

FOOD SERVICE – SALE OF OTHER FOODS AND BEVERAGES

In compliance with state Board Policy, all other foods and beverages made available on school premises during the school day must meet the requirements set forth in this policy. In order to promote healthy eating habits, the consumption of fruits, vegetables, whole grains and non-fat and/or 1% low-fat dairy products should be encouraged. Other foods and beverages available to students on school premises shall contribute to students' nutrient requirements and should not add unnecessary calories, fat, sugar or sodium.

While West Virginia law allows county boards to permit the sale of soft drinks to students in high schools, Tyler County Board of Education strongly recommends that only water, 100% fruit and/or vegetable juice and non-fat and/or 1% low-fat milk, flavored or unflavored to be sold, served or distributed during the school day. It is required that all other foods and beverages available during the school day reflect the following requirements:

- a. Limit total calories to no more than 200 per product/package;
- b. Limit total fat to no more than 35% of calories per product/package excluding nuts, seeds or cheese;
- c. Limit saturated fat to less than 10% of the total calories;
- d. Limit trans fat to less than or equal to 0.5 grams per product/package;
- e. Reduce sugar content of food items to no more than 35% of calories per product excluding fruits;
- f. Limit sodium to no more than 200 milligrams per product/package;
- g. At all grade levels, it is recommended that only water, 100% fruit and/or vegetable juice and non-fat and/or 1% low-fat milk, flavored or unflavored be sold, served or distributed during the school day. However, W.Va. Code 18-2-6a permits the sale of other juice beverages with a minimum of 20% real juice. The product must be labeled or the principal must have proof of the percent of juice content in each product sold. The proof must be written on company/vendor letterhead and signed by an authorized company official;
- h. No candy, soft drinks, chewing gum or flavored ice bars will be sold, served or distributed during the school day, except that, W. Va. State Code 18-2-6a permits the sale of soft drinks to students in county high schools except during breakfast and lunch periods;
- i. Recommended that other juice beverages not contain added sugar;
- j. Limit fruit/vegetable juice portion sizes to no more than 4oz. for elementary students and no more than 8oz. for middle/high school students per product/package;
- k. Prohibit the sale, service or distribution of coffee and coffee-based products during the school day;
- l. Prohibit caffeine containing beverages with exception of those containing trace amounts of naturally occurring caffeine substances; and
- m. Prohibit the sale, service or distribution of any foods containing non-nutritive/artificial sweeteners.

Except for foods served in the school nutrition programs, no food or beverage shall be sold, served or distributed to students in elementary schools from the time the first child arrives at school until 20 minutes after all students are served lunch.

Foods and beverages shall not be offered as a reward or used as a means of punishment or disciplinary action for any student during the school day. Foods and beverages may not be sold, served or distributed in competition with the federal child nutrition programs in the food service areas during the meal service periods. Other foods and beverages may not be sold, served or distributed in such a way as to encourage the distribution or purchase of these items as a ready substitute for, or in addition to, reimbursable meals. Wherever and whenever foods are sold, served or distributed on school premises, outside the school day, such foods shall include nutritious choices.

Due to special dietary needs and food safety concerns, foods and beverages brought or delivered from outside sources may be consumed only by individual students for which they were brought or delivered, and not by the general student population. Organized food events and celebrations held during the school day shall be regulated and monitored by school personnel to meet the requirements of this policy.

Food and beverage contracts must comply with WV126 CSR 202, WVBE Policy 8200, Purchasing Policies and Procedures Manual for Local Educational Agencies. All contracts shall be approved and signed by the county board or the county superintendent, if approval authority has been delegated by the board to the superintendent. County boards of education are statutorily created and given authority to contract. Individual schools do not have such authority. All food and beverage contracts or agreements regarding public schools and vendors shall meet all purchasing standards as set forth in policy and code and shall be competitively negotiated. Contracts that extend beyond a fiscal year shall contain a clause allowing the board to terminate the contract at the end of each year. Contracts shall facilitate the WVBE efforts to offer and promote nutritious food and beverage choices.

REFERENCE: WV Board of Education Policy 4321.1

DATE: 2/1/16, 2/18/13, 2/15/10, 3/19/07, 9/18/95