

Operational Services

Administrative Procedure-Food Services; Competitive Foods; Exemption

This procedure applies only to schools that participate in federal meal reimbursement programs (7 C.F.R. Part 210; 23 Ill.Admin.Code Part 305). They are *participating schools*.

All food and beverages sold to students on the school campuses of participating schools during the school day must comply with the “general nutrition standards for competitive foods” specified in 7 C.F.R. §210.11, unless they are exempted by 23 Ill.Admin.Code §305.15(a).

Definitions

Competitive foods are all food and beverages that are offered by any person, organization or entity for sale to students on the school campus during the school day that are not reimbursed under programs authorized by federal law (7 C.F.R. §210.11(a)(2); 23 Ill. Admin.Code §305.5).

Exempted fundraising day (EFD) means a school day on which foods and/or beverage items not meeting the “general nutrition standards for competitive foods” may be sold to students on the school campus (7 C.F.R. §210.11(b)(4); 23 Ill.Admin.Code §305.5).

Competitive foods and beverage items sold during the school day must meet the requirements listed at 7 C.F.R. §210.11 ©-(m).

All revenue from the sale of competitive foods sold to students in the food service areas during meal periods shall accrue to the nonprofit school lunch program account (23.Ill.Admin.Code §305.15(e)).

Exempted Fundraising Days

EFD foods and/or beverages may not be sold in competition with school meals in the food service area during meal periods (7 C.F.R. §210.11 (b)(4)). The following table lists the limitations in the emergency rules at 23 Ill.Admin.Code §305.15(b)(1)-(4) for EFDs in a participating school. Important: Final rules may change limitations. Check them at: www.ilga.gov/efds.html.

	Grades 8 and below	Grades 9-12
2014-2015	9 days or fewer	36 days or fewer
2015-2016	4 days or fewer	18 days or fewer
2016-2017	Zero/Prohibited	9 days or fewer

To request an EFD, the Superintendent or designee for the participating school must be contacted. He or she will (1) explain the District’s process and criteria for reviewing and approving or denying an EFD request, and (2) provide any written documents to assist with the EFD request. The Superintendent or designee must maintain a list of all EFDs held and retain them for at least 3 years (7 C.F.R. 210.9(b)(17) and 23 Ill.Admin.Code §305.15(c)(3)).

LEGAL REF.: 42 U.S.C. §1779, 7 C.F.R. §210.11.
23 Ill. Admin.Code Part 305, School Food Service.

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