

Norwalk Public Schools

MEMORANDUM

TO: BUILDING PRINCIPALS

FROM: SAL CORDA

RE: REQUIREMENTS OF CONNECTICUT NUTRITION STANDARDS

As we move into our school year and fund raising activities begin, please be reminded of the regulations governing the sale of food items. I have attached a document that was distributed to parents and PTO members in February of 2007 that clarified this issue.

Please be aware that the District has adopted an exemption that enables the PTO to conduct its food sales as long as the three criteria in the resolution are met. The resolution is also attached.

I hope that this information is useful. Please call if you have any questions.

C: Sue Haynie, PTO Council President
Tony Daddona
Dan Cook
George Gianitti

Sept. 25, 2008

Date: February 1, 2007

To: Parents of Norwalk Public Schools And PTO Members

Dear Parents:

Many community members have had questions regarding the Connecticut State Department of Education Public Act 06-63, *An Act Concerning Healthy Food and Beverages in Schools*, which took effect July 1, 2006. The district would like to take this opportunity to address your questions and give you a better understanding of Public Act 06-63, as well as what actions Norwalk Public Schools, the PTO and Whitsons are taking to serve our children healthier choices. Below, we provide an overview of Public Act 06-63 as taken from the Connecticut State Education website.

Overview of Public Act 06-63

An Act Concerning Healthy Food and Beverages in Schools

Public Act 06-63, *An Act Concerning Healthy Food and Beverages in Schools*, took effect on July 1, 2006 (<http://www.cga.ct.gov/2006/ACT/PA/2006PA-00063-ROOSB-00373-PA.htm>). This handout summarizes the implications of Public Act 06-63 regarding 1) the requirements for beverages in public schools; 2) the optional healthy food certification; and 3) amendments to Connecticut General Statutes Section 10-221p. Additional guidance regarding the requirements and implementation of Public Act 06-63 can be found on the Connecticut State Department of Education's (CSDE) website (Nutrition Education page) at <http://www.sde.ct.gov/sde/cwp/view.asp?a=2626&q=320754>.

Requirements for Beverages (Compliance is required for all public schools)

Section 1 of Public Act 06-63 specifies the beverages that can be sold to students in all public school districts (including the Connecticut Technical High School System, charter schools, inter-district magnet schools and endowed academies). Only five categories of beverages can be sold to students in public schools *at all times and from all sources*. These categories are:

1. *Milk (flavored or plain)* with no more than 4 grams of sugar per ounce and no artificial sweeteners
2. *Nondairy milks such as soy or rice milk*, which may be flavored but contain no artificial sweeteners, no more than 4 grams of sugar per ounce, no more than 35 percent of calories from fat per portion and no more than 10 percent of calories from saturated fat per portion
3. *100 percent fruit juice, vegetable juice or combination of such juices*, containing no added sugars, sweeteners or artificial sweeteners
4. *Beverages that contain only water and fruit or vegetable juice* and have no added sugars, sweeteners or artificial sweeteners
5. *Water*, which may be flavored but contains no added sugars, sweeteners, artificial sweeteners or caffeine

Portion sizes of allowable beverages are limited to no more than 12 ounces, with the exception of water.

Beverage Exemptions: Beverages that are not specified above can only be sold to students on school premises if the local board of education or school governing authority votes to permit them and the following three exemption conditions are met: (1) the sale is in connection with an event occurring after the end of the regular school day or on the weekend;

(2) the sale is at the *location of the event*; and (3) the beverages are *not sold from a vending machine or school store*. The vote to allow exemptions must occur *before* any beverages can be sold to students during any events on school premises that meet the three exemption conditions.

An **event** is an occurrence that involves more than just a regularly scheduled practice, meeting or extracurricular activity. For example, soccer games, school plays and interscholastic debates are events but soccer practices, play rehearsals and debate team meetings are not.

The **regular school day** is the period that begins with the arrival of the first child at school and ends after the last instructional period.

**Optional Healthy Food Certification
(Compliance is optional for all eligible public school districts)**

Section 3 of Public Act 06-63 requires that that all Connecticut public school districts that participate in the National School Lunch Program take action to certify whether all food items sold to students will or will not meet the Connecticut Nutrition Standards. Eligible districts that opt for the healthy food certification will receive 10 cents per lunch, based on the total number of reimbursable lunches (paid, free and reduced) served in the district in the prior school year. If a district chooses to receive this additional funding, it must certify that all food items sold to students separately from a reimbursable school breakfast or lunch will comply with the Connecticut Nutrition Standards. These food items include food offered for sale to students *at all times, in all schools and from all sources* including, but not limited to school stores, vending machines, school cafeterias and any fundraising activities on school premises.

Food Exemptions: The requirements and procedure for food exemptions are the same as for beverage exemptions. If a district certifies for the healthy food option, food items that do not meet the Connecticut Nutrition Standards can only be sold to students on school premises if the local board of education or school governing authority votes to permit them and the following three exemption conditions are met: (1) the sale is in connection with an event occurring after the end of the regular school day or on the weekend; (2) the sale is at the location of the event; and (3) the food items are not sold from a vending machine or school store. The vote to allow exemptions must occur before any food items that do not meet the Connecticut Nutrition Standards can be sold to students during any events on school premises that meet the three exemption conditions.

Connecticut Nutrition Standards

The Connecticut Nutrition Standards address all food items sold separately from a reimbursable school breakfast or lunch. They focus on limiting fat, saturated fat, trans fat, sugars and sodium, moderating portion sizes, and promoting increased intake of fruits, vegetables and whole grains. (See <http://www.sde.ct.gov/sde/cwp/view.asp?a=2626&q=320754#Standards>.)

**Amendments to Connecticut General Statutes Section 10-221p
(Compliance is required for all public schools)**

Section 6 of Public Act 06-63 amends section 10-221p of the Connecticut General Statutes. As amended, the statute:

- clarifies that in addition to each local and regional board of education, the governing authority for charter schools, inter-district magnet schools and endowed academies are also responsible for implementation of the statute; and
- deletes the previous requirement for the provision of healthy drinks when other beverages are sold to students. Note: Special Milk Programs are no longer required to sell water, juice or other healthy beverages when milk is sold to students.

The language regarding the sale of food in Section 6 of Public Act 06-63 has not been amended. At all times when food is available for purchase by students during the regular school day, nutritious and low-fat foods must also be available for sale. Such foods include, but are not limited to, low-fat dairy products and fresh or dried fruit. Additional guidance on the food requirement for Section 10-221p of the Connecticut General Statutes can be found in the following documents, available at <http://www.sde.ct.gov/sde/cwp/view.asp?a=2626&q=320676> (scroll down to "Other Important Memoranda and Letters"):

- Clarification on School Fundraisers and Connecticut General Statute § 10-221p
- Questions and Answers on the Nutrition Component of Public Act 04-224 [Conn. Gen. Stat. § 10-221p], An Act Concerning Childhood Nutrition in Schools, Recess and Lunch Breaks
- Implementation of Nutrition Components of Public Act 04-224, An Act Concerning Childhood Nutrition in Schools, Recess and Lunch Breaks.

Fundraising with Food

All public school districts that participate in the National School Lunch Program are eligible to certify for the healthy food option of Public Act 06-63 and receive additional funding. The decision of whether the district will or will not certify for the healthy food option is determined by each local board of education. If the district chooses to certify for the healthy food option, *all food items offered for sale to students separately from a reimbursable breakfast or lunch at all times and from all sources* must meet the Connecticut Nutrition Standards (<http://www.sde.ct.gov/sde/cwp/view.asp?a=2626&q=320754#Standards>). This includes all fundraising activities on school premises, regardless of whether the fundraising activity is sponsored by the school or an outside group.

Food Exemptions: The requirements and procedure for food exemptions are the same as for beverage exemptions. If a district certifies for the healthy food option, food fundraisers that do not meet the Connecticut Nutrition Standards can only be sold to students on school premises if the local board of education or school governing authority votes to permit them and the following three exemption conditions are met: (1) the sale is in connection with an event occurring after the end of the regular school day or on the weekend; (2) the sale is at the location of the event; and (3) the food items are not sold from a vending machine or school store. The vote to allow exemptions must occur before any food that does not meet the Connecticut Nutrition Standards can be sold to students during any events on school premises.

Sales to Adults: Public Act 06-63 only applies to the sale of food items to students on school premises. Food items that do not meet the Connecticut Nutrition Standards can be sold to school staff members, parents and other adults either on or off school premises at any time.

Bake Sales: If a district certifies for the healthy food option, a bake sale can be held on school premises if the board has voted to allow food exemptions and the bake sale is connected to and held at the location of an event that occurs after the end of the regular school day or on the weekend, e.g., a bake sale at a weekend football game or school concert. A bake sale cannot be held during the school day on school premises unless all food items meet the Connecticut Nutrition Standards and the selling timeframe complies with state competitive foods regulation (see "Competitive Foods Regulation" below).

Candy Sales: If the district certifies for the healthy food option, candy and sugarless candy (including mints and gum) cannot be sold to students on school premises at any time, unless they are exempted by the board of education and sold at an event that meets the three exemption conditions (see "Food Exemptions"). If the district does not certify for the healthy food option, the state competitive foods regulation regarding candy still applies. Section 10-215b-1 of the Regulations of Connecticut State Agencies prohibits schools from selling or dispensing candy to students anywhere on school premises from 30 minutes before the start

of any state or federally subsidized milk or meal program until 30 minutes after the end of the program.

Sales of Food Tickets: Selling fundraisers of coupons, tickets, gift cards, tokens or similar items that are redeemable for food is the same as selling food to students. The dictionary defines "sale" as "the exchange of property or services for a determined amount of money or its equivalent." If the district chooses to certify for the healthy food option, all food items sold to students must either 1) meet the Connecticut Nutrition Standards or 2) be exempted by the board of education and sold at an event that meets the three exemption conditions (see "Food Exemptions").

Fliers or Catalogs for Food Fundraisers: Students can take home fundraising fliers and catalogs and sell food items such as cakes, pies, candy and cookie dough to anyone off school premises. However, if the student is involved in delivering money to school for the food item and picking up the food item at school, the fundraiser is selling food to students on school premises and is not allowed. In order for the fundraiser to be in compliance with Public Act 06-63, it must be structured so that parents or other adults pick up the food item instead of students. This must be clearly indicated on the fundraising flier and any written communication regarding the fundraiser.

Other Options for Fundraisers: If a food item meets the Connecticut Nutrition Standards, it can be sold to students without meeting the three exemption conditions, as long as the fundraiser complies with the state competitive foods regulation (see "Competitive Foods Regulation" below). There are many snack food items meeting the Connecticut Nutrition Standards that are appealing to students and can be used for fundraisers. A list of brand-specific products (Snacks Meeting Connecticut's Healthy Snack Standards) is available at <http://www.sde.ct.gov/sde/cwp/view.asp?a=2626&q=320754#Healthy>. CSDE's handout, Healthy Fundraising, provides suggestions for fundraising with healthy food items and nonfood items and activities (<http://www.sde.ct.gov/sde/cwp/view.asp?a=2626&q=320754#Resources>).

Competitive Foods Regulation: Regardless of whether the district certifies for the healthy food option, Connecticut's competitive foods regulation still applies to the sale of all food items, including those that meet the Connecticut Nutrition Standards. Section 10-215b-23 of the Regulations of Connecticut State Agencies specifies that the income from the sale to students of any food items sold anywhere on school premises from 30 minutes before the start of any state or federally subsidized milk or meal program (National School Lunch Program, School Breakfast Program, After-School Snack Program and Special Milk Program) until 30 minutes after the end of the program must accrue to the food service account.

We trust that this has answered some of your questions. The goal of Norwalk's dining program has always been to provide nutritious meals to the students and help them develop lifelong, healthy eating habits. Our most recent initiatives to provide healthier choices have not only been focused on the cafeteria menus, but also on all other aspects of the students' educational experience.

It is because of these combined efforts that the district has opted to apply for the Optional Healthy Food Certification. Our intention is to not only educate students about the benefits of a healthy life style, but also to provide a consistent message and a healthy school environment, while generating excitement about nutrition.

Additional guidance regarding the requirements can be found on the Connecticut State department of Education's (CSDE) website (Nutrition Education page) at <http://www.sde.ct.gov/sde/cwp/view.asp?a=2626&q=320754>

**BOARD OF EDUCATION
NORWALK, CONNECTICUT**

Board Meeting Date: 4/22/08

Action Required By (date): 4/22/08

Number on Agenda: VI.E

Action Item Information Item (check one)

Agenda Title:

Approve exception to Provision of Sections 2 and 3 of Public Act 06-63, an Act concerning Healthy Foods and Beverages in Schools
Background

Cost (if applicable):

Funding Source:

Beginning Date of Program or Project (if applicable):

Ending Date of Program of Project (if applicable):

Options (if applicable):

Recommendation:

Resolved, upon the recommendation of the Superintendent of Schools, that the Board of Education authorizes the sale to students of beverages not listed in State statutes ad food items that do not meet the Connecticut Nutrition Standards provided that the following conditions are met:

1. The sales must be held in conjunction with an event and at the location of the event

2. The sales must take place after the end of the school day.

3 The products may not be sold through vending machines or school stores. For purposes of this resolution, an event is defined as an occurrence that involves more than just a regularly scheduled practice, meeting or extracurricular activity.

Attachment: Yes No (check one)

Submitted by: Superintendent's Office Department: