Senate Bill (SB) 210 Timelines and Action Steps

Ohio Department of Education
Office for Child Nutrition

Summary of SB 210

- 1. Limit access to unhealthy foods and beverages in schools.
- 2. Increase daily physical activity.
- 3. Raise standard for physical & health education programs.
- 4. Implement body mass index screening.
- 5. Develop/implement a school health measure on district and building report cards.
- 6. Create Healthy Choices Healthy Children Council.
- 7. Develop a best practice registry.



SB 210: Impact on Students

- Nutrition research indicates that children who eat breakfast are physically healthier and better able to focus and retain information/ideas presented in the classroom.
- Brain research shows that physical activity increases brain cognition and reduces student anxiety.
- Quality health and physical education programs taught by certified instructors help build the critical thinking and interpersonal skills children need to make good decisions about their health and wellness.

SB 210: Opportunity for Schools

By implementing strategies to support SB 210, school districts create healthy and supportive learning environments that promote overall school success reflected in:

- Increased test scores.
- Decrease tardiness, absenteeism & truancy rates.
- Decrease discipline incidences.
- Increase graduation rates.



Restrictions on food and beverage sales in schools

R.C. 3313.814(A), 3313.816, 3313.817, 3314.03(A)(11)(d), and 3326.11; Section 3

- **TIMELINE** Implementation by July 1, 2011.
- SCHOOLS EFFECTED: school districts, community (charter) schools, STEM schools, and chartered nonpublic schools.

• ENFORCEMENT:

 These restrictions must be observed during the regular school day, as well as during periods before or after the school day in which students are participating in school-sponsored extracurricular activities, academic or enrichment programs, or latchkey programs.



Restrictions on food and beverage sales in schools

R.C. 3313.814(A), 3313.816, 3313.817, 3314.03(A)(11)(d), and 3326.11; Section 3

ENFORCEMENT

- Apply only to "a la carte" items, which are individually priced food and beverage items available for sale to students through (1) a school breakfast or lunch program, (2) vending machines located on school property, or (3) a school store.
- Do not apply to foods and beverages that are part of a complete meal provided through a federally subsidized breakfast or lunch program and are being sold individually in a serving portion of the same size as in the complete meal (in the a la carte line in the cafeteria, for example).



Restrictions on food and beverage sales in schools

R.C. 3313.814(A), 3313.816, 3313.817, 3314.03(A)(11)(d), and 3326.11; Section 3

ENFORCEMENT

- Do not affect foods and beverages sold in connection with a school-sponsored fundraiser or other event held outside of the <u>regular</u> school day or in conjunction with an interscholastic athletic event (held anytime during the day).
- Do not apply to vending machines that are accessible only to staff members, such as those in the teacher's lounge.

Grades	Time period	Beverages allowed			
Schools composed primarily of grades K-4	Before January 1, 2014	Water	8 ounces or less of low-fat or fat-free milk, including flavored milk, that contains no more than 170 calories per 8 ounces.	8 ounces or less of 100% fruit juice, or a 100% fruit juice and water blend with no added sweeteners, that contains no more than 160 calories per 8 ounces.	No other beverage
	Starting January 1, 2014	Water	Same as above, except that the milk may contain no more than 150 calories per 8 ounces.	Same as above.	No other beverage



Grades	Time period	Beverages allowed			
Schools composed primarily of grades 5-8	Before January 1, 2014	Water	8 ounces or less of low-fat or fat-free milk, including flavored milk, that contains no more than 170 calories per 8 ounces.	10 ounces or less of 100% fruit juice, or a 100% fruit juice and water blend with no added sweeteners, that contains no more than 160 calories per 8 ounces.	No other beverage
	Starting January 1, 2014	Water	Same as above, except that the milk may contain no more than 150 calories per 8 ounces.	Same as above.	No other beverage



Grades	Time period	Beverages allowed			
Schools composed primarily of grades 9-12	Before January 1, 2014	Water	16 ounces or less of low-fat or fat-free milk, including flavored milk, that contains no more than 170 calories per 8 ounces.	12 ounces or less of 100% fruit juice, or a 100% fruit juice and water blend with no added sweeteners, that contains no more than 160 calories per 8 ounces.	12 ounces or less of any beverage that contains no more than 66 calories per 8 ounces, or any size of a beverage that contains no more than 10 calories per 8 ounces. The latter may include caffeinated beverages and beverages with added sweeteners, carbonation, or artificial flavoring.
	Starting January 1, 2014	Water	Same as above, except that the milk may contain no more than 150 calories per 8 ounces.	Same as above.	Same as above.



- Standards are tiered according to primary grade level of the school.
- At least 50% of the a la carte beverage items available for sale through the school food service program, vending machines (except for those that sell only milk or federally subsidized complete meals), and a school store must be water or other beverages that contain no more than 10 calories per 8 ounces.
 - Each source of a la carte beverages must meet the 50% requirement.
 - Example: if a school has five vending machines, the contents of each one must be at least 50% water and other low-calorie beverages.



ACTION STEPS - Food Restrictions

Nutrition Standards in the Act

 Schools may comply with the act's nutritional requirements or comply with the most recent guidelines for competitive foods issued by the Alliance for a Healthier Generation in respect to the sale of a la carte food items.

ACTION STEPS - Food Restrictions

Nutrition software

- By July 1, 2011, ODE will make available free nutrition software to schools.
- Schools must use the software if the school chooses to follow the nutritional requirements for a la carte food items in the act.
- The software will determine the nutritional value of each ala carte food.
- Foods will be rated in a "low", "middle", and "high" category system.
 - Schools can not sell any items that are in the lowest rated category for the program.
 - If an item is not rated in the highest category, it must meet at least two of the nutrition requirements in section 3313.817.



- All school districts, community schools, STEM schools, and chartered nonpublic schools to adopt standards for food sales and beverage sales on school premises, including time and place restrictions.
- Besides considering the nutritional value of foods and beverages, districts and schools must consult the Dietary Guidelines for Americans and, to the maximum extent possible, incorporate the guidelines into their standards <u>and</u>



- Schools must consult with a licensed dietitian, a dietetic technician registered by the Commission on Dietetic Registration, or a school nutrition specialist certified or credentialed by the School Nutrition Association in developing their standards
 - This person may be a school employee;
 - This may be a voluntary or paid arrangement;
 - The consult must occur, at minimum, one time;
 - The consult is for the development of the a la carte food and beverage standards in this act;
 - The consult may be one-on-one or in a group setting provided that participants can have interaction with the instructor.

- Schools must consult with a licensed dietitian, a dietetic technician registered by the Commission on Dietetic Registration, or a school nutrition specialist certified or credentialed by the School Nutrition Association in developing their standards.
 - The school nutrition specialist (SNS) must have fulfilled the requirements of becoming an SNS per the School Nutrition Association.
 - The licensed dietitian (LD) must have fulfilled the requirements of becoming an LD in the State of Ohio.



 Each district's and school's standards must comply with the act's provisions regulating the nutritional content and times of sale for foods and beverages, but a district or school may adopt stricter standards if it chooses.



Action Steps – Placement of Vending Machines

- The food and beverage standards adopted by districts and schools generally must prohibit the placement of vending machines in classrooms where students are provided instruction.
 - Exception instructional spaces where students also are served meals.
 - If a school's cafeteria doubles as a classroom during the school day, it would not be necessary to remove vending machines from that area.

Action Steps – Placement of Vending Machines

 Vending machines may be placed anywhere if they sell only milk, federally subsidized complete meals, or food and beverage items that are part of a federally subsidized complete meal and are sold as individually priced items in serving portions of the same size as in the complete meal.



Action Steps – Annual Compliance Report

- Each school district, community school, STEM school, and chartered nonpublic school must designate staff to be responsible for seeing that the district or school meets the food and beverage standards it adopts.
 - The staff must prepare an annual report regarding compliance with the standards, which must be submitted to the Ohio Department of Education (ODE).
 - The process to submit the report to ODE will be provided to schools prior to June 30, 2012.
 - The district board of education or school governing authority must schedule a presentation on the report at one of its regular meetings.
 - Copies of the report must be made available to the public upon request.

School Breakfast Programs *R.C.* 3313.813, 3314.18

- **TIMELINE** Immediately.
- SCHOOLS EFFECTED: school districts, community (charter) schools, and chartered nonpublic schools participating in the federally subsidized school breakfast program.

ACTION STEPS:

- Schools may offer breakfast to pupils in their classrooms during the school day.
 - » Schools must comply with the time restrictions as published in the federal regulations part 220 to receive reimbursement for breakfasts served.

School Breakfast Programs *R.C.* 3313.813, 3314.18

- **TIMELINE** Upon appropriation of funds.
- SCHOOLS EFFECTED: school districts, community (charter) schools, and chartered nonpublic schools participating in the federally subsidized school breakfast program.

ACTION STEPS:

– In each fiscal year in which the General Assembly appropriates funds for this purpose, each school district, community school and chartered nonpublic school that participates in the breakfast program must provide free breakfasts to students eligible for breakfast at a reduced price.

