



Fullerton School District (FSD)
Nutrition Services Department

December 2018

Subject: Guidelines for Sales and Service of Non-School Meal Program Food and Beverages on School Campus

The following is information regarding federal, state, and district policies related to food and beverage items sold to students outside the federal reimbursable meal program throughout the school day and on school campuses. Please share with faculty, staff, and parents.

Federal and State Requirements

All public non-charter schools participating in the National School Lunch Program or School Breakfast Program must follow state and federal requirements for competitive foods and beverages also known as USDA Smart Snacks in Schools. In January 2017, California passed Senate Bill 1169 (McGuire) which streamlines state competitive food rules with the federal Smart Snacks in School rule. Today's rules encompass a comprehensive approach to food and beverage sales by all groups or individuals, during the school day, throughout the school campus. These rules are detailed in the attached CDE Nutrition Services Division Quick Reference Cards.

Competitive foods and beverages are those that are 1) sold, 2) to students, 3) on school campus, 4) during the school day, and 5) outside of the federally reimbursable meal programs. Examples of sales may include but are not limited to student stores, after school/before school sales, fundraisers or à la carte items sold by Nutrition Services.

Definitions include:

- **Sold:** exchange of food or beverages for money, coupons, vouchers, or order forms when any part of the exchange occurs on a school campus.
- **School campus:** all areas of the property under the jurisdiction of the school that are accessible to pupils during the school day.
- **School day:** midnight through 30 minutes after the end of the official school day.

School site administrator or designee is responsible for ensuring that all groups or individuals selling competitive foods or beverages maintain records that document compliance. Monitoring and enforcement of all state and federal competitive food rules will be conducted during the Administrative Review. If infractions found are not corrected in a timely manner, the Nutrition

Services Division of the California Department of Education has the authority to withhold School Nutrition Program reimbursement from the District until corrected.

Fullerton School District Wellness Policy BP 5030

The Fullerton School District Wellness Policy was board adopted November 28, 2006, and most recently revised February 2, 2016. Some notable sections pertaining to non-school meal program food and beverages include:

- **Nutrition Guidelines for Foods Available at School:** School staff shall encourage parents/guardians or other volunteers to support the District's nutrition education program by considering nutritional quality when selecting any snacks which they may donate for occasional class parties and choose foods or beverages that meet Smart Snacks nutrition guidelines. Class parties or celebrations shall be held after the lunch period when possible.
- **Competitive Foods and Beverages:** The District is committed to ensuring that all foods and beverages available to students on the school campus during the school day support healthy eating. The foods and beverages sold and served outside of the school meal programs (i.e., "competitive" foods and beverages) will meet the USDA Smart Snacks in School nutrition standards, at a minimum.
- **Celebrations and Rewards:** All foods offered on the school campus will meet or exceed the USDA Smart Snacks in School nutrition standards including through celebrations, parties, classroom snacks brought by parents, rewards and incentives.
- **Fundraising:** The Superintendent or designee shall encourage school organizations to use healthy food items or non-food items for fundraising purposes. Foods and beverages that meet or exceed the USDA Smart Snacks in Schools nutrition standards may be sold through fundraisers on the school campus during the school day four times per year.
- **Food Safety and Sanitation Standards:** Food safety and sanitation standards must be followed at all events, in which food is served and/or prepared.

Food Safety Regulations

Children are a population susceptible to foodborne illness. For this reason, food safety and sanitation standards must be followed at all events where food is served and/or prepared. This includes knowing where and how food is made as well as storing and holding foods at proper temperatures.

No home prepared foods are allowed for classroom parties. Foods must have nutritional labels to easily identify allergens. All foods intended to be shared with students must be purchased from a reputable food vendor with a valid food permit to ensure safety and sanitary standards.

Per the Orange County Health Care Agency, Environmental Health Division, mobile food facilities such as carts and trucks must have a current health permits from the Orange County Health Care Agency. Permits from other counties are not valid in Orange County. Carrying out sales of prepared food without a valid permit is not allowed.

FAQs related to FSD's Nutrition Policy:

1. Can we have a food fundraiser during the school day?

Foods and beverages that meet or exceed the USDA Smart Snacks in Schools nutrition standards may be sold through fundraisers (by student organizations) on the school campus during the school day four times per year. You can determine if your food meets the standards by using the Smart Snack Calculator:

<http://www.californiaprojectlea.org/cod.asp?adp=192&id=293>

Foods that do **not** meet Smart Snack guidelines cannot be sold during the defined school day. For special events like a carnival or family nights, the law does not require Smart Snack Guidelines compliance if they are sold 30 minutes after dismissal time through midnight. Schools may have stricter site policies to meet Healthy Schools Recognitions.

2. Can we have pizza parties?

Yes, individual teachers, groups, and/or organizations may have their own pizza parties. It is encouraged to order the pizza through Nutrition Services as this pizza meets federal guidelines. Nutrition Services can provide complete meals (including milk, fresh fruit, and fresh vegetables) and utilize students' free, reduced, or paid meal statuses which may alleviate cost for the orderer. Other pizzas may NOT meet the guidelines. The District is committed to ensuring that all foods and beverages available to students on the school campus during the school day support healthy eating.

3. Can we have popcorn parties?

Popcorn may or may not meet the guidelines depending on the amount of fat and salt. Refer to the Smart Snack Calculator noted in question #1 to determine if the popcorn being considered is compliant.

4. Can we have parties during lunch periods?

Class parties or celebrations should be held after the lunch period when possible and meet Smart Snack Guidelines.

5. Can parents bring cupcakes, cookies, cake, etc to celebrate their child's birthday?

Per the FSD Wellness Policy, parents are encouraged to choose healthy foods/snacks that are Smart Snack compliant when donating for occasional parties. Please check with your child's teacher and refer to the FSD approved Smart Snack food list for healthy alternatives.

6. Can we sell, provide or give students and staff foods of minimal nutritional value and/or all forms of candy? Why/Why not?

These foods can not be sold to students since they do not meet USDA Smart Snack guidelines. Staff are also encouraged to AVOID the use of food as a reward for academic performance, accomplishments, or classroom behavior. These guidelines are intended for

students not staff. Even though staff are not required to follow the guidelines they are highly encouraged to be positive role models.

7. Why can't we sell or provide cupcakes, candy or other junk food?

The District is committed to ensuring that all foods and beverages available to students on the school campus during the school day support healthy eating. Additionally, if a district is found to be noncompliant with the Smart Snack guidelines they will be in jeopardy of losing funding for their meal program.

8. Can we use food for instructional purposes?

Yes. A small sample or a bite of food is allowed with lessons about food or culture. It's important to be aware of possible food allergies before serving, if you're unsure, check with the site health clerk to verify. Foods must have nutritional labels for easy identification of allergens.

9. Can a parent sell food, that is not associated with a school fundraiser, on campus?

All competitive foods sold to students, on school campus, during the school day must meet Smart Snack requirements. In addition, if an individual parent chooses to sell prepared food on campus or at school events they **must** have a valid food permit obtained from the Orange County Health Care Agency.

10. Can individuals bring food prepared from home for class parties or other school events?

No, home prepared foods are not allowed for classroom parties or other school events. Foods must have nutritional labels to easily identify allergens. All foods intended to be shared with students must be purchased from a reputable food vendor with a valid food permit to ensure safety and sanitary standards.