

FUNDRAISERS

Guidance for Schools



COMPETITIVE FOODS

WHAT ARE COMPETITIVE FOODS?

California Education Code (EC) Section 49430(c) and the Code of Federal Regulations (CFR), Title 7 Section 210.11(a)(2) define “competitive foods” as all foods and beverages that are 1) sold, 2) to a student, 3) on the school campus, 4) during the school day and, 5) outside of the federally reimbursable meal program. All five criteria must be true in order for the competitive food rules to apply.

FUNDRAISER POLICY

WHAT IS ALLOWED?

Foods and/or beverages that comply with state and federal competitive food and beverage requirements are allowed to be sold to a student on the school campus during the school day outside of the federal meal programs.

WHERE CAN NON-COMPLIANT FUNDRAISERS TAKE PLACE?

If the foods and/or beverages are noncompliant according to EC, sections 49430, 49431, 49431.2, and 49431.5, the student must purchase them off the school campus or one-half hour after the end of the school day.

STUDENT ORGANIZATIONS

Effective from midnight to one-half hour after the end of the official school day. Student organization sales must comply with all food and beverage standards **and** all of the following:

1. Up to three categories of foods or beverages may be sold each day (e.g., chips, sandwiches, juices, etc.).
2. Food or beverage item(s) must be pre-approved by Nutrition Services.
3. Only one student organization is allowed to sell each day.
4. Food(s) or beverage(s) cannot be prepared on campus.
5. The food or beverage categories sold cannot be the same as the categories sold in the food service program at that school during the same school day.
6. In addition to one student organization sale each day, any and all student organizations may sell on the same four designated days per year.

PARENT GROUPS

CAN PARENT GROUPS SELL DURING THE SCHOOL DAY?

Parent groups are not allowed to sell any food items to students during the school day. Any food sales must occur either off-campus or one-half hour after the end of the school day.

GLOSSARY OF TERMS



Competitive Foods: all foods and beverages sold to students on school campus during the school day outside the reimbursable meal programs (Title 7, Code of Federal Regulations [7 CFR], Section 210.11[a][2])

School Campus: all areas of the property under the jurisdiction of the school that are accessible to students during the school day (7 CFR, Section 210.11[a][4])

School Day: the period from the midnight before to 30 minutes after the end of the official school day (7 CFR, Section 210.11[a][5])

‘Sold’: the exchange of food or beverages for money, coupons, vouchers, or order forms, when any part of the exchange occurs on a school campus.

Student Organization: a group of students that are not associated with the curricula or academics of the school or district.

Elementary School: contains no grade higher than grade 6.

Middle/Junior high: contains grades 6, 7 to 8.

High School contains any of grades 9 to 12.

Compliant Foods and Beverages: a.) must meet the general food standard per category, b.) must meet the nutrition standards for NLPS and Smart Snacks.

FAQS

Q; Why do we have to follow the competitive food rules?

A: Schools that participate in the National School Breakfast or Lunch Program must comply.

Q: Are there separate requirements for food and/or beverages?

A: Yes

Q: How many food fair days are school allowed per school year?

A. 4 (four)

Q: Can coffee or boba milk tea be sold to students?

A: No, all beverages must be caffeine-free.

Q: Can food or beverages be prepared on campus or at home?

A: No, all items sold to students must be store bought.

Q: Can we sell the same items that Nutrition Services sells?

A: No, not during the same school day.

Q: Do the competitive food requirements apply to foods and beverages that are not sold to students?

A. No, but the food and beverages should align with the District Wellness Policy.

For more information, visit <https://www.cde.ca.gov/ls/nu/he/compfoods.asp>

Nutrition Services: email us at nutrition@wvusd.org visit our website www.walnutnutrition.org