

## Policy Clarifications

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### Authority for Districts to Establish Local Policy

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The Texas Public School Nutrition Policy (TPSNP) explicitly states that it does not restrict what foods or beverages parents may provide for their own children's consumption. The policy also explicitly states that school officials may adopt a local policy that is more restrictive than the state's.

The Texas Department of Agriculture recognizes that school officials are responsible for the health and safety of all students, as well as for the operation of their facilities. We support them in adopting local policies tailored to fit their specific circumstances, as long as those policies are, at a minimum, consistent with state and federal policies and regulations.

Schools have overwhelmingly complied with state nutrition policies. Additionally, the federal government required schools to establish by June 30, 2006, local wellness policies that address nutrition education, physical activity and other issues that affect student health. Federal regulations require schools to adopt nutrition guidelines for all foods and beverages made available to students on their campuses. Many schools have used this approach to enact more restrictive policies. The regulations list three reasons for this: establishing healthy school nutrition environments; reducing childhood obesity; and preventing diet-related chronic diseases.

The obesity epidemic that has brought so much public attention to the foods that are available to students has prompted an unprecedented response from local, state and national leaders. You can be confident that your children are the beneficiaries of the most responsive nutrition policies in the world.

### Texas Public School Nutrition Policy Clarifications

Updated: August 15, 2007

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The Texas Department of Agriculture issued the revised Texas Public School Nutrition Policy, which was effective beginning August 1, 2007. There have been a number of questions and comments concerning the intent of various sections of the policy. We appreciate the input and feedback from parents, teachers and administrators and are providing the following clarifications to assist Texas school districts in understanding and implementing the policy.

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The health of our children is of utmost importance to all of us, and we believe these clarifications will help improve nutrition while at the same time recognizing the vital role parent's play in the education of their children.

## 1. Classroom Birthday Parties

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TDA recognizes that celebrating student birthdays with a classroom party is a time-honored tradition that provides the opportunity for parental involvement in the education of their children, which is beneficial for students, parents and teachers. Foods otherwise restricted by the policy are permitted in classroom student birthday parties. It is recommended such parties be scheduled after the end of the lunch period for the class so that these celebrations will not replace a nutritious lunch. Federal regulations do not permit foods of minimal nutritional value to be served in the food service area during meal periods.

## 2. Competitive Foods for Elementary Schools

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The competitive foods policy section for elementary schools states that it does "not pertain to food items made available by the school food service department." This does not mean, however, that dessert-type items (cupcakes, cookies, ice cream, etc.) are allowable outside meal hours simply if provided by the food service department. The intent of the policy is to encourage the consumption of nutritious food by students and to limit access to high-fat, high-sugar items during the school day. Therefore, the only food that may be made available to elementary school students on campus during the school day, at times other than meal periods, is a nutritious classroom snack allowed by the policy. This does not apply to student birthday parties or any other exemption as established by the policy.

## 3. Pizza Parties, etc.

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The intent of the policy is to encourage the consumption of nutritious, well-balanced meals and to limit the availability of high-fat items during the school day. There has been confusion about pizza or other foods being served at school parties. With the exception of school birthday parties, schools may not allow alternative meals (pizza, BBQ, sandwiches, etc.) to be provided to students in competition with meals made available by the school food service department under the National School Lunch and School Breakfast Programs. Administrators should work in conjunction with their school food service department when planning special events or meals.

## 4. Use of Fryers for On-Site Preparation

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All schools that participate in the federal school meals programs must eliminate deep fat frying as a method of on-site school meal preparation by August 1, 2009. The intent of the policy is to eliminate deep fat frying as a method of preparation and to promote other cooking methods that result in healthier foods. Schools may keep fryers in their kitchen for only non-school meal purposes, such as catering. If you do not use the old fryers for any purpose, please check with your local health department for their policy regarding unused equipment in kitchens.

## 5. Grain/Bread Exemption During Breakfast

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Items included in reimbursable meals must meet all the TPSNP guidelines, except the restrictions of the TPSNP portion and nutrient guidelines chart.

The sale of individual items included as part of a reimbursable meal may only occur when the item meets all guidelines of the TPSNP with the following exception.

Cookies, cereal bars and bakery items served during breakfast as part of the reimbursable meal, that **do not** meet the restrictions of the TPSNP portion and nutrient guidelines chart, may be sold individually or a la carte during the same breakfast meal service only if they equal 2 grain/bread servings for the reimbursable meal.

## 6. USDA Foods of Minimal Nutritional Value Exemption List

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USDA periodically provides a list of products that are exempt from the FMNV regulation. However, foods that are exempt from the FMNV regulation are not equally exempt from the TPSNP. Exempted foods must meet TPSNP standards in order to be served or provided to students of school campuses.