

Rule 38.11 Nutrition Standards.

1. The Mississippi Department of Education recognizes that:
 - a. A crucial relationship exists between nutrition and health and nutrition and learning. The health and nutrition needs of growing students are met with USDA school meals programs.
 - b. As a minimum, school districts shall follow all current and future requirements and recommendations of the USDA National School Lunch and School Breakfast Programs Meal Patterns and Nutrient Standards.
 - c. The Dietary Guidelines for Americans and USDA's My Plate ([MyPlate | U.S. Department of Agriculture](#)) provide nutritional guidance for school meals.
 - d. Schools shall offer equal access to all meals or items served or sold under the National School Lunch & Breakfast Programs.
 - e. Students need adequate time to eat and enjoy meals served in schools.
 - f. Moving recess before lunch, through a simple schedule change, may provide many benefits for students especially in grades K-12.
 - g. Family education will be the key to building a healthy future for all Mississippians. Families must embrace nutrition and wellness; it is crucial to the success of our efforts. Mississippi public schools offer the best resources, facilities and structure to promote family nutrition education.
 - h. Offering healthful foods and beverages in schools does not guarantee that students will choose them. Aggressive marketing techniques must inform students, teachers, administrative staff and most importantly, the public of the benefits of eating in the school cafeteria.
 - i. School districts are encouraged to become a USDA Team Nutrition School.
2. The Mississippi Department of Education intends that:
 - i. Healthy food and beverage choices:
 - i. Schools shall increase fresh fruits and vegetables offered to students. A minimum of one fresh fruit or vegetable choice should be offered to students each day.
 - ii. School menus shall offer a variety of fruits and vegetables weekly in compliance with the NSLP Meal Pattern. Schools must also meet weekly minimums for dark green and red/orange vegetables.
 - iii. Schools shall offer milk choices with a maximum milk fat of 1%, unless USDA Regulations require a lower milk fat content. Flavored nonfat or low-fat, or milk shall contain no more than 160 calories per 8-ounce serving.
 - iv. Schools shall only offer 100% fruit and vegetable juice with no added sugar.

- ii. Healthy food preparation.
 - i. Schools shall comply with the existing USDA NSLP/SBP meal pattern requirements. (USDA Food and Nutrition Services or [Nutrition Standards for School Meals | USDA-FNS](#))
- iii. Schools shall develop and implement a food safety program by July 1, 2005. Every school shall develop a HACCP system plan as required by the Child Nutrition and WIC Reauthorization Act of 2004. (National School Lunch Act Section 9 (H)) Schools shall update their School Wellness Policy to include a food safety assurance program for all food offered to students through sale or service.
- iv. Schools shall secure a Food Service Operational Permit through the Mississippi State Department of Health for approval to operate under the National School Lunch/National School Breakfast Program.
- v. Mississippi State Department of Health conducts two School Food Facility Inspections per site each school year. The State Agency is required by federal regulations to submit a written report to the United States Department of Agriculture (USDA) Food and Nutrition Service reporting on the number of School Food Facility Inspections conducted per site. (Child Nutrition and WIC Reauthorization Act 2004, Section 15. 9(H), Implementation Memo SP-24).
- vi. Schools shall implement healthy school food preparation techniques using training materials developed through sources such as USDA, National Food Service Management Institute or Mississippi Department of Education. Training documentation and assessment records shall be retained for review by Mississippi Department of Education.
- vii. Schools should limit fried foods whenever possible and practical.
- viii. Marketing of healthy food choices to students and staff
 - i. Train School Foodservice Administrators, Kitchen Managers, and Cooks in Marketing, New Cooking Techniques, and Garnishing using available or newly developed training tools, such as Marketing Sense – Mississippi Department of Education, Office of Child Nutrition
 - ii. Use the Whole School Approach in Marketing the Local Wellness Policy. Administration, faculty, staff, students, and parents need to be solicited to be a part of the implementation of the Local Wellness Policy. Educating the family and the community is crucial to the success of our efforts.
 - a) Suggestions include:
 - 1) Establishing Community Partnerships. Community organizations can provide physical and financial support.
 - 2) Marketing New Foods. Research shows that it takes a number of times for an item to be served before it can be accepted. To facilitate the introduction of a new item, we suggest:
 - A. Tasting Parties
 - B. Serving Line Sampling

C. Serving Line Promotion

- ix. Food preparation ingredients and products
 - i. School districts shall adopt the Dietary Guideline recommendation that trans-fatty acids will be kept “as low as possible”.
 - ii. Wherever possible and practical, school lunch and breakfast programs shall include products that are labeled “0” grams trans fat.
 - iii. Schools shall incorporate whole grain products into daily and weekly lunch and breakfast menus in accordance with USDA Meal Pattern requirements.
- j. Minimum and maximum time allotment for students and staff lunch and breakfast periods
 - i. Schools shall schedule a minimum of 24 minutes to ensure an adequate eating time for school lunch. The factors influencing the lunch period are wait time, consumption time, standard deviation/variability and social time.
 - ii. Since school breakfast is not factored into the regular school day, schools should take into consideration the recommended time of 10 minutes for a child to eat school breakfast after they have received the meal.
- k. The availability of food items during the lunch and breakfast periods of the Child Nutrition Breakfast and Lunch Programs.
 - i. School districts shall comply with the Mississippi Board of Education Policy on Competitive Food Sales as outlined in the Mississippi Board of Education Policies.
 - ii. School districts shall update the wellness policy to address limiting the number of extra sale items that may be purchased with a reimbursable meal. This policy will exclude extra beverage purchases of milk, juice and/or water. Recommended guidelines:
 - a. Example:
 - 1. Elementary School – 1 extra sale item other than beverage
 - 2. Middle School – 1 extra sale item other than beverage
 - 3. High School – 2 extra sale items other than beverage
 - iii. Schools may sell extra items in individual packages in compliance with the Competitive Food Rule and Smart Snacks policies.
 - iv. Schools may sell extra items in portions not to exceed the menu portion serving size. Example: ½ cup of fruit, ½ cup of vegetable, 2oz. wheat roll or entrees with 2-3 oz. protein.
 - v. Schools will use marketing, pricing and nutrition education strategies to encourage healthy extra sale selections.
 - a. Example:
 - 1. Healthy selections such as fruit or vegetables priced lower than other selections

2. Healthy selections positioned in a visibly prominent location
 3. Fun nutrition information marketing the healthy selections
1. Methods to increase participation in the Child Nutrition School Breakfast and Lunch Programs
 - i. Since school food service operates like a business with income and expenses, adequate marketing ensures a successful program operation. Child nutrition programs are usually highlighted once or twice a year during National School Lunch and Breakfast Weeks. For marketing to be effective, it should occur more frequently. When devising a plan, remember the following:
 - a. Define your business.
 - b. Define your customers.
 - c. Evaluate your plan and budget.
 - d. Define your objectives.
 - m. Schools are strongly encouraged to develop academic partnerships with appropriate governmental agencies to offer family nutrition education programs. Family education should be incorporated into each school's Wellness Policy.
 - n. Schools will promote healthful eating and healthy lifestyles to students, parents, teachers, administrators and the community at school events.

- o. Methods to award incentives to schools who have achieved USDA recognition through USDA's Healthier US School Challenge Program.

Source: *Miss. Code Ann. § 37-1-3 (Revised 09/2022)*