

Policy

 X Monitored
 X Mandated
 Other Reasons
DATED: 12/17/2014

LOCAL WELLNESS/NUTRITION

The board believes that children need access to healthful foods and opportunities to be physically active in order to grow, learn, and thrive, and that good health fosters student attendance and education.

Obesity rates have doubled in children and tripled in adolescents over the last two decades, and physical inactivity and excessive calorie intake are the predominant causes of obesity. Heart disease, cancer, stroke, and diabetes are responsible for two-thirds of deaths in the United States, and major risk factors for those diseases, including unhealthy eating habits, physical inactivity, and obesity, often are established in childhood. Further, the items most commonly sold from school vending machines, school stores, and snack bars include low-nutrition foods and beverages, such as soda, sports drinks, imitation fruit juices, chips, candy, cookies, and snack cakes.

To promote healthful behavior in the school, the board is committed to encouraging its students to consume fresh fruits, vegetables, low fat milk and whole grains. The board is also committed to encouraging students to select and consume all components of the school meal.

In order to promote and protect children’s health, well-being, and ability to learn, the board is committed to providing school environments that support healthy eating and physical activity and will ensure that:

- A. All students will have opportunities, support, and encouragement to be physically active on a regular basis;
- B. Foods and beverages sold or served at school will meet the nutrition recommendations of the U.S. Dietary Guidelines for Americans, and the USDA nutrition standards for National School Lunch, School Breakfast and/or After School Snack Programs. The district will regulate the types of food and beverage items offered outside the federal meal requirements, such as ala carte sales, vending machines, school stores, and fundraisers;
- C. All students will be provided with adequate time for student meal service and consumption in a clean, safe, and pleasant dining environment. Lunch and recess or physical education schedules will be coordinated with the meal service;
- D. To the maximum extent practicable, all schools in our district will participate in available federal school meal programs (including the School Breakfast Program, National School Lunch Program including After-School Snack Programs, Summer Food Service Program, and Child and Adult Care Food Program);
- E. Schools will provide nutrition education and physical education to foster lifelong habits of healthy eating and physical activity, and will establish linkages between health education and school meal programs, and with related community services; and
- F. The board will engage students, parents, teachers, food service professionals, health professionals, and other interested community members in developing, implementing, monitoring, and reviewing district-wide nutrition and physical activity policies.

LOCAL WELLNESS/NUTRITION (continued)All Schools

The following items shall not be served, sold or given out as free promotion anywhere on school property at anytime before the end of the school day:

- A. Foods of minimal nutritional value;
- B. All food and beverage items listing sugar, in any form as the first ingredient; and
- C. All forms of candy.

Schools shall reduce the purchase of any products containing trans fats. All snack and beverage items sold or served anywhere on school property during the school day, including items sold in a la carte lines, vending machines, snack bars, school stores and fundraisers or served in the reimbursable After School Snack Program, shall meet the following standards:

- A. Based on manufacturers nutritional data or nutrient facts labels:
 - 1. No more than eight grams of total fat per serving, with the exception of nuts and seeds; and
 - 2. No more than two grams of saturated fat per serving.
- B. All beverages shall not exceed 12 ounces, with the following exceptions:
 - 1. Water; and
 - 2. Milk (plain or flavored) containing one percent or less fat.

Elementary Schools

- A. 100 percent of all beverages offered shall be milk (plain or flavored) containing one percent or less fat, water; or
- B. 100 percent fruit or vegetable juices;
- C. Serving size for fruit or vegetable juice shall not exceed 8 ounces.

Middle and High Schools

- A. At least 60 percent of all beverages offered, other than milk and water, shall be 100 percent fruit or vegetable juices; and
- B. Serving size for fruit or vegetable juice shall not exceed 12 ounces;
- C. No more than 40 percent of all ice cream/frozen desserts shall be allowed to exceed the above standards for sugar, fat, and saturated fat.

General School District Requirements

Food and beverages served during special school celebrations or during curriculum related activities shall be exempt from this policy, with the exception of foods of minimal nutritional (FMNV).

This policy does not apply to: medically authorized special needs diets pursuant to federal regulations; school nurses using FMNVs during the course of providing health care to individual students; or special needs students who's Individualized Education Program (IEP) indicates their use for behavior modification.

LOCAL WELLNESS/NUTRITION (continued)

Adequate time shall be allowed for student meal service and consumption. Schools shall provide a pleasant dining environment. The board recommends that physical education or recess be scheduled before lunch whenever possible.

The district's curriculum shall incorporate nutrition education and physical activity consistent with the New Jersey Department of Education Core Curriculum Content Standards.

The chief school administrator will specifically address the issue of biosecurity for the school food service. Biosecurity may be part of the plans, procedures and mechanism for school safety.

The board is committed to promoting the nutrition policy with all food service personnel, teachers, nurses, coaches and other school administrative staff so they have the skills they need to implement this policy and promote healthy eating practices. The board will work toward expanding awareness about this policy among students, parents, teachers and the community at large.

The chief school administrator shall develop regulations consistent with this policy, including a process for measuring the effectiveness of its implementation, and designating personnel within each school with operational responsibility for ensuring the school is complying with the policy.

Date:

Legal References: Use legal reference sheet.

Cross References: List your appropriate policies. See legal reference sheet for possibilities.

Key Words

School Lunch, Food Service, Nutrition, Wellness,

CRITICAL POLICY REFERENCE MANUAL

FILE CODE: 3542.1

 X **Monitored**

 X **Mandated**

 Other Reasons

Legal References

LOCAL WELLNESS/ NUTRITION

QSAC Monitored:

DPR: Governance – 1

SRO: Governance – 1

Mandated:

P.L. 108-265, The Federal Child Nutrition and WIC Reauthorization Act of 2004, Section 204 requires that, each local education agency (LEA) receiving federal funding for child nutrition programs under 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.) must adopt a local school wellness policy. At a minimum the school wellness policy must have the following elements:

LOCAL WELLNESS/NUTRITION (continued)

1. Goals for nutrition education, physical activity, and other school-based activities that are designed to promote student wellness;
2. Nutrition guidelines selected by the LEA for all foods available on each school campus during the school day with the objectives of promoting student health and reducing childhood obesity;
3. Assurances that guidelines for reimbursable school meals are not less restrictive than regulations and guidance issued by the U.S Department of Agriculture (USDA) under 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));
4. Ways of measuring how effectively the school wellness policy is being implemented, including designation of one or more persons at each school with operational responsibility for ensuring that the school is meeting the policy; and
5. Involvement of parents, students, food service professionals and the public, in developing the wellness policy.

N.J.S.A. 18A:33-15 through 19 also known as P.L. 2007, c.45 (S1218), 2/21/07 regulates food and beverage items sold, served, and given away on school property. The standards in this statute are identical to the requirements of N.J.A.C. 2:36-1.7. The authority to promulgate rules and monitor compliance pursuant to the "Administrative Procedure Act" P.L. 1968, c.410 (C 52:14B-1 et seq.) is given to the Secretary of Agriculture.

N.J.A.C. 2:36-1.1 et seq. establishes two separate local school nutrition policy requirements and implementation dates. These requirements apply to public and non-public schools that participate in any of the federally funded child nutrition programs, and for any other non-participating public schools that have 5 percent or more students eligible for free or reduced price meals.

N.J.A.C. 2:36-1.7 directs local districts to adopt a policy that conforms to the Dietary Guidelines for Americans and the USDA nutrition standards for National School Lunch, School Breakfast and/or After School Snack programs as required by 7 C.F.R. Parts 210, 215, 220 and 245. This state code provision regulates the types of food items offered outside the Federal meal requirements, such as a la carte sales, vending machines, school stores and fundraisers. It is further required that, districts participating in federally funded child nutrition programs must have a policy consistent with the NJDOA Model School Nutrition Policy.

N.J.A.C. 2:36-1, Appendix, Model School Nutrition Policy, requires schools to provide adequate time for student meal service and consumption and a "pleasant dining environment". It recommends a coordination of lunch and recess or physical education schedules.

N.J.A.C. 2:36-1.7(f) makes the standards set forth in the regulation a minimum standard and does not preclude the adoption of a more stringent policy by a school district.

Resources:

<http://www.state.nj.us/agriculture/> The New Jersey Department of Agriculture, Model Policy and Question and Answer resource.

Recommendation:

A policy addressing federal and state local wellness and nutrition requirements.

While the school district has the option to enforce stricter rules, the regulations do not apply to foods sold as fundraisers outside of the school day and the school property, nor does it apply to the types of foods that may be allowed to be brought in from the student's home or food that may be available in teachers' lounges.

LOCAL WELLNESS/NUTRITION (continued)

The NJDOA has also exempted food and/or beverage items served during school celebrations (e.g. pep rallies) and curriculum related activities from the rules, except for foods of minimal nutritional value (FMNV's).

The NJDOA advised that their authority is limited to those food items either provided by the school district for student consumption on school property or made available to students through vending machines, school stores and fundraising activities during the school day.

<u>Legal References:</u>	<u>N.J.S.A.</u> 18A:11-1	General mandatory powers and duties
	<u>N.J.S.A.</u> 18A:18A-4.1 (f) and (h)	Use of competitive contracting in lieu of public bidding; boards of education
	<u>N.J.S.A.</u> 18A:18A-5	Exceptions to requirement for advertising
	<u>See particularly:</u>	
	<u>N.J.S.A.</u> 18A:18A-5a(6)	
	<u>N.J.S.A.</u> 18A:18A-6	Standards for purchase of fresh milk; penalties; rules and regulations
	<u>N.J.S.A.</u> 18A:33-3 through -5	Cafeterias for pupils
	<u>N.J.S.A.</u> 18A:33-9 through -14	Findings, declarations relative to school breakfast programs..
	<u>See particularly:</u>	
	<u>N.J.S.A.</u> 18A:33-10	
	<u>N.J.S.A.</u> 18A:33-15 through -19	Improved Nutrition and Activity Act (IMPACT Act)
	<u>N.J.S.A.</u> 18A:54-20	Powers of board (county vocational schools)
	<u>N.J.S.A.</u> 18A:58-7.1 through -7.2	School lunch program
	<u>N.J.A.C.</u> 2:36-1.1 et seq.	Child Nutrition Programs
	<u>See particularly:</u>	
	<u>N.J.A.C.</u> 2:36-1.7	Local school nutrition policy
	<u>N.J.A.C.</u> 6A:16-5.1(b)	School safety plans
	<u>N.J.A.C.</u> 6A:23A-16.5	Supplies and equipment
	<u>N.J.A.C.</u> 6A:30-1.1 et seq.	Evaluation of the Performance of School Districts
	<u>N.J.A.C.</u> 6A:32-12.1	Reporting requirements
	<u>N.J.A.C.</u> 6A:32--14.1	Review of mandated programs and services
	Sec. 204 at the Federal Child Nutrition and WIC Reauthorization Act of 2004 (P.L. 108-265)	
	42 <u>U.S.C.</u> 1751 et seq.	Richard B. Russell National School Lunch Act
	42 <u>U.S.C.</u> 1771 et seq.	Child Nutrition Act of 1966
	7 <u>C.F.R.</u> Part 210	Medically authorized special needs diets
	7 <u>C.F.R.</u> Part 210.10	Foods of minimum nutritional value

Possible

<u>Cross References:</u>	*1200	Participation by the public
	*1220	Ad hoc advisory committees
	*3000/3010	Concepts and roles in business and noninstructional operations; goals and objectives
	*3220/3230	State funds; federal funds

LOCAL WELLNESS/NUTRITION (continued)

*3450	Money in school buildings
*3510	Operation and maintenance of plant
*3542	Food Service
*3542.31	Free or reduced-price lunches/milk
*3542.44	Purchasing
*4222	Noninstructional aides
*5131	Conduct/discipline
9123	Appointment of board secretary
9124	Appointment of business official

*Indicates policy is included in the Critical Policy Reference Manual.