

OFFICE OF THE SUPERINTENDENT

Millburn Public Schools

INFORMATION ITEM

January 4, 2010

To: Board of Education Members

From: Ellen E. Mauer, PhD

Subject: First Reading-Food Services- Policy 4:120

This policy has been updated to show additions by the National School Lunch Act and the Child Nutrition Act. It calls for all revenue accrued by such programs during the lunch period as needing to go to the line item for non-profit school lunch program account. You may also recall the "junk food bans" that were enacted. Such language is added here, too, when it states that any school participating in the National School Lunch Program shall comply with any applicable mandates in the Illinois State BOE's School Food Service rules.

Operational Services

Food Services 1

Good nutrition shall be promoted in the District's meal programs and in other food and beverages that are sold to students during the school day. The Superintendent shall manage a food service program that complies with this policy and is in alignment with School Board policy 6:50, *School Wellness*. The type and amounts of food and beverages sold to students before school and during the regular school day in any school that participates in the School Breakfast Program or the National School Lunch Program shall comply with any applicable mandates in the Illinois State Board of Education's School Food Service rule and the federal rules implementing the National School Lunch Act and Child Nutrition Act. ²

The food service program shall restrict the sale of foods of minimal nutritional value as defined by the U.S. Department of Agriculture in the food service areas during meal periods. All revenue from the sale of any food or beverages sold in competition with the School Breakfast Program or National School Lunch Program to students in food service areas during the meal period shall accrue to the nonprofit school lunch program account. ³

LEGAL REF.: B. Russell National School Lunch Act, 42 U.S.C. §1751 et seq.
 Child Nutrition Act of 1966, 42 U.S.C. §1771 et seq.
 42 U.S.C. §1779, as implemented by 7 C.F.R. §210.11.
 105 ILCS 125/
 23 Ill.Admin.Code Part 305, School Food Service.

CROSS REF.: 4:130 (Free and Reduced-Price Food Services), 6:50 (School Wellness)

The footnotes are not intended to be part of the adopted policy; they should be removed before the policy is adopted.

¹ State or federal law controls this policy's content. The requirements contained in this policy are mandatory only for those districts that participate in programs under the National School Lunch Act and Child Nutrition Act.

ISBE's so called "junk food" rule limits the type and amounts of food and beverages that may be sold to students in grades 8 or below before school and during the regular school day in any school that participates in the School Breakfast Program or the National School Lunch Program (23 Ill.Admin.Code §305.15(a).

This policy's first sentence provides an opportunity for a school board to consider goals for the food service program and, if appropriate, amend the sentence. For example, a board may want to address the role of parents, alignment with curriculum, or the purpose of vending machines.

² This sentence may be omitted by a high school district.

³ This paragraph concerns the requirements for food and beverages sold in competition to the school's food service. The federal rule, 7 C.F.R. §210.11, requires school districts to:

[E]stablish such rules or regulations as are necessary to control the sale of foods in competition with lunches served under the program. Such rules or regulations shall prohibit the sale of foods of minimal nutritional value, as listed in appendix B of this part, in the food service areas during the lunch periods.

The State rule, 23 Ill.Admin.Code §305.15(e), requires that the revenue from all food sold in competition with the School Breakfast Program or National School Lunch Program to students in food service areas during the meal period accrue to the nonprofit school lunch program account.

Operational Services

Food Services

The Superintendent or designee shall establish such administrative procedures to control food sales which compete with the District's non-profit food service in compliance with the Child Nutrition Act.

Specifically, food service rules shall restrict the sale of foods of minimal nutritional value as defined by the U.S. Department of Agriculture in the food service areas during the meal periods.

LEGAL REF.: 42 U.S.C. § 1779, as implemented by 7 C.F.R. § 210.11.

State Board of Education, Sub-Chapter 1, Food Program, Part 305.

ADOPTED: May 20, 2002