

*The attached document was created by members of the District's Coordinated School Health Committee. The document was created to help principals and others to have the local district policies and state and federal laws in one condensed and concise document to reference easily. **The document includes what the current policies and laws were at the time of the document's creation. The document will be updated accordingly as policies and laws are changing currently.** Initial principal feedback regarding these documents is positive and best practices documents will also be created.*



Summary of Current Federal, State, and Local Regulations and Policies Relevant to Foods/Beverages Sold or Served to Students

Updated 11/14/2013

Nutrition Services	<div>Regulations and Policies</div> <div>Note: If policies differ, the most stringent policy will apply.</div>	
<p>Schools should provide access to a variety of nutritious and appealing meals that accommodate the health and nutrition needs of all students. School nutrition programs reflect the U.S. Dietary Guidelines for Americans and other criteria to achieve nutrition integrity. The school nutrition services offer students a learning laboratory for classroom nutrition and health education, and served as a resource for linkages with nutrition-related community services. Qualified child nutrition professional provide these services.</p>	Federal	Website/References
	1. USDA has established a minimum component and nutrition requirements for school breakfasts, lunches, suppers, and snacks.	www.fns.usda.gov
	2. The United States Department of Agriculture has developed new competitive foods guidelines that will go into effect July of 2014. Updated information will be provided prior to implementation.	www.regulations.gov Docket # FNS-2011-0010
	3. For 3- to 5-year-olds in center-based settings or other Head Start group experiences, foods served must be high in nutrients and low in fat, sugar, and salt.	1304.23(b)(1)(vi) http://eclkc.ohs.acf.hhs.gov/hslc/standards/Head%20Start%20Requirements/1304/1304.23%20Child%20nutrition..htm
	State	Website/References
	1. The state of Kentucky requires the KBE to promulgate an administrative regulation to specify the minimum nutritional standards for all foods and beverages that are sold outside of the National School Breakfast (SBP) and National School Lunch programs (NSLP) . This report (702 KAR 6:090) gives detailed nutrition and portion size requirements for beverages and foods that are sold in schools.	702 KAR 6:090 http://www.lrc.ky.gov/kar/702/006/090.htm
	2. Administrative regulation specifying minimum nutritional standards for food sold outside school lunch programs -Restrictions upon sale of certain foods and beverages-Waiver-Definitions-Exceptions. This also details the time and place NON NSLP/SBP foods can be sold in schools.	KRS 158.854 http://www.lrc.ky.gov/Statutes/statute.aspx?id=3623
	Local	Website/References
	1. JCPS Student Wellness Policy addresses several goals: <ul style="list-style-type: none"> • District Wellness Committee must be established and engage administrators, food service professionals, parents, students, teachers and community members. • Nutrition Programs shall comply with federal, state, and local requirements and be accessible to all students. • Opportunities for physical activity on a regular basis. • Nutrition education to be sequential and interdisciplinary. • All school-based activities shall be consistent with district wellness policy goals. • All foods and beverages sold in the schools outside of the reimbursable meals program will be in compliance with the nutritional standards in 702 KAR 6:090 and KRS 158.854. • A safe, comfortable and pleasing school environment and ample time and space for eating meals. • Principal/Designee monitor compliance and report to Superintendent. • Wellness committee must meet at least quarterly. 	JCPS BOE Policy JI http://www.jefferson.k12.ky.us/Departments/GeneralCounsel/boardpolicy0702.pdf
	2. Support Services-Competitive Foods:	JCPS BOE Policy 07.111

Health Policies, Procedures and Regulations Relevant to Nutrition Services

“Child nutrition programs shall comply with federal, state, and local requirements...and be accessible to all students.” Per JCPS BOE Policy JI

	<p>Defines a competitive food, nutritional standards, and food/beverage rewards. No food/beverages sold to students by the school or parent(s) groups until 1/2 hour after the close of the last lunch.</p>	<p>http://www.jefferson.k12.ky.us/Departments/GeneralCounsel/boardpolicy0702.pdf</p>
<p>Food/Beverage As Rewards from BOE 07.111</p> <ul style="list-style-type: none"> When possible, rewards given to students should not be foods or beverages; When foods and beverages are used as a reward, it must occur 30 minutes after the close of the last lunch; <p>Note: Per ADA-Accommodations should be made for students with special dietary needs.</p> <p>Fundraisers</p> <ul style="list-style-type: none"> Cannot be sold until 30 minutes after the last lunch period ends. Items sold during allowed time must meet the nutrition standards in 702 KAR 6:090 regulations. This does not apply to after school concession sales. <p>Vending Machines BOE 07.12</p> <ul style="list-style-type: none"> Policies/regulations apply to all vending. Per BOE Policy 07.12 vending machines are 	<p>Allowable Times to Sell Competitive Foods</p>	<p style="text-align: center;">Jefferson County Public Schools Meals and Refreshments Guidelines (per Finance) (rev. 07/08/2013)</p> <p style="text-align: center;">*This document specifically relates to purchasing guidelines. All other guidelines regarding meals still apply.</p> <p>Food provided to students using grants, activity funds or general fund are allowed if the following are met:</p> <ul style="list-style-type: none"> No food served until 30 min. after end of last lunch. Permitted after school, weekends, or days when school is not in session. Amounts suggested to not exceed - \$2/student for snacks, \$5/student for breakfast, \$10/student for lunch, & \$15/student for dinner. Contact SCNS for some healthy options. <p>Note: See the complete memo for more information. www.jefferson.k12.ky.us/Departments/FinancialServices/Documents/mealsandRefreshmentguide.pdf</p> <div style="border: 1px solid black; padding: 10px; margin-top: 20px;"> <p><i>JCPS is committed to providing a school environment that enhances learning and assists students in developing lifelong wellness practices. Best practices regarding wellness are always encouraged. For more information regarding Nutrition Services, contact SCNS at 485-3072.</i></p> <p style="text-align: center;">This institution is an equal opportunity provider.</p> <div style="text-align: center;">  </div> </div>
	<ul style="list-style-type: none"> Only SCNS can sell foods or beverages (this includes vending machines) from the time the first student arrives until 30 minutes after the last lunch period ends. Thirty minutes after the last lunch period ends, all foods and beverages sold anywhere by anyone on the school property must meet the nutritional standards outlined in KRS 158.854 and 702 KAR 6:090. This does not apply to after school concession stands. 	
	<p>Competitive Beverages Sold During the School Day Must</p>	
	<ul style="list-style-type: none"> Be flavored or unflavored milk that is no more than 1% milk fat Be plain or flavored, non-caloric, non-carbonated water Be 100% fruit/vegetable juice Be no more than 10 grams of sugar per serving (except for 100% juices) Except for water, serving size for elementary cannot exceed 17 oz. For secondary, cannot exceed 20 oz. 	
	<p>Competitive Food Sold During the School Day Must Be:</p>	
	<ul style="list-style-type: none"> ≤ 30% calories from fat (excludes cheese, nuts, seeds, and nut butters.) <10% calories from saturated fat. Calories from sugar cannot exceed 32% by weight. (naturally occurring or added) ≤ 14 grams of sugar. Chips, cereals, crackers, baked goods, and other snack items cannot contain more than 300 mg. of sodium per serving. Pastas, meats, and soups cannot contain more than 450mg. sodium per serving. Pizza, sandwiches, and main dishes cannot contain more than 600 mg. sodium per serving. Portion sizes <ul style="list-style-type: none"> Cannot exceed 2 oz.: chips, crackers, popcorn, cereal, trail mix, nuts seeds, jerky, cereal/granola bars, pastries, muffins, doughnuts, bagels, or other bakery type items. Cannot exceed 1 oz.: Cookies Cannot exceed 8 oz.: Yogurt Cannot exceed 4 oz.: low fat/fat free ice cream, frozen juice bars, and frozen real fruit items. 	

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<p>to not be in operation until 30 min. after close of last lunch period.</p> <ul style="list-style-type: none">• Per Pepsi contract, beverage machines should be on timers.		
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