Contracts

▶ No unhealthy food or beverage items may be advertised on school grounds.<sup>19</sup>

▶ Neither the district nor individual schools may sign exclusive contracts with soft drink, fast food, or snack food companies.<sup>20</sup>

▶ Food and beverage vending contracts may not offer incentives for increasing students’ consumption of drinks or snacks.<sup>21</sup>

▶ Draft food and beverage vending contracts shall be made available to the public for inspection and comments before being signed by the district.<sup>22</sup>

▶ Schools shall report annually on the sources, amounts, and expenditures of funds raised from food and beverages vending sales and contracts.<sup>23</sup>

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## Improve the Food Preparation, Service, and Eating Environments

▶ All schools shall contain full service kitchens that allow preparation of foods from fresh ingredients. At a minimum, all newly constructed schools shall contain full kitchens.<sup>24</sup>

▶ All schools shall contain pleasant eating areas for students and staff with adequate time for unhurried eating.<sup>25</sup>

▶ Lunch periods shall be scheduled so that students do not have to eat lunch unusually early or late, and preferably eat after periods of exercise.<sup>26</sup>

▶ All school eating areas shall contain free, safe drinking water sources and facilities for washing hands.<sup>27</sup>

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## **Increase Participation in School Nutrition Programs and Ensure that No Student Goes Hungry**

- ▶ All Schools shall offer breakfast and lunch during the school day as well as snacks for students in organized after-school programs.<sup>28</sup>
- ▶ Schools shall offer free breakfast to all students regardless of income.<sup>29</sup>
- ▶ Schools shall eliminate the reduced price meal category and grant free meals to all students who qualify for reduced or free meals.<sup>30</sup>
- ▶ The district and schools shall encourage maximum participation in meal programs.<sup>31</sup>
- ▶ The district and individual schools shall eliminate stigma around free or reduced price meals by maintaining confidentiality of participation and implementing a uniform payment method for all students, such as an electronic payment card.<sup>32</sup>
- ▶ Schools shall encourage teachers, staff, and parents to eat with students.<sup>33</sup>
- ▶ Increase reimbursements for school meal programs.<sup>34</sup>

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## **Better Integrate Food Service with School Educational, Health, and Environmental Missions**

- ▶ Schools shall integrate food and nutrition issues and activities into the academic curriculum.<sup>35</sup>
- ▶ The district shall develop policies to link nutrition, health education, and physical education efforts.<sup>36</sup>
- ▶ Include fitness and nutrition information in report cards to parents.<sup>37</sup>
- ▶ The district shall move supervision of food services operations from the business or finance branch of the district to a health branch. At a minimum, supervision of food services shall be shared by an entity with a health or nutrition focus.<sup>38</sup>
- ▶ Schools shall ensure that every child can have an experience gardening and harvesting foods.<sup>39</sup>
- ▶ School food service personnel shall receive adequate training to contribute to the district's nutrition and health missions.<sup>40</sup>
- ▶ School food services shall reduce waste, recycle, and compost to the maximum extent feasible.<sup>41</sup>

- ▶ The district shall eliminate use of curriculum materials with food company brand names. At a minimum schools shall not use curriculum materials sponsored by food companies that sell sodas, unhealthy snack foods, or fast food.<sup>42</sup>

School should establish relationships with local farms and farmer's markets.<sup>43</sup>

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## **Purchase and Serve Food in Manner that Supports Community Economic Development and Local Farm Livelihoods**

- ▶ The district shall promote farm to school connections and buy food that is grown locally as a first priority.<sup>44</sup>
  - ▶ The district shall pay food service workers a living wage.<sup>45</sup>
  - ▶ Schools with kitchens shall make kitchen facilities available for use by community members and groups when the facilities are not being used by food service personnel.<sup>46</sup>
  - ▶ Connect state agencies dealing with agriculture, education, and health and offer trainings to farmers and school food service personnel.<sup>47</sup>
  - ▶ Create database of local and in-state farms to increase schools' awareness of what local produce is available.<sup>48</sup>
  - ▶ Provide seed grants for equipment and logistical needs to allow acquisition and preparation of fresh, local food.<sup>49</sup>
- Set preferences for procurement of local or in-state food.<sup>50</sup>

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## **Provide Opportunities for Public Input**

- ▶ The district shall establish a school wellness committee or child nutrition advisory committee to advise the district on creation and implementation of nutrition policies.<sup>51</sup>
- ▶ The district shall create a system for getting student and parent input in menu planning, including surveys and taste tests at schools.<sup>52</sup>
- ▶ The district shall work on policy advocacy issues that affect child nutrition and wellness at the state and national level.<sup>53</sup>

▶ Hold public hearings on school food nutrition and related issues.<sup>54</sup>

▶ Provide planning grants to allow districts to develop nutrition and physical activity policies.<sup>55</sup>

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## Monitor and Enforce Food Policies

▶ Each school or the district shall prepare an annual report for the school board and the public on progress towards meeting food policy goals.<sup>56</sup>

▶ The district shall create an audit program to monitor compliance with food policies.<sup>57</sup>

▶ School food service nutrition staff shall review all food vending contracts prior to the approval of the contracts to ensure that every contract complies with school food policies.<sup>58</sup>

▶ Vending contracts not in compliance with food policies shall be immediately terminated.<sup>59</sup>

▶ School food service personnel shall be responsible for monitoring the content of vending machines and school stores and shall report non-compliant items or hours of operation to the school principal and to top school food service administrators.<sup>60</sup>

▶ School principals are responsible for ensuring compliance with federal, state, and district food policies.<sup>61</sup>

▶ Vending machine contracts shall stipulate penalties against vendors that supply schools with unapproved food or beverage items.<sup>62</sup>

▶ The district may order schools in violation of food policies to remove or turn off vending machines and cease the sale of food/beverages items at school stores.<sup>63</sup>

▶ The district and/or state may seize funds from vending sales that violate food policies.<sup>64</sup>

▶ The district and/or state may reduce or withhold reimbursements for the child nutrition program to schools that violate food policies.<sup>65</sup>

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## Acknowledgements

The policy ideas listed in this paper were developed by health and community activists, educators, students and parents, food service professionals, school board members, and legislators across the country: too many to acknowledge individually. The innovative school food policies they advanced speak

for themselves. Thanks to everyone who forwarded examples. Finally, the late Peggy Adams suggested that I work on a collection of policy ideas that could be applied at the district or state level. I hope that this checklist can contribute in a small way to the work she and others pioneered.

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## Sources and Notes

### Endnotes

<sup>1</sup> LOCAL WELLNESS POLICY (a) IN GENERAL—Not later than the first day of the school year beginning

after June 30, 2006, each local educational agency participating in a program authorized by the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) or the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.)

shall establish a local school wellness policy for schools under the local educational agency that, at a minimum—

(1) Includes goals for nutrition education, physical activity, and other school-based activities that are designed to promote student wellness in a manner that the local educational agency determines is appropriate;

(2) Includes nutrition guidelines selected by the local educational agency for all foods available on each school campus under the local educational agency during the school day with the objectives of promoting student health and reducing childhood obesity;

(3) Provides an assurance that guidelines for reimbursable school meals shall not be less restrictive than regulations and guidance issued by the Secretary of Agriculture pursuant to subsections (a) and (b) of section 10 of the Child

Nutrition Act (42 U.S.C. 1779) and sections 9(f)(1) and 17(a) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(f)(1), 1766(a)), as those regulations and guidance apply to schools;

(4) Establishes a plan for measuring implementation of the local wellness policy, including designation of 1 or more persons within the local educational agency or at each school, as appropriate, charged with operational responsibility for ensuring that the school meets the local wellness policy; and

(5) Involves parents, students, representatives of the school food authority, the school board, school administrators, and the public in the development of the school wellness policy.

<sup>2</sup> “All food served on school district property, including food sold by the Food Services Department, through vending machines, and by outside and student sales, shall meet nutritional standards established by the Food Services Department.” Oakland Unified School District Nutrition Policy, 2002.

"The department [of Education] shall develop and maintain nutrition guidelines for all school lunches and breakfasts and for all food and beverages served or sold on public school campuses... the nutrition guidelines shall include, but need not be limited to, guidelines for fat, saturated fat, sugar, sodium, and cholesterol, and shall specify that where comparable food products of equal nutritional value are available the food product lower in fat, saturated fat, sugar, sodium, or cholesterol should be used." California AB 444, 2005.

<sup>3</sup> "This section applies to all food and beverages sold on elementary, middle, or intermediate school grounds... whether the food or beverage is sold over-the-counter or from vending machines... fruit, nonfried vegetables, legumes, beverages, dairy products, or grain products may be sold as individual food items during times of a break in the school schedule if they meet the following standards: (1) Not more than thirty per cent of the total calories shall come from fat, with the exception of nuts or seeds; (2) Not more than ten per cent of the total calories shall be from saturated fat; and (3) Not more than twenty-five per cent of the total weight shall be composed of sugar, with the exception of fruits or vegetables... The sale of beverages to elementary, middle, and intermediate school students on school grounds shall be limited to drinking water. Milk (including chocolate milk) or approved nondairy beverages, beverages that contain one hundred per cent fruit juices, or fruit-based drinks composed of not less than fifty per cent fruit juice that have no added sweeteners." Hawaii HB 377, 2005.

"All Competitive Foods must meet the following portion size guidelines:

- i. Beverages (except water and milk): 12 oz. or less
- ii. Snacks: 1.25 oz. or less
- iii. Cookies/cereal bars: 2 oz. or less
- iv. Bakery items: 3 oz. or less
- v. Frozen desserts: 3 oz. or less
- vi. Yogurts: 8 oz. or less
- vii. Other items shall be no larger than the portions of those foods served as

part of the school meal programs." Seattle Public Schools, Distribution and Sales of Competitive Foods, Board Adopted Procedure, E13.01, 2004.

<sup>4</sup> "Every school district shall prohibit, for elementary school students, in school access to vending machines offering food and beverages." Arkansas HB 1583, 2003.

<sup>5</sup> "Resolved, that effective January 2004, the only beverages authorized for sale at the Los Angeles Unified School District before, during, and until one half hour after the end of the school day at all sites accessible to students shall be: fruit based drinks that are composed of no less than 50 percent fruit juices and have no added sweeteners; drinking water; milk, including, but not limited to, chocolate milk, soy milk, rice milk, and other similar dairy or nondairy milk; and electrolyte replacement beverages that do not contain more than 42 grams of added sweetener per 20 ounce serving.

Resolved further, that starting January 2004 only approved beverages may be sold in vending machines, cafeterias, student stores, or advertised, or promoted at all sites accessible to students with the following expressed exception:

Los Angeles Unified School District, Motion to Promote Healthy Beverage Sales in LAUSD, 2002.

"1. Vending sales of pop, drinks containing less than 100% juice, sports drinks, or artificially sweetened drinks, will not be permitted on school grounds. 2. Vending and non-vending sales of 100% fruit juice in 12 oz. containers or less, nonfat or 1% milk, flavored and unflavored, unflavored water in any size container, and seltzer-fruit combinations with no added sweeteners, in 12 oz containers or less, can be sold prior to and throughout the instructional day... Vending sales of candy will not be permitted during the school day. Non-vending sales of candy will be permitted at the conclusion of the instructional day." Olympia School District (Washington State), District Nutritional Standards, Middle Schools, Policy #3405, 2004.

<sup>6</sup> "All beverages, except milk, shall be priced higher than the price for bottled water for the same size serving." Seattle Public Schools, Distribution and Sales of Competitive Foods, Board Adopted Procedure, E13.01, 2004.

"Healthy foods [in vending machines] must be priced significantly lower than foods high in sugar, saturated and trans fats and salt (research shows minimum 15% make a difference in point of purchase)." Sooke School District (British Columbia, Canada), Nutrition and Healthy Lifestyles, C-402, 2004.

Research source: Simone H. French, et al, "Pricing and Promotion Effects on Low Fat Vending Snack Purchases: the Chips Study," *American Journal of Public Health* 91, 2001.

<sup>7</sup> Non-approved beverages as related to this motion may be sold for fundraising activities or at school events occurring at least one half hour after the end of the school day provided that vending machines, student stores, and cafeterias are not utilized for such sales." Los Angeles Unified School District, Motion to Promote Healthy Beverage Sales in LAUSD, 2002.

<sup>8</sup> "Directs the Superintendent to develop guidelines to eliminate within 3 years District contracts and relationships with branded fast-food products (defined as companies primarily marketing high-fat, high calorie and high-sugar foods)." Los Angeles Unified School District, Obesity Prevention Motion, 2003.

"Require each school to limit access to no more than one day each week to retail fast foods in the cafeteria, whether sold by contract of commercial vendor." Kentucky SB172, 2005.

<sup>9</sup> "The following items, expressly prohibited by federal and state law, may not be sold in schools, including at any fundraising sale, prior to the end of the last school lunch period: sweetened soda water, chewing gum, candy, including hard candy, jellies, gums, marshmallow candy, fondant, licorice, spun candy and candy coated popcorn, and water ices which do not contain fruit or fruit juices." New York City Department of Education, Competitive Foods, Regulation of the Chancellor A-812, 2004."

"A minimum of 50% of the items sold by any organization on school grounds shall be from the nutritious foods listed in Education Code 38085." Berkeley Unified School District, 2004.

"Directs the Superintendent to provide information on alternative fundraising methods to schools to mitigate potential impacts of new nutrition regulations." Los Angeles Unified School District, Obesity Prevention Motion, 2003.

<sup>10</sup> "The State Department of Education shall provide technical support and assistance to school districts [including] ... highlighting model nutrition programs, disseminating information to assist in the financial management of the food service programs, identifying fundraising mechanisms for school food services programs and for pupil activities that encourage healthy eating habits among pupils, and providing information regarding the current best practices in school nutrition programs." California SB 19, 2001.

<sup>11</sup> "There is hereby levied and there shall be collected an excise tax upon every distributor, manufacturer, or wholesale dealer, calculated as follows: (a) Two dollars (\$2) per gallon for each gallon of soft drink syrup or simple syrup sold or offered for direct sale in the State of California to retail dealers.

(b) Twenty-one cents (\$0.21) per gallon for each gallon of bottled soft drink sold or offered for direct sale in the State of California to retail dealers.

There is hereby created a trust fund in the State Treasury called the California Child Health and Achievement Fund. The California Child Health and Achievement Fund shall consist of moneys collected pursuant to the taxes imposed by Section 33004. All costs to implement this part shall be paid from moneys deposited in the California Child Health and Achievement Fund. All revenue to the state derived from the tax on soft drinks as per this part, shall be deposited into this fund. (a) All moneys deposited in the California Child Health and Achievement Fund shall, upon appropriation by the Legislature, be allocated as follows: (1) Fifty percent to school districts that cease selling sold on school campuses. (2) Twenty-five percent to the State Department of Health Services for public health programs that promote nutrition and physical activity. (3) Twenty-five percent to hospitals, emergency and trauma care, and clinics." California Senate Bill 1520, 2002.

<sup>12</sup> "Funds from all food and beverage sales during the normal school day on school property shall accrue to the benefit of the school's non-profit school food services; except the local school board may establish, by policy, a process by which a school or approved student organization is allowed to benefit from the sale of such foods and beverages." Maine School Food Nutrition Policies

<sup>13</sup> "A minimum of 50 percent of the items ... offered for sale each school day at any school site by any entity or organization during regular school hours shall be selected from the following list." California Education Code Section §38085 (The list includes dairy products, fruits and vegetables, meat, fish, poultry, and legumes).

<sup>14</sup> "(1) The department [of Education] and the Department of Food and Agriculture shall develop a program that encourages public schools maintaining kindergarten or any of grades 1 through 12, inclusive, to provide fruits and nonfried vegetables to supplement the fruits and nonfried vegetables provided through existing meal programs. (2) Fruits and nonfried vegetables provided pursuant to this section shall be provided free of charge to a pupil, where appropriate. (3) Fruits and nonfried vegetables provided pursuant to this section shall be provided during the schoolday, but not during regularly scheduled meal periods." California SB 281, 2005.

"Promote the consumption of fresh fruits and vegetables and include one vegetarian option on each lunch menu." Palo Alto (California) Unified School District Nutrition Policies, 2004.

"The school food service staff will work to... offer a table with extra bread, vegetables, and fruit." FAIR School, Crystal, Minnesota, Policies to Encourage a Healthier School Food and Activity Environment. 2002.

"Directs the Superintendent to provide at least one vegetarian option that includes a vegetable or fruit component in addition to the salad bar as one of the 11 options served daily in the cafeteria ... Directs the Superintendent to provide a vegetables and fruit bar, where facilities permit, at all High Schools within 2 years, at all Middle Schools within 4 years, and at all Elementary Schools within 6 years." Los Angeles Unified School District, Obesity Prevention Motion, 2003.

<sup>15</sup> "Child Nutrition Services should provide the following types of food and beverages whenever feasible and cost effective: Food and beverages that are fresh, locally grown or produced, certified organic, unprocessed, non-GMO (do not contain Genetically Modified Organisms) and non-irradiated." Seattle Public Schools, Breakfast and Lunch Program, Board-Adopted Procedure E11.01, 2004.

"Eliminate potential harmful food additives and processes, such as bovine growth hormones, irradiation, and genetically modified foods." Lagunitas Elementary School District Food Policy, 2001.

<sup>16</sup> “The Commissioner [of Education], in consultation with the Commissioner of Health, is hereby authorized to promulgate any rules and regulations necessary ... to implement the following objectives: ... C. Ensure, to the greatest extent possible, that food is served fresh and in an appealing manner.” New York SB 1805, 2005.

<sup>17</sup> “The Food Services Department shall honor Oakland’s cultural diversity by, for example, (a) developing menus that feature the cuisines of Oakland’s diverse ethnic groups; (b) providing menus and decorations appropriate to ethnic holidays and celebrations; (c) encouraging parent, community, and staff participation in developing recipes and menus for special events; and (d) featuring special menus from a different country each month.” Oakland Unified School District Nutrition Policy, 2002.

<sup>18</sup> “Menus and information on the nutritional content of foods served and sold will be posted at each site daily.” Palo Alto (California) Unified School District Nutrition Policy, 2004.

“By January 1, 2004, every public school may post a summary of nutrition and physical activity laws and regulations, and shall post the school district’s nutrition and physical activity policies, in public view within all school cafeterias or other central eating area. The State Department of Education shall develop the summary of state laws and regulations.” California Senate Bill 19.

<sup>19</sup> “Schools will promote healthy food choices and will not allow advertising that promotes less nutritious food choices.” Mercedes (Texas) Independent School District, Student Nutrition/Wellness Plan, 2004.

“The District shall exercise control over all vending machines on its property and shall determine the vendors, numbers of machines at each school, their locations, contents, and hours of operations. No District contracts with vending machines shall permit advertising of food or drink.” Oakland Unified School District Nutrition Policy, 2002.

“Vending machine facades shall not be used for advertising. The name and logo of product manufacturers, such as the soft drink makers, can appear if they are for identification purposes only.” Seattle Public Schools, Advertising and Commercial Activities, Board Adopted Procedures C30.01, 2004.

<sup>20</sup> “The San Francisco Unified School District will enter no agreements with vendors to purchase exclusive district-wide access to student customers for soft drinks or snack foods purchased by students in schools as such agreements may imply that the school endorses those products.” San Francisco Unified School District, Commercial-Free Schools Act.

“A County board or school may not enter into an agreement with a vendor to provide exclusive sale of vending machines and products sold in vending machines.” Maryland SB 435, 2001.

<sup>21</sup> “Vendor contracts for sales of competitive foods shall not include incentives for increasing students’ consumption of foods or drinks. Vendor contracts for sales of competitive foods shall not include distribution of free products.” Seattle Public Schools, Distribution and Sales of Competitive Foods, Board Adopted Procedure, E13.01, 2004.

<sup>22</sup> “Parents, pupils and community members may review food and beverage contracts to ensure that food and beverages sold on elementary school, middle school and junior high school campuses provide nutritious sustenance to pupils, promote good health, help students learn, provide energy and model fit living for life.” Arizona HB 2544, 2005.

<sup>23</sup> “Require schools to include as part of the annual report to parents and the community the amounts and specific sources of funds received and expenditures made from competitive food and beverage contracts.” Arkansas HB 1538, 2003.

<sup>24</sup> “A project to construct a new schoolsite or a project to modernize an existing school kitchen and dining facility pursuant to this chapter that has not received final design approval, shall, upon completion of the project, have all both of the following:

(1) A fully functional modern school kitchen and dining facility of adequate capacity in accessible locations to properly serve the intended pupil population, with sufficient space for stationary or portable fruit and vegetable bars or salad bars. For purposes of this paragraph, a “fully functional modern school dining facility” includes a kitchen with a walk-in refrigerator/freezer, dry storage area, food preparation areas, a cooking line with a minimum of a two compartment convection oven and kettle or braising pan, open burner range, utensil washing area, serving line, hand sinks, and other requirements necessary to meet local and state health requirements. The State Allocation Board shall develop regulations for kitchen and dining facilities to ensure that a school facility is suitable for use by the community for teaching about nutrition, providing opportunities for meals at community meetings, and in the event of an emergency to provide shelter.

(2) An instructional garden area of sufficient space, as determined by the State Department of Education, in which pupils may grow plants, flowers, and food, and conduct learning exercises related to the instructional garden.” California AB 391, 2003.

<sup>25</sup> “The Commissioner [of Education], in consultation with the Commissioner of Health, is hereby authorized to promulgate any rules and regulations necessary ... to implement the following objectives: ... D. Encourage that all pupils are allotted at least thirty minutes to eat lunch and at least twenty minutes to eat breakfast.” New York SB 1805, 2005.

<sup>26</sup> “Meal periods shall be scheduled at appropriate times – schools are strongly encouraged not to schedule lunch before 11:00am or after 1:00pm; schools shall make every effort not to schedule tutoring, pep rallies, club and organization

meetings, or other activities during meal times unless students are allowed to eat during such activities; Meal periods shall be long enough for students to eat and socialize – a minimum of 10 minutes are provided to eat breakfast and 20 minutes to eat lunch with additional time as appropriate for standing in line; Schools are strongly encouraged to schedule recess time immediately prior to serving lunch.” Seattle Public Schools, Breakfast and Lunch Program, Board-Adopted Procedure E11.01, 2004.

<sup>27</sup> “Drinking fountains will be available for students to get water at meals and throughout the day ... School personnel will assist all students in developing the healthy practice of washing hands before eating.” Mercedes (Texas) Independent School District, Student Nutrition/Wellness Plan, 2004.

<sup>28</sup> The Board will ensure that an economically sustainable meal program that provides a healthy nutritious lunch is available to every student at every school so that students are prepared to learn to their fullest potential. The district will also ensure that every student will have access to a healthy and nutritious breakfast and require that all after school programs offer a healthy, nutritious snack.” Berkeley Unified School District Food Policy, 2004.

<sup>29</sup> “Funds will be available to school districts that have at least one elementary school that is mandated to serve breakfast and that has 60% free and reduced applications so that they can offer free breakfast to all students during the 2002-2003 school year. The purpose of this grant is to significantly increase universal breakfast participation in schools by combining the leadership efforts of school administration (principals and superintendents) and food service directors to link breakfast to the school's educational strategy.” Massachusetts Department of Education Universal Free Breakfast Grants.

<sup>30</sup> “schools shall eliminate the reduced-price category for school lunch, breakfast and snacks, so that all low-income children have healthy food available at no cost.” Berkeley Unified School District Food Policy, 1999.

<sup>31</sup> “The District shall utilize all available resources and strengthen its outreach to students and their families to insure that all OUSD students have access to nutritious school breakfasts, lunches, and after school snacks, and to the summer meals program.” Oakland Unified School District Nutrition Policy, 2002.

“The department [of Education] shall create a computerized data matching system using existing databases from the department and the State Department of Health Services to directly certify recipients of public assistance programs, including the Food program and other programs authorized for direct certification under federal law, for enrollment in the National School Lunch and School Breakfast programs.” California AB 1385, 2005.

<sup>32</sup> “Directs the Superintendent to develop a strategic plan for implementation of a point of sales computerized payment system at all schools within 6 years and to address relevant connectivity issues where necessary within the next 5 years.” Los Angeles Unified School District, Obesity Prevention Motion, 2003.

<sup>33</sup> “The school food service staff will work to... offer lunch at no cost to faculty who choose to eat lunch with their students.” FAIR School, Crystal, Minnesota, Policies to Encourage a Healthier School Food and Activity Environment at, 2002.

“Schools will encourage socializing among students and between students and adults. Adults will properly supervise dining rooms and serve as role models to students by demonstrating proper conduct and voice level, and by eating with the students. Parents are highly encouraged to dine with students.” Mercedes (Texas) Independent School District Student Nutrition/Wellness Plan, 2004.

<sup>34</sup> “The reimbursement a school receives for free and reduced price meals sold or served to pupils in elementary or middle schools shall be increased to twenty-three cents (\$0.23). (b) Each elementary and middle school shall receive a reimbursement of ten cents (\$0.10) for meals sold at full price. (c) To qualify for the increased reimbursement for free and reduced price meals and for the reimbursement for meals sold at full price, a school shall follow the United States Department of Agriculture's Enhanced Food Based Meal Pattern, the United States Department of Agriculture's Nutrient Standard Meal Planning, California's SHAPE Menu Patterns, or the USDA Traditional Meal Pattern. (d) The reimbursement rates set forth in this section shall be adjusted annually for increases in cost of living in the same manner set forth in Section 42238.1.” California SB 19, 2001.

<sup>35</sup> “The department [of Education] shall encourage elementary, middle, and intermediate schools to provide students with culturally appropriate and standards-based nutrition education and, whenever possible, integrate that material into the existing curriculum. The department shall encourage elementary, middle, and intermediate schools to provide farm-to-table education in schools where resources permit access to school, community, county, and other gardens.” Hawaii HB 377, 2005.

“Integrate eating experiences, nutritional education, and gardening into the curriculum of science, math, social studies, and language arts at all grade levels.” Berkeley Unified School District Food Policy, 1999.

<sup>36</sup> The ... District is committed to promoting the health of its students by linking the Departments of Food and Nutrition Services with Health Services, Health and Physical Education and, Family and Community Services.

This Nutrition and Physical Activity Policy will ensure that all students in the Santa Monica-Malibu Unified School District will have the opportunity to receive the following:



(1) High quality, nutritious food while in school including during classroom activities.

(2) Nutrition education in the classroom

(3) Standards based physical education and physical activity at all grade levels. Santa Monica-Malibu Unified School District Nutrition and Physical Activity Policy, 2003.

<sup>37</sup> “Require school to include as part of the student report card to parents an annual body mass index percentile by age for each student... Require schools to annually provide parents with an explanation of the possible health effects of body mass index, nutrition and physical activity.” Arkansas HB 1538, 2003.

<sup>38</sup> In 1998, the State of Rhode Island moved their statewide nutrition program from the Department of Education's Finance Department to the Healthy Schools! Healthy Kids! Comprehensive School Health Program in the Dept. of Education Office of Integrated Social Services.

<sup>39</sup> “Establish a school garden in every school. Give students the opportunity to plant, harvest, prepare, cook, and eat food they have grown.” Berkeley Unified School District Food Policy, 1999.

<sup>40</sup> (a) The department [of Education] shall develop nutrition education training requirements for food service managers in public schools. The nutrition education training requirements shall address all public school food service, including school snacks as well as full meal service. (b) By January 1, 2007, all existing food service managers shall complete the nutrition education training requirements pursuant to subsection (a). Any new food service managers shall complete the nutrition education training requirements within six months of the managers date of hiring.” Hawaii HB 377, 2005.

“It is the intent of the Legislature that school districts provide professional development training to food service workers in the public school system, including, but not limited, food service managers and directors, to address the epidemic of childhood obesity. It is the intent of the Legislature that this training include, but not be limited to, menu planning, recipe development, and food safety.” California AB 1056, 2005.

<sup>41</sup> “Use food preparation practices and packaging that promotes sustainability and environmental responsibility to the extent practicable within financial constraints.” Palo Alto (California) Unified School District Nutrition Policy, 2004.

“Ensure that cafeterias are part of the environmental education of students and staff through reducing waste, composting, recycling and purchasing recycled material.” Berkeley Unified School District Food Policy, 1999.

<sup>42</sup> “The San Francisco Unified School District will buy no curriculum materials that contain identifiable brand names in the content of the curriculum.” San Francisco Unified School District Commercial-Free Schools Act, 1999.

<sup>43</sup> “Establish relationships with local farms. Encourage farmers and farm workers to come to the school classrooms and arrange for students to visit farms.” Berkeley Unified School District Food Policy, 1999.

<sup>44</sup> “It is the policy of the state to encourage and take all feasible steps to increase the direct purchase of locally grown and California grown farm products by public schools and to assist school districts and farmers in establishing and maintaining successful Farm to School programs.” California SB 826, 2005.

“The SMMUSD Farmers' Market Salad Bar which is served daily in all of the our schools has received national recognition for positively impacting children's eating habits by providing fresh, seasonal, California grown, Farmers' Market produce and shall remain a reimbursable lunch option in all of our schools.” Santa Monica-Malibu Unified School District Nutrition and Physical Activity Policy, 2003.

“Require each local and regional board of education to explore methods to increase the availability of fresh fruits and vegetables in schools and identify opportunities for the increased procurement and preparation of Connecticut-grown foods in schools.” Connecticut AB 833, 2005.

<sup>45</sup> “The District will work with the union(s) representing Food Services Department employees to improve the employment opportunities available to these employees by increasing the number of full-time positions, including (a) combining Food Services jobs with other District positions; (b) establishing career ladders; and (c) creating increased training opportunities.” And “The district shall seek increased funding for the Food Services Department to improve the quality of food provided to students by upgrading the District's food services facilities and the skills and compensation of Food Services employees. Oakland Unified School District Nutrition Policies, 2002.

<sup>46</sup> “District facilities, including school kitchens shall be available to community based groups for their use and enjoyment under terms established by the Board of Education. “Berkeley Unified School District Food Policy, 1999.

<sup>47</sup> “Establish, in cooperation with the commissioner of education, a farm-to-school program to facilitate and promote the purchase of New York farm products by schools, universities and other educational institutions under the jurisdiction of the education department. The department [of agriculture] shall solicit information from the education department regarding school districts and other educational institutions interested in purchasing New York farm products, including but not limited to, the type and amount

of such products schools wish to purchase and the name of the appropriate contact person from the interested school district. The department shall make this information readily available to interested New York farmers, farm organizations and businesses that market New York products. The department shall provide information to the education department and interested school districts and other educational institutions about the availability of New York farm products, including but not limited to, the types and amounts of products, and the names and contact information of farmers, farm organizations and businesses marketing such products. The commissioner shall report to the legislature on the need for changes in law to facilitate the purchases of such products by schools and educational institutions.” New York Assembly Bill A07684, 2002.

“The department [of Education] shall offer voluntary farm to school workshops *and training sessions* to school food service directors and personnel on the purchasing and use of seasonal fruits and vegetables from local farmers for use in federally reimbursable meal programs and other meals served on campus. Training sessions shall promote school lunch program marketing strategies that link to other on-campus nutrition activities, including but not limited to, nutrition education in the classroom, school gardens, and cooking demonstrations...

The department [of Food and Agriculture], in collaboration with the California Farm to School Child Nutrition Improvement Program ... shall, to the extent funding is available, provide outreach and technical assistance to farmers and others in the agricultural industry seeking to establish or participate in a Farm to School program. The outreach and assistance shall emphasize voluntary local workshops and training sessions where farmers can receive hands-on advice and training on opportunities and strategies to sell and market their farm fresh products directly to schools. Training sessions shall promote farmers working with schools to market the farm fresh products that are offered in the cafeteria and offer hands-on nutrition education through activities such as, but not limited to, farm visits, agricultural demonstrations, and farmer visits to schools.” California AB 826, 2005.

<sup>48</sup> “The Department of Agriculture shall institute a state-wide data base of state farms, and products and availability of those products to schools in the state. The Department of Education shall notify all schools of the availability of such data base. All schools shall have access to such data base for use in ordering Connecticut grown products for inclusion in school meals.” Connecticut AB 1309, 2005.

<sup>49</sup> “The department, subject to the conditions of Section 9105 [availability of Federal and other funds], shall administer a Farm to School seed grant program to assist school districts, farmers and others directly involved in a farm to school program in carrying out the purposes of this article. Grants shall be awarded on a competitive basis, in amounts determined by the department, to school districts and nonprofit organizations to carry out the purposes of this article. The department shall seek the advice of the Farm to School interagency working group, and refer to the federal Farm to Cafeteria and School Gardens program, in establishing criteria for and implementing the seed grant program.” California AB 826, 2005.

<sup>50</sup> “Notwithstanding the provisions of any general or special law to the contrary, and to the extent permitted by federal law, a governmental body may, by a majority vote, establish a preference for agricultural products, including but not limited to fruits, vegetables, eggs, dairy products and crops, grown, produced or harvested in the Commonwealth.

(b) Wherever a governmental body by a majority vote establishes a preference for the procurement of agricultural products grown, produced or harvested in the Commonwealth, the chief procurement officer or procurement officer responsible for procuring agricultural products on behalf of the government body shall effectuate such preference by:

- (1) In advertising for bids, contracting, and otherwise, making reasonable efforts to facilitate the purchase of agricultural products grown, produced, or harvested in the Commonwealth; and
- (2) Purchasing agricultural products grown, produced or harvested in the Commonwealth unless the price of such goods exceeds by more than 10 percent the price of agricultural products grown, produced, or harvested outside of the Commonwealth; an agricultural product is not grown, produced, harvested or otherwise available from any producer in the Commonwealth at the time of the procurement; or compliance with this section would eliminate the only bid or offer of an agricultural product or would result in inadequate competition.” Massachusetts House Bill 4218.

<sup>51</sup> “The Board of Education shall establish a Nutrition Advisory Board to work with community groups and government agencies to monitor the District’s compliance with this policy and to suggest ways to improve the nutrition of Oakland’s students.” And “The Nutrition Advisory Board shall include parents and community representatives, OUSD administrators including Food Service Department staff; teachers, principals, classified employees, and students.” Oakland Unified School District Nutrition Policy, 2002.

“Each local and regional board of education shall establish a School Wellness Committee to monitor nutrition and physical activity policies pursuant to the provisions of the Child Nutrition and WIC Reauthorization Act of 2004, P.L. 108-265. Each such committee shall make recommendations to its board of education regarding ordering Connecticut grown food for inclusion in school meals, conducting school fundraisers with either healthy food or nonfood items, establishing a nutrition education committee and promoting physical education and exercise. Members of the committee shall include, but not be limited to, a school administrator, a school nurse, the food service director for the school district, two parents of children enrolled in a school in the school district, a middle school student and a high school student.” Connecticut AB 1309, 2005.

<sup>52</sup> “Schools will consider student need in planning for a healthy school nutrition environment. Students will be asked for input and feedback through the use of student surveys, and attention will be given to their comments.” Mercedes (Texas) Independent School District, Student Nutrition/Wellness Plan, 2004.

<sup>53</sup> “Request State and Federal representatives support legislation that will clearly label food products that have been irradiated, genetically modified or have been exposed to bovine growth hormones.” Berkeley Unified School District Food Policy, 1999.

<sup>54</sup> “To the extent that funds are available, the interim committee shall hold hearings throughout the state to:

(1) determine the nutritional content and quality of foods and beverages served to public school children, including food service meals, a la carte foods, and competitive foods and food provided in vending machines;

(2) evaluate the short-term and long-term financial, psychological, and physiological impact of obesity in public school children;

(3) assess the academic, emotional, and health value of a universal breakfast and lunch program by evaluating school children from school districts that provide each child a free or reduced-price breakfast and lunch; and

(4) evaluate school contracts relating to competitive food products and vending machines, including the following issues related to competitive food products and vending machines:

(A) economic and other impacts of potential conflicts of interest; (B) the length of contracts; (C) advertising and marketing of competitive food products; (D) revenues realized by schools and school

districts from the sale of competitive food products; (E) officials in charge of receiving and

disbursing revenue and the accounting of that revenue; and (F) the extent to which competitive foods impact

each school district’s food service program.” Texas SB 474, 2003.

<sup>55</sup> “A participating school district shall receive a grant of no less than four thousand dollars and no more than twenty-five thousand dollars, depending upon the size of the school district, for the purpose of offsetting the costs of developing the school nutrition and physical activity policies.” California Senate Bill 19.

<sup>56</sup> “Each school food service director shall annually assess school nutrition in the district and issue a written report to parents, the local school board, and school-based decision making councils. The report shall include:

(a) An evaluation of compliance with the National School Breakfast and National School Lunch programs;

(b) An evaluation of the availability of contracted fast foods or foods sold through commercial vendors;

(c) A review of access to foods and beverages sold outside the National School Breakfast and National School Lunch programs, including vending machines, school stores, canteens, and a la carte cafeteria sales;

(d) A list of foods and beverages that are available to students, including the nutritional value of those foods and beverages; and

(e) Recommendations for improving the school nutrition environment.” Kentucky SB 172, 2005.

“The Nutrition Advisory Board shall submit an annual report to the Board of Education on the District’s compliance with this Policy.” Oakland Unified School Board Nutrition Policy, 2002.

<sup>57</sup> “Staff will develop and implement with the Office of the Inspector General, an audit program that will monitor compliance of this resolution, and upon completion of the audit, the results will be shared and discussed with the Office of the Inspector General.” Los Angeles Unified School District, Motion to Promote Healthy Beverage Sales in LAUSD, 2002.

<sup>58</sup> “Any food vending contracts will be approved by the superintendent or his designees after review by the Child Nutrition Supervisor. This review will be to ensure that all contracts comply with this [nutrition] policy.” Olympia School District (Washington State), District Nutritional Standards, Middle Schools, Policy #3405, 2004.

<sup>59</sup> “Unauthorized contracts shall be immediately declared void and appropriate disciplinary action shall be taken for violation of this policy.” Los Angeles Unified School District, Motion to Promote Healthy Beverage Sales in LAUSD, 2002.

<sup>60</sup> “OSFNS Food Service Managers will be responsible for monitoring the content of the food and beverages in vending machines and school stores to ensure that only acceptable items are available for sale to students. If they determine that non-compliant items are in the vending machines, they will report this to the Principal and the OSFNS Regional Manager.” New York City Department of the Chancellor, Competitive Foods, Regulation of the Chancellor A-812, 2004.

<sup>61</sup> “Principals as the leaders of their school environment are expected to ensure compliance with all federal, state, and local regulations pertaining to the sale of food and beverages in school.” New York City Department of the Chancellor, Competitive Foods, Regulation of the Chancellor A-812, 2004.

<sup>62</sup> “The vending machine contract will stipulate penalties against the contractor for supplying schools with items that are not on the approved list.” New York City Department of the Chancellor, Competitive Foods, Regulation of the Chancellor A-812, 2004.

<sup>63</sup> “A failure to comply with the requirements of this regulation may result in a directive to stop the use of vending machine for a period of time or a directive to remove vending machines from the school or to cease the sale of food and/ or beverages at a school store.” New York City Department of the Chancellor, Competitive Foods, Regulation of the Chancellor A-812, 2004.

<sup>64</sup> Any public school that violates the provisions of Section 4 of this Act [on competitive food sales] shall be subject to a penalty to be assessed by the commissioner of education as follows:

- (a) The first violation shall result in a fine of no less than one (1) week's revenue from the sale of the competitive food;
- (b) Subsequent violations shall result in a fine of no less than one (1) month's revenue from the sale of the competitive food;
- (c) "Habitual violations," which means five (5) or more violations within a six (6) month period, shall result in a six (6) month ban on competitive food sales for the violating school; and
- (d) Revenue collected as a result of the fines in this subsection shall be transferred to the food service fund of the local school district.” Kentucky SB 172, 2005.

<sup>65</sup> “The Texas Department of Agriculture shall enforce this policy. When violations are noted the TDA shall disallow all meal reimbursement for the day and require the school to reimburse the food service account for the lost reimbursement. A documented corrective action plan shall be required to ensure compliance.” Texas Department of Agriculture, Foods of Minimal Nutritional Value Policy, 2003.

“Failure to comply with this requirement may result in withholding of reimbursement for the child nutrition programs.” New York City Department of the Chancellor, Competitive Foods, Regulation of the Chancellor A-812, 2004.