

VERMONT2008

Nutrition Guidelines for Competitive Food and Beverage Sales in Schools

Report to the Legislature on **Act 203 Section 16**
January 15, 2009



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Executive Summary

In accordance with **Act 203 section 16**, The Department of Education, Department of Health and Agency of Agriculture convened a working group of partners to update the Vermont nutrition policy guidelines created in 2005.

The group revised the guidelines for all foods sold outside of the school meals program using current science based standards as a guide. The revised guidelines were distributed to all schools in October of 2008.

To assist schools with implementation, the Department of Health, Department of Education and Vermont Action for Healthy Kids team developed the Healthy Schools Resource for nutrition, physical activity and physical education. Training and technical assistance for using this resource is ongoing.

Plans are underway to gather data and provide technical assistance to support schools as they work to adopt the revised nutrition guidelines.

Introduction

Section 16 of Act 203 (2008) charges the Department of Education, Department of Health and Agency of Agriculture to update the current Vermont nutrition policy guidelines applicable to competitive foods and beverages sold outside of the federally reimbursable school nutrition programs. Act 203 calls for a report on the number of school districts that have and have not adopted a policy that is substantially the same as the Vermont nutrition guidelines. This report outlines the progress to date, partners involved, recommendations for preliminary action and next steps.

Background

The epidemic of childhood obesity has raised concerns among health professionals, parents, school administrators and educators. Schools are an important part of the community and interact with parents, students and community members on a daily basis. Schools provide an ideal setting to educate students and the community about establishing healthy eating habits that contribute to maintaining a healthy weight.

The Child Nutrition and WIC Reauthorization Act of 2004 required all school districts participating in the federal school meals program to have a local school wellness policy in place by the start of the 2006 school year. To aid schools in meeting this requirement the Department of Health, Department of Education and Agency of Agriculture developed the Nutrition and Fitness Policy Guidelines in 2005. These guidelines were distributed to schools statewide. At the same time the Vermont School Boards Association (VSBA) drafted a broad model policy to assist schools in meeting the federal Wellness Policy requirements. The broader VSBA policy includes a statement that where practicable, schools will adhere to the Vermont Nutrition and Fitness Policy Guidelines.

In December of 2006, a survey of school supervisory unions found that 73% of districts had a policy in place and, of those, 72% used the VSBA model and 15% followed the Vermont Nutrition and Policy Guidelines. In 2007, a survey of local school staff found that only 51% reported having a wellness policy in place. Although wellness policies may be in place at the Supervisory Union level, local school staff may not be aware of them.

In order to support schools with implementation of their wellness policies and best practices, the Department of Health staff, along with the Department of Education and Vermont Action for Healthy Kids Coalition, developed the Vermont Healthy Schools Resource for Nutrition, Physical Activity, and Physical Education which can be found online at http://healthvermont.gov/local/school/healthy_schools.aspx. These tools include implementation ideas, resources and Vermont success stories. Trainings and outreach to schools are ongoing and include presentations at meetings and conferences and distribution of the resource by partner organizations and the Department of Health local health staff. It is essential that schools receive ongoing technical assistance and support to assess, plan and implement components of their wellness policies.

Revised Nutrition Guidelines

The passage of Act 203 Section 16 directs the Department of Education, Department of Health and Agency of Agriculture to update the 2005 nutrition guidelines relying on science based nutrition standards recommended by the Alliance for a Healthier Generation, Institute of Medicine, and other relevant science based resources.

A working group was established to revise the 2005 school nutrition policy guidelines. Organizations represented on the work group include Department of Education, Department of Health, Agency of Agriculture, Heart Association, and New England Dairy Council. The group reviewed the current nutrition guidelines, examples from other

states and guidelines put forth from the Alliance for a Healthier Generation and the Institute of Medicine. The Alliance for a Healthier Generation is a collaborative of the American Heart Association and Clinton Foundation established to support schools with implementation and best practices for school nutrition standards. The working group chose to follow the Alliance for a Healthier Generation Guidelines with a few allowances and changes. Changes include allowing for regular cheese with a portion size of less than 1 ½ ounces, calorie limits for portions of yogurt less than 8oz and allowance for 100% grape juice. The Vermont Nutrition Standards apply to all foods sold outside of the federal reimbursable school breakfast and lunch program. This includes items sold a la carte on the cafeteria line, in vending machines, in school stores, and at fundraisers that occur during the school day. Foods sold at these venues often compete with the school meals program reducing participation and revenue from federal reimbursement.

The revised guidelines along with a letter from the Commissioners of the Departments of Education, Health, and Agriculture were sent to all superintendants and school principals in October of 2008.

Next steps

Act 203 sec.16 directs the Commissioners of the Departments of Education and Health to report to the legislature on the number of school districts that have and have not adopted a nutrition policy that is substantially the same as the revised Vermont nutrition policy guidelines. Because the guidelines were released in October of 2008, it is not feasible for schools to have adopted the revised guidelines, or to report on the status of adoption at this time. A status report will be prepared and submitted to the legislature by January of 2010.

The initial step toward reaching the goal that all schools will meet the new guidelines will be to identify how far individual schools have progressed toward the goal. An existing system currently in use for reporting school health measures will support this data collection with minimal additional effort. The data can then be used to target a variety of interventions tailored to the needs of individual schools.

To provide additional support to schools implementing the new guidelines, the Department of Health and Heart Association are partnering with the Alliance for a Healthier Generation. The Alliance will provide technical assistance and support to Vermont and local schools for the adoption of the revised nutrition guidelines.

Resources and References

1. Updated Vermont Nutrition and Fitness Policy Guidelines

http://education.vermont.gov/new/pdfdoc/pgm_nutrition/school_nutrition/policy/nutrition_poicy_guidelines_1008.pdf

2. Vermont Healthy Schools Resource

http://healthvermont.gov/local/school/healthy_schools.aspx

3. Alliance for a Healthier Generation

<http://www.healthiergeneration.org/default.aspx>



Vermont Nutrition and Fitness Policy Guidelines

Developed by:

Agency of Agriculture, Food and Markets
Vermont Department of Education
Vermont Department of Health

(Pursuant to Act 161 of the 2004 Vermont Legislative Session)

November 2005
Revised October 2008



October 2008

Dear Fellow Vermonter:

The enclosed document, *Vermont Nutrition and Fitness Policy Guidelines*, is the result of the collaboration between the Agency of Agriculture, Food and Markets and the departments of Education and Health, and was originally developed in 2005. It is available online at http://www.state.vt.us/educ/new/html/pgm_nutrition.html#policy_guidelines. These guidelines provide schools with the most recent information on best practices for school nutrition and physical fitness that may influence the rates of child and adolescent obesity and enhance academic performance.

In response to Act 203, passed in the 2008 legislative session, we have revised the 2005 guidelines to reflect updated science based standards for foods sold outside of the school meals program. The revised guidelines are based on the 2005 Dietary Guidelines and reflect current science and recommendations from national organizations including the American Academy of Pediatrics, American Heart Association, American Dietetic Association, and Institute of Medicine. Implementation of the nutrition guidelines assures that healthful food choices are offered in schools.

We recognize that components of these guidelines may present economic and time pressures for local school systems. Therefore, we are recommending a *two-year phase-in period* to allow food and beverage manufacturers to develop products to meet the guidelines and for schools to address implementation and vendor contract issues.

All schools participating in the National School Lunch Program are required to adopt a school wellness policy. The Vermont School Boards Association has developed a model school wellness policy which will meet the minimum requirements of the federal legislation. We recommend that school districts use the *Vermont Nutrition and Fitness Policy Guidelines* to enhance the language of the model policy within the context of their overall mission.

For additional ideas on how to implement school wellness policies the Departments of Health and Education and the Vermont Action for Healthy Kids team developed the *Vermont Healthy Schools Resource: Nutrition and Physical Activity* that can be found at http://healthvermont.gov/local/school/healthy_schools.aspx

We hope that you find these resources valuable tools as you work to implement the nutrition guidelines and assure that healthful food choices are available in all Vermont schools.

Sincerely,

Roger Allbee
Secretary
Agency of Agriculture,
Food and Markets

Bill Talbott
Commissioner
Department of Education

Wendy S. Davis, MD
Commissioner
Department of Health

The Vermont Department of Education in collaboration with
Department of Health and Agency of Agriculture, Food & Markets

Nutrition and Fitness Policy Guidelines

Introduction

Vermont's Nutrition and Fitness Policy Guidelines were developed by representatives from the Department of Education, Department of Health, Agency of Agriculture, and Vermont educators. The guidelines are divided into five sections:

- I. Nutrition
- II. Physical Education
- III. Physical Activity
- IV. Implementation
- V. Reporting to the Community

The purpose of this document is to provide guidance for district policy writers. This document is intended for use by districts drafting their own policies. The concepts represent the best practices available today and are reflective of the highest standards to which schools should aspire.

The Guidelines are based on the following:

- In order for children to achieve their full academic potential, healthy-eating patterns are essential. A well planned and well implemented school nutrition program positively influences students' eating habits. Consuming a variety of nutritious foods promotes healthy growth and development and provides the necessary energy for learning.
- A comprehensive physical education program, coupled with moderate to vigorous physical activity on a daily basis, has been shown to improve student learning and well-being. Quality physical education programs positively impact students' physical, social and emotional health. The goal of physical education is to instill a passion for lifelong physical activity. This is accomplished by incorporating a variety of programs in the curriculum.

I. Nutrition

A. Nutritious Food Choices

1. Nutritious foods are available wherever and whenever food is sold or otherwise offered at school.
2. See Appendix A for the definition of nutritious foods.

B. The School Food Service Program

1. Menus are planned to conform to the Dietary Guidelines for Americans and the nutrient standards established in the regulations of the National School Lunch Program (7CFR 210) and the School Breakfast Program (7CFR 220).
2. A la carte (see Appendix A for definition) foods conform to the Guidelines outlined in Appendix B.
3. Food pricing strategies are designed to encourage students to purchase nutritious items and/or reimbursable meals.
4. Compatible with federal regulations for such purchases, the food service program establishes procedures to include locally grown foods and beverages in the development of purchasing bids or procedures. Procedures to promote the purchase of locally grown products may include:
 - a. purchasing partnerships with local farms and farmers, manufacturers, and small processors;
 - b. taking advantage, where possible, of local products that are already available through distributions channels in the state such as eggs, milk and dairy products, apples, and other produce;
 - c. asking local distributors to carry Vermont products in their inventory to allow for easier availability to schools; and
 - d. writing bid contracts that allow districts to buy local products “off bid” if primary vendors cannot or will not sell them.

C. Other Food Choices at School

1. Foods and beverages available at school support the nutritional needs of students, are nutritious and meet the Guidelines outlined in Appendix B.
2. All food sales on school grounds are under the management of the school food service program. Nutritious foods are included at any time foods are sold at school to raise funds.
3. Foods sold through vending machines conform to the Guidelines outlined in Appendix B. No foods are sold from vending machines during meal service times.

4. To the extent possible, foods sold in vending machines, school stores, snack bars, and other venues are purchased using the practices described above regarding locally grown foods.

D. Promoting Healthy Eating Behaviors

1. Students and staff have adequate space to eat meals in pleasant surroundings and adequate time to eat, relax, and socialize. At a minimum, lunch periods are at least 20 minutes long. Sufficient transition time is also provided.
2. Nutrition education is integrated within the health education program. Nutrition education focuses on developing healthy eating behaviors, is based on theories and methods proven effective by research, and is consistent with Vermont's health education standard 3.5.
3. To the extent possible, lunch periods are scheduled to follow recess periods (in elementary schools).
4. Food is not used as a reward or a punishment for students.

II. Physical Education Program

A. Instructional Program

1. The physical education program is sequential, developmentally appropriate and, in alignment with the National Association for Sports and Physical Education, a minimum of 150 minutes per week for elementary school students and 225 minutes per week for middle and high school students. The majority of physical education class time is spent in moderate to vigorous physical activity.
2. Classes are taught by licensed physical education teachers.

B. Facilities

1. The school provides a safe environment to implement the program. A safety inspection is conducted annually.
2. The school provides both functional and protective equipment for all students to participate actively and safely.
3. The school minimizes interruptions to scheduled physical education classes. This includes interruptions due to scheduling non-physical education activities in physical education facilities.

C. Curriculum

1. The curriculum uses developmentally-appropriate components of a health-related fitness program, e.g. Fitnessgram, Physical Best, or President's Challenge.

2. The curriculum equips students with the knowledge, skills and attitudes necessary for lifelong physical activity.
3. The curriculum offers students multiple opportunities to prepare for a variety of lifetime physical activities.
4. The curriculum builds students' competencies in their own physical abilities and thus improves their self confidence.
5. The physical education program is closely coordinated with the overall school health program. Physical education topics are integrated within other curricular areas. In particular, the benefits of being physically active are linked with instruction about human growth, development, and physiology in science classes and with instruction about personal health behaviors in health education class.
6. The physical education curriculum and assessments are aligned with standard 3.6 of the Vermont Framework for Standard and Learning Opportunities and with the Vermont Physical Education Grade Expectations.

D. Inclusion (Adapted Physical Education)

1. The physical education program includes all students, unless otherwise contra-indicated medically.
2. Suitable adapted physical education is included as part of Individual Education Plans (IEPs) for students with chronic health problems, other disabling conditions, and other special needs that preclude participation in regular physical education instruction or activities.
3. A student with a chronic health problem or other disabling condition is permitted to participate in any extra-curricular activity, including interscholastic athletics, if the student's skills and physical condition meet the same qualifications as other students. The school makes reasonable accommodations to allow the student to participate.

III. Physical Activity

A. Recess

1. Supervised unstructured active play, commonly referred to as recess is offered daily for all students Pre-K–8. Recess is in addition to a student's physical education class and not substituted for physical education class.
2. Recess and other physical activity shall not be taken away as a form of discipline unless doing so is directly related to a student's behavior during recess.
3. Proper equipment and a safe area is designated for recess.

4. Opportunities are provided for students, in grades 9-12, to be physically active during the school day, in a safe environment, beyond the physical education class. Activities may include open time in the gymnasium, walking programs or aerobic activities.

B. Interscholastic Sports (Athletics)

1. Instruction/coaching is designed to develop sport specific skills that are based on appropriate teaching/learning progressions.
2. Instruction/coaching provides a learning environment that is appropriate to the characteristics of the athletes and goals of the program.
3. Instruction/coaching utilizes a variety of teaching strategies to improve athletic performance and development.
4. Instruction/coaching uses appropriate forms of motivation and provides constructive feedback to athletes.

C. Before and After-School Programs

1. The school works with the community to provide an avenue for reaching all students before and after school through organized physical activities (e.g. intramurals, interscholastic sports, community-based programs, and other activities).
2. Use of the school facilities by community members for physical activities is encouraged.

IV. Policy Implementation

There is a plan for measuring the implementation of the policy, including designation of one or more persons charged with operational responsibility for ensuring that the policy is enforced.

V. Reporting to the Community

A. Report Topics

In reporting nutrition and fitness data, in a format easily understood by the public, the school will be in compliance with state and federal confidentiality laws. Data for the report is available from the following sources:

1. Physical fitness data such as Fitnessgram, Physical Best or the President's Challenge on Physical Fitness
2. Youth Risk Behavior Survey (YRBS) data
3. School Lunch Program data, such as the percentage of students participating in the meals program.

4. Physical Education and athletic program data, such as the percentage of students participating in physical education classes, athletics and intramural sports.
5. Wellness Program data, such as the percentage of students participating in special wellness programs run by the District throughout the year.
6. Health Services Program data, such as the percentage of students with a healthcare and dental provider.

B. Report Mechanism

A report on the health status of students is included in the report the District develops to comply with 16 VSA §165(a) (2) (B).

Appendix A Definitions

A la carte food - A la carte food includes all foods sold by the food service program that are not part of a reimbursable meal.

Intramurals – Competitive and non-competitive programs that are provided *by* the school *for* students enrolled in the school.

Nutritious foods - Nutritious foods are nutrient-dense foods including whole grains; low-fat or non-fat dairy products; fresh, frozen or canned fruits and vegetables; lean meats, poultry, fish, and beans. Nutritious foods exceed the nutrient levels of Foods of Minimal Nutritional Value, which have been identified by the United States Department of Agriculture (7 CFR 210, Appendix B).

Appendix B

Vermont Nutrition Standards for All Foods Sold Outside of Reimbursable School Meals

Standards for Elementary Schools	
During Meal Service Periods Eliminate foods that are sold outside of the breakfast and lunch programs	
Snacks & Breaks	
Beverages	
<ul style="list-style-type: none"> • Bottled water • 100% fruit or vegetable juice, portion size no larger than 4 oz • Low or non-fat white or flavored milk, portion size no larger than 8 oz with up to 150 calories per 8 oz • Drinkable yogurt portion size no larger than 8 oz with up to 150 calories per 8 oz 	
Foods	
Yogurt	Portion size no larger than 6 oz 6 oz portions must be equal to or less than 150 calories per serving 4 oz portions must be equal to or less than 100 calories per serving
Cheese	Regular and reduced fat cheese – portion size no larger than 1½ oz
Calorie Limits	Fresh foods & vegetables – no limits Vegetables with sauce – 100 calories (1 nutrient); 150 calories (2 nutrients) Soups – 100 calories (1 nutrient); 150 calories (2 nutrients) All other snacks: 150 calories (see sodium limits for the nutrient list)
Fat Limits	≤ 35% of total calories from fat with ≤10% of calories from saturated fat or ≤ 1 gram of saturated fat and 0 grams of trans fat. Exception: nuts, nut butters, and seeds
Sugar Limits	≤ 35% sugar by weight and no more than 30 grams per 8 oz portion, with the exception of fruits
Sodium Limits	≤ 230 mg of sodium with the following exceptions: <ul style="list-style-type: none"> • Low fat and fat free dairy products must be < 480 mg sodium • Vegetables with sauce and soups must be < 480 mg sodium and contain one or more of the following: ≥ 2 grams of fiber; or ≥ 5 grams of protein; or ≥ 10% Daily Value of Vitamin A,C,E, folate, calcium, magnesium, potassium, or iron; or > ½ serving (1/4 cup) of fruit or vegetables

Standards for Middle Schools (if middle and high school students have shared access to cafeterias and common areas the school has the option to adopt the high school standards)	
During Meal Service Periods limit foods sold outside of the breakfast and lunch programs to items that supplement, rather than compete with, the meal. Entrees that qualify as a meal component of the reimbursable school breakfast or school lunch program should not be sold as a la carte items.	
Beverages	
<ul style="list-style-type: none"> • Bottled water • 100% fruit or vegetable juice, package size is no larger than 10 oz • Low or nonfat white or flavored milk, portion size no larger than 10 oz with up to 150 calories per 8 oz • Drinkable yogurt portion sizes no larger than 10 oz with up to 150 calories per 8 oz 	
Foods	
Yogurt	Portion size no larger than 6 oz 6 oz portions must be equal to or less than 150 calories per serving 4 oz portions must be equal to or less than 100 calories per serving
Cheese	Regular and reduced fat cheese – portion size no larger than 1½ oz
Calorie Limits	Fresh Foods & Vegetables – no limits Vegetables with Sauce – 100 calories (1 nutrient); 150 calories (2 nutrients) Soups – 100 calories (1 nutrient); 150 calories (2 nutrients) All other snacks: 180 calorie limit (see sodium limits for the nutrient list)

Standards for Middle Schools (if middle and high school students have shared access to cafeterias and common areas the school has the option to adopt the high school standards)	
Fat Limits	≤ 35% of total calories from fat with ≤ 10% of calories from saturated fat or ≤ 1 gram of saturated fat and 0 grams of trans fat. Exception nuts, nut butters, and seeds
Sugar Limits	≤ 35% sugar by weight and no more than 30 grams per 8 oz portion, with the exception of fruits
Sodium Limits	<p>≤ 230 mg of sodium with the following exceptions:</p> <ul style="list-style-type: none"> • Low fat and fat free dairy products can have ≤ 480 mg sodium • Vegetables with sauce and soups must be ≤ 480 mg sodium and contain one or more of the following: ≥ 2 grams of fiber; or ≥ 5 grams of protein; or ≥ 10% Daily Value of Vitamin A,C,E, folate, calcium, magnesium, potassium, or iron; or ≥ ½ serving (1/4 cup) of fruit or vegetables

Standards for High Schools	
During Meal Service Periods	
Foods that are sold outside of the breakfast and lunch programs are limited to items that supplement rather than compete with, the meal. Entrees that would qualify as a meal component for the reimbursable school breakfast or school lunch program are not sold as a la carte items.	
Beverages	
<ul style="list-style-type: none"> • Bottled water • Juice beverages are 100% fruit or vegetable juice, and the package size is no larger than 12 oz • Low or nonfat white or flavored milk, portion size no larger than 12 oz with up to 150 calories per 8 oz • Drinkable yogurt can be offered in portion sizes no larger than 12 oz with up to 200 calories per 8 oz 	
Foods	
Yogurt	<p>Portion size no larger than 8 oz</p> <p>8 oz portions must be equal to or less than 200 calories per serving</p> <p>6 oz portions must be equal to or less than 150 calories</p>
Cheese	Regular and reduced fat cheese – portion size no larger than 1½ oz
Calorie Limits	<p>Fresh Foods & Vegetables – no limits</p> <p>Vegetables with Sauce – 100 calories (1 nutrient); 150 calories (2 nutrients)</p> <p>Soups – 100 calories (1 nutrient); 150 calories (2 nutrients)</p> <p>All other snacks: 200 calories (see sodium limits for the nutrient list)</p>
Fat Limits	≤ 35% of total calories from fat with ≤ 10% of calories from saturated fat or ≤ 1 gram of saturated fat and 0 grams of trans fat. Exception: nuts, nut butters, and seeds
Sugar Limits	≤ 35% sugar by weight and no more than 30 grams per 8 ounce portion, with the exception of fruits
Sodium Limits	<p>≤ 230 mg of sodium with the following exceptions:</p> <ul style="list-style-type: none"> • Low fat and fat free dairy products can have ≤ 480 mg sodium • Vegetables with sauce and soups must be ≤ 480 mg sodium and contain one or more of the following: ≥ 2 grams of fiber; or ≥ 5 grams of protein; or ≥ 10% Daily Value of Vitamin A,C,E, folate, calcium, magnesium, potassium, or iron; or ≥ ½ serving (1/4 cup) of fruit or vegetables

References

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The Surgeon General's Call for Action to Prevent and Decrease Overweight and Obesity, 2001

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