

contact the building administrator or Superintendent/designee.

Legal Reference: Ch. 51 (Dept. of Educ. Rule) (Child Nutrition Programs in Public Schools and Institutions)

Cross References: JL - School Wellness  
KG - Community Use of School Facilities

Adopted: June 21, 2006

As allowed by Rule Chapter 51, the Board permits the sale of food and beverages outside the total food program:

1. To attendees at school-sponsored community events held on school property (i.e., school-sponsored events that are open to the public), so long as healthy food choices are also available.
2. To the public at community events held on school property in accordance with the Board's facilities use policy, so long as healthy food choices are also available.
3. By a school, approved student organization or program if consistent with the requirement that such sales not include foods of minimal nutritional value as defined in 7 C.F.R. § 210.11(a)(2).

This policy applies to sales of foods and beverages at any time on school property by any person, group or organization.

No soda (soft drinks) will be allowed to be sold on school property at any time.<sup>3</sup>

## **FUNDS FROM SALES OF COMPETITIVE FOODS**

Funds from all food and beverage sales made at any time on school property shall accrue to the benefit of the school's non-profit school food service program, except that funds raised through authorized sales outside the total food service program shall accrue to the sponsoring school or approved student organization in accordance with applicable policies, cash-management procedures and administrative directives, or to the sponsor of a community event that is held on school property in accordance with the Board's facilities use policy.

## **DELEGATION OF RESPONSIBILITY**

The Superintendent/designee shall be responsible for enforcement of this policy. A school unit employee who observes conduct he/she believes to be a violation of this policy or is informed of such conduct by a parent, student or community member should

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<sup>3</sup> *Soda Water* - A class of beverages made by absorbing carbon dioxide in potable water. The amount of carbon dioxide used is not less than that which will be absorbed by the beverage at a pressure of one atmosphere and at a temperature of 60° F. It either contains no alcohol or only such alcohol, not in excess of 0.5 percent by weight of the finished beverage, as is contributed by the flavoring ingredient used. No product shall be excluded from this definition because it contains artificial sweeteners or discrete nutrients added to the food such as vitamins, minerals and protein.

## **COMPETITIVE FOOD SALES – SALES OF FOODS IN COMPETITION WITH THE SCHOOL FOOD SERVICE PROGRAM**

The Raymond School Department supports good nutrition as part of a school environment that contributes to student health and encourages positive food choices and eating habits. The Board believes that nutrition influences a student's ability to take full advantage of the school system's educational program and is, therefore, related to student achievement.

The Board also recognizes that proceeds from the sale of foods and beverages outside of the School Lunch Program ("competitive foods") are a significant source of funds for student activities that Raymond School Department might not otherwise be able to provide.

The Board has adopted this policy to govern the sale of foods and beverages on school property.

### **RESTRICTION ON SALE OF COMPETITIVE FOODS**

Maine Department of Education Rule Chapter 51 mandates that any food or beverage sold at any time on school property of a school participating in the National School Lunch or School Breakfast Programs shall be a planned part of the total food service program<sup>1</sup> of the school and shall include only those items which contribute both to the nutritional needs of children and the development of desirable food habits, and shall not include foods of minimal nutritional value as defined in applicable federal regulations<sup>2</sup>, except as provided for by school board policy in certain circumstances.

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<sup>1</sup> According to DOE Rule Chapter 51 (1)(b), the "Total Food Service Program" includes the federal Milk Program as defined in 7 C.F.R. § 215; the federal Breakfast Program, which means the federal program under which a breakfast that meets the nutritional requirements set forth in 7 C.F.R. § 220 is offered; the National School Lunch Program (including the After School Snack), which means the federal program under which the school operates a nonprofit lunch program that meets the requirements of 7 C.F.R. § 210; or any combination of these programs.

<sup>2</sup> "Foods of minimal nutritional value" as defined in 7 C.F.R. § 210.11(a)(2) means: (a) In the case of artificially sweetened foods, a food which provides less than five percent of the Reference Daily Intake (RDI) for each of the eight specified nutrients per serving; (b) in the case of all other foods, a food which provides less than five percent of the RDI for each of eight specified nutrients per 100 calories and less than five percent of the RDI for each of eight specified nutrients per serving. The eight nutrients to be assessed for this purpose are: protein, vitamin A, vitamin C, niacin, riboflavin, thiamin, calcium, and iron. This definition is applicable to foods that are part of the total food service program of the school and to foods and beverages sold at food sales, school stores, and in vending machines. A listing of "Categories of Foods of Minimal Nutritional Value" is in Appendix B to 7 C.F.R. Part 210 (National School Lunch Program).