

ALL FOODS SOLD IN SCHOOLS

New Hanover County Schools shall implement North Carolina General Statute 115C-264 Section 204 of the Healthy, Hunger-Free Kids Act of 2010 (HHFKA), Public Law 111-296, Alliance for a Healthier Generation beverage guideline, and the Federal Wellness Policy requirements governing schools that participate in the Federal Child Nutrition Programs. The Child Nutrition Department shall review and/or update the local wellness policies (4405 and 8620) at least annually in collaboration with the School Health Advisory Council.

During the instructional school day all foods and beverages sold to students on the school campus shall meet these guidelines:

- Foods and beverages sold to students may not be sold in competition with the school nutrition program from 12:01AM until after the cafeteria closes for the day.
- Schools may sell food and beverages that meet the *Nutrition Standards for All Foods Sold in School as Required by the Healthy, Hungry-Free Kids Act of 2010* and dubbed the "[Smart Snack Rule](#)", to students after the cafeteria closes for the day through thirty (30) minutes after the dismissal bell. Schools are not required to comply with the standards thirty (30) minutes after the bell rings at the end of the school day.

School Vending Contracts:

As renewals occur, or as contracts age out, vendors shall be required to follow state law governing vending, including availability of allowable beverages and snacks, as well as the use of timers as appropriate to assure sales are not competing with Child Nutrition Programs in schools. All contracts are subject to review and routine monitoring by Child Nutrition Department to assure compliance with local, state and federal rules pertaining to vending access and contents.

Grades Pre-K-5: No beverage or snack vending available to students.

Grades 6-12: Must meet the "Smart Snack Rule" during the instructional day.

LEGAL REFS: NCGS 115C-264, Policy TCS-S-000, Federal local Wellness Policy requirements, Public Law 108-265 as amended (Richard B. Russell Child Nutrition Act, 2004), NC DPI Letter, Local Wellness Policies – Guidance on Food and Beverages in Schools, Healthy, Hunger-Free Kids Act (HHFKA) of 2010, Public Law 111-296

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