



COMMONWEALTH of VIRGINIA
Department of Education

DATE: January 12, 2018
TO: Division Superintendents
FROM: Steven M. Constantino, Ed.D., Acting Superintendent of Public Instruction
SUBJECT: ***New Resource to Assist School Divisions in Implementing Regulations Governing Nutritional Standards for Competitive Foods Available for Sale in the Public Schools (8VAC20-740)***

This memorandum provides information about a new resource that is available on the Virginia Department of Education (Department), Office of School Nutrition Programs (SNP) webpage. This online resource toolkit is designed to help school divisions implement the state regulations on competitive foods and fundraisers. These new regulations became effective October 18, 2017. Please refer to [Superintendent's Memorandum 291-17](#) for more information.

School divisions must designate a division-level and/or school-level official to monitor and ensure compliance with these regulations in areas that are outside the control of the school nutrition program; the individual shall not be a school nutrition program employee. School divisions are required to monitor compliance and maintain documentation of such compliance for foods available for sale to students during the school day in areas that are outside the control of the school nutrition program. The school food authority (SFA), or school nutrition program, is responsible for maintaining records of compliance with these regulations only for areas under the responsibility of the SFA.

Consistent nutritional standards for all foods available for sale to students during the school day are an important part of the framework for student wellness. The Department supports school divisions' efforts to develop and implement consistent standards as part of the required local wellness policy. School divisions are encouraged to create policies that model best practices and maintain the highest nutritional standards throughout the school campus, during the school day. To provide support for these school division policies, and to implement the requirements of the state regulations, a variety of resources have been developed or identified and posted to the [online toolkit](#).

School divisions may access the complete language of the state regulations, as well as a recording and slides from the technical assistance webinar, from the toolkit. A Local Wellness Policy guide that can be used to incorporate the requirements of the state regulations into the school division's local policy has been developed and posted to the toolkit. Other resources, such as fact sheets on non-food fundraisers and Healthy Fundraiser Snapshots from the National PTA, can be accessed from the toolkit. A tracking tool and sample permit are also available for school division officials to download and use to approve and monitor fundraisers conducted by school-sponsored organizations.

If you have questions or need additional information, please contact the school nutrition program specialist assigned to your school division or send an email to the SNP policy mailbox at SNPPolicy@doe.virginia.gov.

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