

COMPETITIVE FOOD SALES—SALES OF FOODS IN COMPETITION WITH THE SCHOOL FOOD SERVICE PROGRAM

The RSU #2 Board of Directors 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 RSU #2 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 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, except as provided for by school board policy in certain circumstances.

As allowed by Rule Chapter 51, the Board permits the sale of food and beverages outside the total food program until alignment with other policies remove the following exemptions to:

- A. school staff
- B. the public at community events sponsored by the school or held on school property
- C. the public at community events held on school property in accordance with the school board's facilities use policy
- D. State-approved, instructional Career and Technical Education (CTE) Culinary Arts Programs.

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

When foods and beverages are sold to raise funds for schools or student activities, students, staff, parents, or school-sponsored organizations involved in such sales required to meet or surpass the standard of foods with nutritional value as defined in Chapter 51 (greater than 5% / 100 calories of one or more of the eight nutrients) unless an exemption applies as noted above. The eight nutrients to be assessed for this purpose are: protein, vitamin A, vitamin C, niacin, riboflavin, thiamin, calcium and iron.

When foods and beverages are sold to attendees at community events sponsored by the school or held on school property, students, staff, parents, or school-sponsored organizations involved in such sales are encouraged to include at least some healthy food choices.

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 the local school board or the Career and Technical Education Center cooperative board, established in accordance with 20-A MRSA Section 8301-A (6), may establish, by policy, a process whereby a school approved student organization or sponsor of an event held in accordance with A, B and C. above is allowed to benefit from the sale of food and beverages. This includes foods and beverages sold at food sales, community events, school stores and vending machines.

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 contact the building administrator or Superintendent/designee.

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

Cross References: DFF - Income from School Sales and Services
JJE - Student Fundraising Activities
JJF - Student Activities Funds
KF - Community Use of School Facilities
KJA - Relations with Booster Organizations

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