

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

Updated 12/12/14

Nutrition Services		
<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 USDA proposed rule on wellness policy implementation February 2014. Final rule to come later. Smart Snacks Sold in School standards implemented July 2014	School Meals Proposed Rule for School Wellness Policy Smart Snacks
	2. The United States Department of Agriculture has developed new competitive foods guidelines that went into effect July 2014. (7CFR Parts 210 and 220). Smart Snacks Sold in Schools are standards for foods and beverages that follow the above guidelines.	Interim Final Rule on All Foods Sold in Schools outside NSLP and SBP Smart Snacks
	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)
	State	Website/References
	1. Kentucky established minimum nutrition standards for competitive foods and beverages through KAR 6:090 in 2006. Since USDA implemented Healthy Hunger-Free Kids Act Smart Snacks standards for competitive foods and beverages, KDE School and Community Nutrition department requested and received a waiver from KBE relative to the state's competitive food requirements. The waiver is applicable to section 2 (1-9) of KAR 6:090.	702 KAR 6:090 (*2014-15 KBE waiver applies to Section 2) *Federal Smart Snack Standards must be followed for food. KDE guidance on Smart Snacks
	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
	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 school meals program will be in compliance with the state and federal guidelines. 	JCPS BOE Policy JI – Student Wellness

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



Food/Beverage As Rewards per [JCPS BOE 07.111](#)

- When possible, rewards given to students shall be other than food/beverage items;
- When foods and beverages are used as a reward, items shall comply with nutritional guidelines set out in KAR.

Note: Per ADA- Accommodations should be made for students with special dietary needs.

Fundraisers

- Food and beverage fundraisers must not occur until 30 min. after last lunch. From 30 min. after the last lunch until 30 minutes after the end of the school day, items sold must meet the federal guidelines outlined in the Smart Snacks rule.
- Any foods that do not meet the Smart Snack standards cannot be

JCPS Student Wellness Policy continued:

- 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.

Allowable Times to Sell Competitive Foods and Beverages

- **From midnight until 30 minutes after the last lunch:** only SCNS can sell foods or beverages.
- **Thirty minutes after the last lunch period ends until thirty minutes after the school day ends:** all foods and beverages sold anywhere by anyone on the school property must meet the federal guidelines outlined in the Smart Snacks rule.
- **Thirty minutes after official school day ends to midnight:** no regulations apply.

Competitive Beverages Sold During the School Day Must:

- Be unflavored milk that is no more than 1% milk fat or flavored milk that is non-fat.
- Be plain or flavored, non-caloric, non-carbonated water
- Be 100% fruit/vegetable juice
- Serving sizes for milk and fruit juices are limited- Elementary cannot exceed 8 oz.; Secondary cannot exceed 12 oz.
- High Schools only -may have other calorie-free beverages <20 oz. and lower calorie beverages <12 oz.

Competitive Food Sold During the School Day Must Be:

- Snacks must be ≤ 200 calories; Entrees ≤ 350 calories
- ≤ 35% calories from fat (excludes cheese, nuts, seeds, and nut butters.)
- <10% calories from saturated fat and 0 g trans-fat.
- Calories from sugar cannot exceed 35% by weight. (naturally occurring or added)
- Snack items must be ≤ 230 mg. of sodium per serving.
- Entrées cannot contain more than 480 mg. sodium per serving.

Jefferson County Public Schools Meals and Refreshments Guidelines (per Finance) (rev. 07/08/2013)

***This document specifically relates to purchasing guidelines. All other guidelines regarding meals still apply.**

Food provided to **students** using grants, activity funds or general fund are allowed if the following are met:

- 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.

Note: See the complete memo for more information.
www.jefferson.k12.ky.us/Departments/FinancialServices/Documents/mealsandRefreshmentguide.pdf

Health Policies, Procedures and Regulations Relevant to Nutrition Services

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sold until 30 minutes
after the end of the
official school day.

Vending Machines

BOE 07.12

- Policies/regulations apply to all vending.
- Per BOE Policy 07.12 vending machines, outside of the school meal program, are not to be in operation during the school day until 30 min. after close of last lunch period.
- From 30 min. after the last lunch period until 30 min. after the school day ends, food and beverages sold must meet state and federal regulations.
- If the items do **not** meet the Smart Snacks requirements, they may not be sold **until 30 minutes after the school day ends.**
- Per Pepsi contract, beverage machines should be on timers.

Example of portion sizes that *usually* meet Smart Snack standards:

- 2 oz.: chips, crackers, popcorn, cereal, trail mix, nuts seeds, jerky, cereal/granola bars, pastries, muffins, doughnuts, bagels, or other bakery type items.
- 1 oz.: Cookies
- 8 oz. Yogurt
- 4 oz. low fat/fat free ice cream, frozen juice bars, and frozen real fruit items.

For more information on items that meet Smart Snack requirements, visit:
https://www.healthiergeneration.org/live_healthier/eat_healthier/alliance_product_navigator/

For more information on Smart Snacks Federal Interim Final Rule visit:
<http://www.fns.usda.gov/sites/default/files/SmartSnacks2014.pdf>

For additional assistance in determining whether snacks are allowed at a specific time or whether foods and beverages meet the nutrition standards, contact School and Community Nutrition Services at 485-3186.

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 485-3186.

This institution is an equal opportunity provider.



Is Your Snack A Smart Snack?
Click on the icon below to
use the calculator.

