



# CLEVELAND-CUYAHOGA COUNTY FOOD POLICY COALITION

## Ohio Senate Bill 210 “Healthy Choices for Healthy Children Act” Overview

**Policy:** Healthy Choices for Healthy Children Act (Senate Bill 210)

**Level of Policy:** State

**Introduced:** 2009

**Adopted:** 2010

**Effective:** July 1, 2011 with increased food and beverage restrictions starting January 1, 2014

**Focus:**

### 1) Food and beverage restrictions

Establishes food and beverage restrictions for “a la carte,” vending and snack sales to students. These restrictions are NOT applicable to foods and beverages served as part of the reimbursable meals provided through the USDA’s National School Lunch and School Breakfast Programs. To implement Ohio Senate Bill 210 standards, schools may comply with the most recent guidelines for competitive foods issued by the Alliance for a Healthier Generation (School Beverage and Competitive Food Guidelines). Using an on-line tool, food label information is submitted and the results show which grade groups, if any, a product is allowed to be sold.

- **Who/Where:** All Ohio school districts, community schools, STEM schools, and chartered nonpublic schools. Also includes religious and residential institutions whether or not they operate the National School Lunch Program. All Local Education Agencies (LEA) in Ohio are required to follow the rules of this bill.
- **What:** Food and beverage restrictions for a la carte, vending and snack items sold to students during normal school hours or during before- or after- school events such as extended education, school-sponsored chess clubs, and cheerleading practice.
- **When:** Restrictions began July 1, 2011 and will become more restrictive on January 1, 2014.
- **How:** Standards will be enforced through new vending contracts after current ones expire. (If a current vending contract requires the sale of food or beverage in violation of Ohio SB 210 standards, the school is exempt from those standards until the contract expires. If contract is renewed, it must comply.)

The act's restrictions on beverages apply somewhat differently across schools depending on the grade levels they serve. The following table shows the beverages that may be sold under the act. Schools that have previously adopted beverage standards (such as beverage standards through the Alliance for a Healthier Generation) can continue to follow the previously adopted beverage standards as long as the previously adopted beverage standards meet or are more restrictive than the new Ohio requirements under section 3313.816.

Grades	Beverages allowed			
Schools composed primarily of grades K-4	Water	Milk	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
Schools composed primarily of grades 5-8	Water	Milk	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
Schools composed primarily of grades 9-12	Water	Milk	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.

**Focus:**

**2) Physical activity pilot program**

Requires the Ohio Department of Education (ODE) to administer a pilot program in which participating school districts, community schools, and STEM schools require students to participate in at least 30 minutes of moderate to rigorous physical activity a day, exclusive of recess. Any school can elect to participate on their own, but if a school district elects to participate, each school in the district must participate.

- **Who/where:** Any K-12 school interested and with the capacity to implement. However, if the Cleveland Municipal School District (CMSD) elects to participate in ODE’s program, all schools must participate.
- **What:** A physical activity pilot program that requires students to participate in at least 30 minutes of moderate to rigorous physical activity a day, not including recess.
- **When:** The timeline is contingent on school district’s and/or school branch’s decision to participate (needs to be determined by CMSD officials or principals of schools)
- **How:** The following may count toward the daily requirement:
  - (1) Physical Education (P.E.) Courses
  - (2) A before- or after- school program or activity that is approved by the school

**Focus:**

**3) Physical education and health education**

Requires that teachers hired to teach physical education (P.E.) in a school district, STEM, or community school on or after July 1, 2013, be licensed in P.E. Also requires the one-half unit in health education included in the Ohio Core curriculum teach nutrition and benefits of physical activity.

- **Who/where:** P.E. teachers in a school district, STEM, or community school
- **What:** Licensing for P.E. teachers and curriculum focus in health education to cover nutrition and physical activity benefits
- **When:** Licensing requirement for P.E. teachers hired on or after July 1, 2013. Curriculum development not specified

## Glossary of terms related to OHIO SENATE BILL 210

**“A la carte”**- The law defines “a la carte” as an individually priced food or beverage item that is available for sale to students. "A la carte item" does not include any food or beverage item that is part of a reimbursable meal and that is available for sale as an individually priced item in a serving portion of the same size as in the reimbursable meal, regardless of whether the food or beverage item is included in the reimbursable meal served on a particular school day. A la carte items are sold in the cafeteria by the National School Lunch Program Staff and in vending machines located on school property or at a school store. Common a la carte items include bottled water or juice; snacks such as chips or cookies; and alternative entrees which may not meet USDA regulations for entrees served as part of the National School Lunch Program. Entrée items that meet USDA Meal Pattern requirements are NOT subject to SB210 rules. If it can be sold in a school meal, then it is exempt from SB210.

**NSLP (National School Lunch Program)**- Offered out of the United States Department of Agriculture’s (USDA) Food and Nutrition Service agency. The program was established under the National School Lunch Act in 1946, in part in response to the number of young men recruited for World War II who were found to be malnourished. In 2009, over 31 million children participated daily in the NSLP.

**Reimbursable meal**-Meals offered through the USDA’s Food and Nutrition Service agency (National School Lunch Program and School Breakfast Program) that are paid for entirely or in part (subsidized) by USDA (i.e., the federal government). Any items that meet the meal pattern for USDA reimbursable meals under the National School Lunch Program od Breakfast Program are exempt from SB210 rules.

Federal Reimbursement Rates							
Description	Severe Need Lunch	Regular Lunch	Regular Breakfast	Severe Need Breakfast	Special Milk	Severe Need Snack	Regular Snack
Free	2.7900	2.7700	1.5100	1.8000		0.7600	0.7600
Reduced	2.3900	2.3700	1.2100	1.5000		0.3800	0.3800
Paid	0.2800	0.2600	0.2700	0.2700	0.2050	0.0700	0.0700

**School Breakfast Program**- Offered out of the United States Department of Agriculture’s (USDA) Food and Nutrition Service Agency.

**Alliance for Healthier Generations**-an organization founded in 2005 by the American Heart Association and the William J. Clinton Foundation to address, through an alliance of school, community health, medical, and business stakeholders, the issue of childhood obesity in the United States.

**STEM schools**-Science, Technology, Engineering and Math schools that focus on these subjects to give youth tools necessary to succeed by positioning them to think critically, solve problems and drive advancements in science and technology. Science and engineering jobs are growing 70% faster than other occupations-meaning STEM students will be at an advantage when competing for high-tech and high wage jobs. George Washington Carver in Central is a STEM school, with curriculum development funded by Key Bank (awarded to CMSD).

**Community schools**-A place and a set of partnerships between a school and other community resources with an integrated focus on academics, social services, health, youth and community development leading to improved student learning, stronger families and healthier communities. Schools become

community resources and centers open for all the community-all day, every day, weeknights and weekends. Using public schools as hubs, community schools bring together partners to offer resources to youth, families and communities. Marion Sterling and Carl and Louis Stokes are community schools.

**School District**-an independent special-purpose governing body that runs public schools in a given municipality. They are local governments with power similar to city governments in their ability to tax. Includes elementary, middle and high schools. Our school district is Cleveland Municipal School District (CMSD). There are 112 schools in CMSD.

**USDA**-United States Department of Agriculture. Department of federal government that implements policies and administers programs that affect food, farming/agriculture and school nutrition. The USDA administers the NSLP (National School Lunch Program) and School Breakfast Program through their Food and Nutrition Service agency. Also establishes meal pattern guidelines for reimbursable meals.