

CLASS Scoring Key & Variable
Information: School Nutrition-
Environment State Policy Classification
System (SNESPCS)

(Updated: December 2022)

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CLASS School Nutrition-Environment State Policy Classification System (SNESPCS) Scoring Key & Variable Information

The Classification of Laws Associated with School Students (CLASS) incorporates a policy classification system to score state-level codified laws for nutrition in schools. The scoring criteria for these systems are based on public health research and national standards for nutrition developed by a number of organizations, including the Institute of Medicine, the United States Department of Agriculture, the Centers for Disease Control and Prevention, the National Association of State Boards of Education, and the American College of Preventive Medicine. For more information on nutrition standards for foods in schools, please visit: www.cdc.gov/healthyouth/nutrition/pdf/nutrition_factsheet_parents.pdf.

The Nutrition Scoring Key provides CLASS data users a quick reference to the criteria used to score state law for a specific policy area, and associated enhancing or inhibiting factors* for a given policy area. This document complements the Data Set and Code Book, providing more detail on scoring criteria, and can be used in conjunction with the EXCEL, SPSS, and STATA SNESPCS data files.

Description of the CLASS Data Set and Related Documents

The Data Set includes:

1. CLASS scores, in EXCEL, SPSS, and STATA formats, for each policy area organized by year (2003 -2008, 2010, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021) and grade level for each state.
 - a. Note that the EXCEL data files have a filter on year. By default, year 2021 data are displayed. This can be adjusted to display data from other years.
2. Variables in the data set that are not part of the CLASS scoring system but provide contextual information (e.g., YEAR, State abbreviation, State FIPS code [STFIPS] the 5 digit Federal Information Processing Standard code which uniquely identifies counties and county equivalents).

The Policy Citation File includes:

1. Excel Worksheet indicating the citation for the relevant state statute or regulation used for coding.
2. Excel Worksheet denoting when a particular law will go into effect, if it did not go into effect the year it was created.

The Scoring Key includes:

1. Variable name for each policy area in the data set (noted in *italics* next to policy area and grade level).
2. Description of each variable and accompanying descriptions of each score.
3. Description of the enhancing or inhibiting factors associated with each policy area.

The Code Book includes:

1. The variable names and labels for each variable used in a CLASS scoring system (i.e. Nutrition & PE).
2. Variables in the data set that are not part of the CLASS scoring system, but provide contextual information (e.g., YEAR, State FIPS code [STFIPS], state abbreviation).

Notes on the CLASS Data Set and Related Documents:

1. The CLASS data set has been compiled using codified statutes and regulations in all 50 states and the District of Columbia. Board policies that are not embedded by reference into the law are not included here (ex. Hawaii Board of Education Policies). In addition, DC has been coded using the DC Statutory Code and DC Municipal Regulations, but note that the DC School District also maintains a Local Wellness Policy that is not coded here.
2. Over time, new policy areas have been made to the CLASS scoring system. When a new variable has been added, scores are not available for prior years and noted in the Scoring Key.
3. In addition to the primary scores, there are features in the codified law that may enhance or inhibit the implementation of a law. These factors are listed for the policy area to which they apply.
4. Generally scores are provided for policy area variables by grade level (i.e., elementary, middle, and high school). For some variables, a score will apply across grade levels (e.g. School Meal Environment; Food Service Director Qualifications; Coordinating, Advisory, Wellness Councils; Nutrition Education; Marketing: Advertising and Promotion Restrictions; Marketing: Preferential Pricing; and Body Mass Index (BMI) Screening). The instances where this occurs are denoted in the Scoring Key.

*Enhancing and inhibiting factors are features in the codified law that may enhance or inhibit implementation of law. The enhancing and inhibiting factors are listed for the policy area to which it applies.

CLASS SNESPCS SCORING KEY

Definition of terms that are used throughout the SNESPCS	
Terminology	Definition
Competitive foods	USDA and GAO defined to include all foods and beverages sold or served outside of the reimbursable federal school meal program.
Federal dietary guidelines	This refers to the 2005 federal dietary guidelines that recommends total fat intake between 20 to 35% of calories (saturated fat at less than 10% of calories) for ages 4 to 18, little added sugars or caloric sweeteners, and consumption of fiber rich fruit, vegetables and whole grains and non-fat and low-fat dairy foods. ¹
Food of minimal nutritional value (FMNV)	Such food include carbonated beverages, water ices, chewing gum, hard candy, jellies and gums, marshmallow candies, fondant, licorice, spun candy, and candy-coated popcorn (7 CFR 210 Appendix B). ^{2,3}
Food and beverages of low nutritive value	This refers to food and beverages providing most of its calories from fat and/or sugar and few vitamins and minerals.
HealthierUS Challenge Criteria	Developed in 2004, the HealthierUS School Challenge, administered by USDA's Food and Nutrition Service (FNS), recognizes schools that have taken a leadership role in helping students learn to make healthy eating and active lifestyle choices through the HealthierUS School Challenge. Schools can be awarded a gold, silver or bronze level award for making changes to their school nutrition environments, improving the quality of the foods served, and providing students with more nutritious, healthy choices. http://www.fns.usda.gov/tn/healthierus/criteria_instructions.pdf ⁴
HealthierUS Challenge Whole Grain document	<i>HealthierUS Whole Grains Challenge: Whole Grains Resource</i> http://www.fns.usda.gov/tn/HealthierUS/WholeGrainsforHealthierUS.pdf
IOM Standards	Nutrition standards for foods in schools , established by the Institute of Medicine, 2007.
Smart Snacks in Schools	USDA competitive food interim final rule, codified at 7 CFR 210.11 .
USDA Memo dated 12/17/07: Incorporating the 2005 Dietary Guidelines for Americans into School Meals (memo code: SP 04-2008)	Memo to USDA Regions and State Child Nutrition Programs provides recommendations and guidance for fruits and vegetables, whole grains, milk, cholesterol, and other nutrients/food groups to enhance meal patterns.
Whole School, Whole Community, Whole Child	Framework developed by Centers for Disease Control and Prevention that expands upon the Coordinated School Health Program.

¹ U.S. Department of Health and Human Services and (USDA) U.S. Department of Agriculture. Dietary guidelines for Americans. 2005 Jan [cited 2005 Feb 3]. Available from:

<http://www.healthierus.gov/dietaryguidelines/>.

² School Breakfast Program, 7 C.F.R. 220.12 (2005). Available from:

http://www.access.gpo.gov/nara/cfr/waisidx_05/7cfrv4_05.html.

³ National School Lunch Program, 7 C.F.R. 210.11 and 7 C.F.R. 210 (Appendix B) (2005). Available from: <http://www.fns.usda.gov/cnd/menu/fmnv.htm>

⁴Institute of Medicine report: Nutrition Standards for Foods in Schools: Leading the Way Towards Healthier Youth. April 2007, <http://www.iom.edu/CMS/3788/30181/42502.aspx>

A la carte in Cafeterias (Non-entrée) Snacks Requirements

Note: The italicized text below corresponds to the variable names in the CLASS Data Set. The scoring criteria for this policy are identical at Elementary (ES), Middle (MS), and High (HS) School levels.

Variable name in data set: ES Level- *ALASNAES*, MS Level- *ALASNAMS*, HS Level- *ALASNAHS*

Score	Description: The <i>a la carte</i> in cafeterias snacks score reflects the degree to which state law addresses the amount of cafeteria snacks with respect to the IOM recommended standard at the ES, MS, and HS grade level.
6	<p>State prohibits the sale or service of <i>a la carte</i> (individual, non-entrée) food outside the reimbursable school meal programs, during the service of meals in the cafeteria, <u>or</u> allows only the following exceptions:</p> <p><u>Non-entrée food items limited to:</u></p> <ul style="list-style-type: none"> ● Non-fried fruit (fresh or packed in juice or water), and vegetables, whole grain products, non-fat and low fat dairy products (nonfat or 1% only, flavored or non-flavored) that are 200 calories or less per serving⁶ <u>and</u> ● No more than 35% of total calories from fat (with the exception of nut/seed products) ● Less than 10% calories from saturated fat <u>and</u> ● Zero trans fat <u>and</u> ● 35% or less by weight of total sugars or 35% or less of calories from total sugars (does not apply to dairy or fruit products) <u>and</u> ● Sodium content 200 mg or less <p><i>Note:</i> Points will apply if state has established a standard that uses a <i>gram</i> limit that is comparable to the % limits identified above for fat, saturated fat and sugar (i.e., no more than 6 grams of total fat per 150 calorie portion).</p>
5	<p>State allows the sale or service of only the following <i>a la carte</i> (individual, non-entrée) food outside the reimbursable school meal programs, during the service of meals in the cafeteria:</p> <p><u>Non-entrée food items limited to:</u></p> <ul style="list-style-type: none"> ● 200 calories or less per serving <u>and</u> ● No more than 35% of total calories from fat (with the exception of nut/seed products) <u>and</u> ● No more than 10% calories from saturated fat <u>and</u> ● Zero trans fat <u>and</u> ● 35% or less by weight of total sugars or 35% or less of calories from total sugars (does not apply to fruit or dairy) <u>and</u> ● Sodium content 200 mg or less <p><i>Note:</i> Points will apply if state has established a standard that uses a <i>gram</i> limit that is comparable to the % limits identified above for fat, saturated fat and sugar (i.e., no more than 6 grams of total fat per 150 calorie portion).</p>
4	<p>State mandates nutrition standards of <i>a la carte</i> (individual, non-entrée) food with specified limits on calories, <u>or</u> fats (saturated or trans), <u>or</u> total or added sugar, <u>or</u> sodium.</p>
3	<p>State restricts sale/service of <i>a la carte</i> food of low nutritive value that meets federal requirements for</p>

	FMNV, ⁵ but without establishing nutrition standards that meet or exceed federal dietary guidelines. ³
2	State requirement for <i>a la carte</i> food sold or served in cafeterias outside the school meal program is undefined (e.g., “healthy” foods and beverages must be available); or state requires a state agency to develop and adopt nutrition standards applicable to <i>a la carte</i> sales/service.
1	State recommends nutrition standards for <i>a la carte</i> items.
0	No provision.
Enhancing / Inhibiting Factors	<p>Description: These are features in the codified law that may enhance or inhibit implementation of <i>a la carte</i> in Cafeterias (Non-entrée) Snacks Requirement policies, and are coded as: “1” in data set if the factor applies “0” if it does not apply “999” if it was not scored for that particular year</p> <p><u>Note: Exceptions to total sugar limit are allowed for dairy products and fruits.</u></p> <p><u>Potential enhancement factor</u> (ES- <i>snapores</i>, MS- <i>snaporms</i>, HS- <i>snaporhs</i>): Applies if state specifies portion sizes.</p> <p><u>Potential enhancement factor</u> (ES- <i>snapenes</i>, MS- <i>snapenms</i>, HS- <i>snapenhs</i>): Applies if penalties are established for violations.</p> <p><u>Potential enhancement factor</u> (ES- <i>snamilkes</i>, MS- <i>snamilkms</i>, HS- <i>snamilkhs</i>): Attempts are made to limit the amount of added sugar in flavored milk/dairy products (yogurt).</p> <p><u>Potential enhancement factor</u> (ES- <i>snagraines</i>, MS- <i>snagrainsms</i>, HS- <i>snagrainshs</i>): Applies if state further defines whole grains to be consistent with FDA guidance on whole grains (see below).</p> <p><u>Potential inhibiting factor</u> (ES- <i>sna50es</i>, MS- <i>sna50ms</i>, HS- <i>sna50hs</i>): Policy allows for a certain percentage of unhealthy/junk food items.</p> <p><u>Potential inhibiting factor</u> (<i>snafundcgy</i>): Applies if there is a funding contingency written into the law that requires funding to implement the enhancements/improvements to food/snacks. The funding contingency policy applies across all grade levels.</p>

FDA guidance on label statements defines whole grains as “cereal grains that consist of the intact, ground, cracked or flaked caryopsis, whose principal anatomical components--the starchy endosperm, germ, and bran--are present in the same relative proportions as they exist in the intact caryopsis--should be considered a whole grain food.”

A la carte general:

Alternatives to the term *a la carte* appear in policies as “competitive food,” “competing food service,” “extra sales,” “extra items,” “individual items.” For purposes of coding these variables, these items are food and beverage sold or served during meal times in cafeterias/food service areas outside regulated Federal meal programs, which must meet the Dietary Guidelines for Americans (i.e., the National School Lunch Program (NSLP) and School Breakfast Program (SBP)).

National School Lunch Program/School Breakfast Program:

⁵ As of July 1, 2014, the federal provision regulating FMNVs was no longer in effect. State laws using this language continue to be scored here, however please see variables related to Smart Snacks for federal competitive food language beginning July 1, 2014.

The National School Lunch Program and School Breakfast Program are part of the Federal Child Nutrition Programs. The NSLP and SBP provide reduced price or free meals to children whose families are at or below a calculated poverty threshold. The programs are regulated by Federal nutrition standards, which have recently been updated in 2010. The Federal nutrition standards set a policy base where the states must abide by the Federal laws, but may pass laws that are stronger than the Federal standards.

Federal Baseline: Foods of minimal nutritional value (FMNVs) are prohibited from being served during the mealtimes under the National School Lunch Program and School Breakfast Program (9/1905).

Decision rules:

Percentage allowance. If a policy specifies that 50% or more (but less than 100%) of food/beverage items offered must meet defined “healthy” criteria, a score of (1) is awarded. If the percent is less than 50%, no score is awarded. For example: If a provision states that 20% of the food/beverage items offered must meet the “healthy” criteria specified in the provision, that state would receive a (0). If the provision stated that 75% of the food/beverage items offered must meet the “healthy” criteria specified in the provision, that state would receive a (1).

“Healthy” criteria: defined by the state, can be different depending on each state’s requirements.

Potential inhibiting factor: If a policy allows for between 50% and 100% of items offered must be ‘healthy’ then that policy will be scored as a +1 and will trigger this tracking variable, but if the policy allows for any percentage below 50% ‘healthy’ foods/beverages then that state receives no credit.

Dairy fat limits. All dairy (including cheese and yogurt) must be designated as low-fat (1%) or non-fat (skim) to receive a +6. Reduced fat (2%) will not be accepted as a +6. These standards also apply to dairy substitutes such as soy milk/cheese.

Combination items. Combination items, like products that contain both whole grains and fruit, should be allowed and scored as part of the 6 point category.

In reference to the Note in the +5 and +6 categories: To determine if the gram limit falls within the required % calories for either the +5 or +6:

For % calories from fat (total grams and saturated fat) when only grams are given:

1. Multiply the fat grams by 9 to get the total calories provided by fat
2. Divide the total calories provided by fat by the maximum calories allowed in the food portion to get the % calories of fat in the food

For % calories from sugar when only grams are given:

1. Multiply the sugar grams by 4 to get the total calories provided by sugar

2. Divide the total calories provided by sugar by the maximum calories allowed in the food portion to get the % calories of sugar in the food

Example 1 calculation: If the law states: Snacks may have a maximum of 7 grams of fat, 2 grams saturated fat, and 15 grams of sugar and each portion must not be more than 200 calories.

7 grams of fat X 9 calories/gram = 63 calories from fat/200 total calories allowed per portion = 31.5% of total calories are from fat

2 grams saturated fat X 9 calories/gram = 18 calories from saturated fat/200 total calories allowed per portion = 9 % of total calories are from saturated fat

15 grams sugar X 4 calories/gram = 60 calories from sugar/200 total calories allowed per portion = 30% total calories are from sugar

Example 2: If the grams of fat, saturated fat and sugar stay the same but the total calories allowed per portion changes to 150 calories:

7 grams of fat X 9 calories/gram = 63 calories from fat/**150** total calories allowed per portion = 42% of total calories are from fat

2 grams saturated fat X 9 calories/gram = 18 calories from saturated fat/**150** total calories allowed per portion = 12 % of total calories are from saturated fat

15 grams sugar X 4 calories/gram = 60 calories from sugar/**150** total calories allowed per portion = 40% total calories are from sugar

Example 3: If the grams of fat, saturated fat and sugar stay the same but the total calories allowed per portion changes to 120 calories:

7 grams of fat X 9 calories/gram = 63 calories from fat/**120** total calories allowed per portion = 52.5% of total calories are from fat

2 grams saturated fat X 9 calories/gram = 18 calories from saturated fat/**120** total calories allowed per portion = 15 % of total calories are from saturated fat

15 grams sugar X 4 calories/gram = 60 calories from sugar/**120** total calories allowed per portion = 50% total calories are from sugar

Portion size enhancement factor. Portion size is defined either by a calorie restriction or a volume or weight restriction, for example either 200 calories, or 1 oz.

Based on the Food and Drug Administration ruling, .5g of trans fat will be considered 0 grams of trans fat for coding purposes.

States that regulate only limits on trans fat are coded as +4, regardless of whether saturated fats are also limited. (added October 2014)

States restricting the sale of FMNVs receive +3 (added October 2014).

If a state requires compliance with Smart Snacks, whether or not the standards are defined in the policy itself or incorporated by reference, the following coding was applied from the requirements established in the federal rule:

ALASNAES; ALASNAMS; ALASANHS=4
snapores; snaporms; snaporhs=1

A la carte in Cafeterias (Non-entrée) Beverage Requirements

Note: The italicized text below corresponds to the variable names in the CLASS Data Set. The scoring criteria for this policy are identical at Elementary (ES), Middle (MS), and High (HS) School levels.

Variable name in data set: ES Level- *ALABEVES*, MS Level- *ALABEVMS*, HS Level- *ALABEVHS*

Score	Description: The <i>a la carte</i> in cafeterias beverage score reflects the degree to which state law addresses the amount of cafeteria beverages with respect to the IOM recommended standard at the ES, MS, and HS grade level.
6	<p>State prohibits the sale or service of <i>a la carte</i> (individual, non-entrée) beverages outside the reimbursable school meal programs, during the service of meals in the cafeteria, <i>or</i> allows only the following exceptions: <u>Beverages limited to:</u></p> <ul style="list-style-type: none"> • Water without added flavorings, additives or carbonation, <i>and/or</i> • Nonfat or 1% only, flavored or non-flavored milk, <i>and/or</i> • Other beverages with at least 100% fruit/vegetable juice with no added caloric or non-caloric sweeteners, <i>and/or</i> • Caffeine-free, with the exception of trace amounts of naturally occurring caffeine substances.
5	<p>State allows the sale or service of only the following <i>a la carte</i> (individual, non-entrée) beverages outside the reimbursable school meal programs, during the service of meals in the cafeteria: <u>Beverages limited to:</u></p> <ul style="list-style-type: none"> • Water, <i>and/or</i> • Nonfat or 1% only, flavored or non-flavored milk, <i>and/or</i> • Other beverages with at least 100% fruit/vegetable juice with no added caloric sweeteners, <i>and/or</i> • Caffeine-free, with the exception of trace amounts of naturally occurring caffeine substances, <i>and/or</i> <p>Additional beverages allowed with limits on total calories and/or added sugar and caffeine-free, with the exception of trace amounts of naturally occurring caffeine substances (would allow for some sports drinks, juice drinks, flavored waters, and diet sodas).</p>
4	State mandates nutrition standards with specified limits on calories, <i>or</i> fats (saturated and trans), <i>or</i> total or added sugar, <i>or</i> sodium, <i>or</i> caffeine.
3	State restricts sale/service of <i>a la carte</i> beverages of low nutritive value that meets federal requirements for FMNV, ⁶ but without establishing nutrition standards that meet or exceed federal dietary guidelines. ³
2	State requirement for <i>a la carte</i> beverages sold or served in cafeterias outside the school meal program is undefined (e.g., “healthy” foods and beverages must be available); or state requires a state agency to develop and adopt nutrition standards applicable to <i>a la carte</i> sales/service.
1	State recommends nutrition standards for <i>a la carte</i> items.
0	No provision.
Enhancing / Inhibiting Factors	<p>Description: These are features in the codified law that may enhance or inhibit implementation of <i>a la carte</i> in cafeterias (non-entrée) beverage requirement policies, and are coded as: “1” in data set if the factor applies “0” if it does not apply</p>

⁶ As of July 1, 2014, the federal provision regulating FMNVs was no longer in effect. State laws using this language continue to be scored here, however please see variables related to Smart Snacks for federal competitive food language beginning July 1, 2014.

	<p>“999” if it was not scored for that particular year</p> <p><u>Note: Exceptions to total sugar limit are allowed for dairy products and fruits.</u></p> <p><u>Potential enhancement factor</u> (ES- <i>alabevpores</i>, MS- <i>alabevporms</i>, HS- <i>alabevporhs</i>): Applies if state specifies portion sizes.</p> <p><u>Potential enhancement factor</u> (ES- <i>alabevpenes</i>, MS- <i>alabevpenms</i>, HS- <i>alabevpenhs</i>): Applies if penalties are established for violations.</p> <p><u>Potential enhancement factor</u> (ES- <i>alabevmilkes</i>, MS- <i>alabevmilks</i>, HS- <i>alabevmilks</i>): Attempts are made to limit the amount of added sugar in flavored milk/dairy products.</p> <p><u>Potential inhibiting factor</u> (ES- <i>alabev50es</i>, MS- <i>alabev50ms</i>, HS- <i>alabev50hs</i>): Policy allows for a certain percentage of unhealthy/junk food items.</p> <p><u>Potential inhibiting factor</u> (<i>alabevfundcgy</i>): Applies if there is a funding contingency written into the law that requires funding to implement the enhancements/improvements to beverages.</p>
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Decision rules:

Percentage allowance. If a policy specifies that 50% or more of food/beverage items offered must meet defined “healthy” criteria, a score of (1) is awarded. If the percent is less than 50%, no score is awarded. For example: If a provision states that 20% of the food/beverage items offered must meet the “healthy” criteria specified in the provision, that state would receive a (0). If the provision stated that 75% of the food/beverage items offered must meet the “healthy” criteria specified in the provision, that state would receive a (1).

Potential inhibiting factor: If a policy allows for between 50% and 100% of items offered must be ‘healthy’ then that policy will be scored as a +1 and will trigger this tracking variable, but if the policy allows for any percentage below 50% ‘healthy’ foods/beverages then that state receives no credit.

Dairy fat limits. All dairy (including cheese and yogurt) must be designated as low-fat (1%) or non-fat (skim) to receive a +6 or +5. Reduced fat (2%) will not be accepted as a +6 or +5. These standards also apply to dairy substitutes such as soy milk/cheese.

Milk. Milk does not qualify as a low-calorie beverage.

Portion size enhancement factor. Portion size is defined either by a calorie restriction or a volume or weight restriction, for example either 200 calories, or 1 oz.

Adding water with no added sweeteners to 100% juice will still be coded as 100% juice (e.g. Ohio Senate Bill 210 (2010)).

“Outside the reimbursable school meal program” shall be interpreted to mean a food/beverage disaggregated from a meal. A food/beverage item that is in the reimbursable school meal program, as part of entire meal, could not be sold *a la carte* unless it conforms to the criteria specified in the exceptions.

Conceptual Example: to get top score, law should not permit French fries to be sold à la carte, even if they may be included in the school meal program (added November 19, 2012).

Caffeine

Definition:

The Institute of Medicine's "Nutrition Standards for Foods in Schools: Leading the Way toward Healthier Youth" included caffeine in the standards for competitive beverages sold in schools. With the expansion of CLASS variables, we decided to make the beverages variables more complete and include caffeine with the current coding scheme.

Decision rules:

Carbonated beverages/soda/soft drinks are not enough; need to specifically mention caffeine (added July 20, 2012).

If *a la carte* beverages, vending beverages, school store beverages and fundraising beverages are different, and the highest score includes caffeine, then coded caffeine as the highest of these (for expansion only; in the future, it will be incorporated into the old coding schemes).

Unless otherwise specified, caffeine will receive the highest score of all the competitive beverage variables.

State specific (Indiana): Caffeine was coded the same as *a la carte* beverages because the provision specifies caffeine for *a la carte*.

States restricting the sale of FMNVs receive +3 (added October 2014).

State specific (Delaware): The only competitive food law in place limits trans fats in foods and beverages. This is not coded for beverages here (January 2020).

If a state requires compliance with Smart Snacks, whether or not the standards are defined in the policy itself or incorporated by reference, the following coding was applied from the requirements established in the federal rule:

ALABEVES=5

ALABEVMS=5

ALABEVHS=4 (caffeine is allowed)

alabevpores; alabevporms; alabevporhs=1

A la carte in Cafeterias Entrée Requirements

Note: The italicized text below corresponds to the variable names in the CLASS Data Set. The scoring criteria for this policy are identical at Elementary (ES), Middle (MS), and High (HS) School levels.

Variable name in data set: ES Level- *ENTREEES*, MS Level- *ENTREEMS*, HS Level- *ENTREEHS*

Score	Description: The entrée la carte in cafeterias score reflects the degree to which state law addresses the amount of <i>a la carte</i> entrées with respect to the IOM recommended standard at the ES, MS, and HS grade level.
5	<p>State prohibits the sale or service of <i>a la carte</i> entrée items outside the reimbursable school meal programs, <u>or</u> allows only the following exceptions:</p> <p><u>Entrée a la carte items limited to:</u></p> <ul style="list-style-type: none"> ● National school lunch entrée items <u>and</u> ● No more than 35% of total calories from fat (with the exception of nut/seed products) <u>and</u> ● Less than 10% calories from saturated fat <u>and</u> ● Zero trans fat <u>and</u> ● 35% or less by weight of total sugars or 35% or less of calories from total sugars, <u>and</u> ● Sodium content 480 mg or less <p><i>Note:</i> Points will apply if state has established a standard that uses a <i>gram</i> limit that is comparable to the % limits identified above for fat, saturated fat and sugar (i.e., no more than 6 grams of total fat per 150 calorie portion).</p>
4	<p>State mandates nutrition standards for entrée <i>a la carte</i> items with specified limits on calories, <u>or</u> fats (saturated and trans), <u>or</u> total or added sugar <u>or</u> sodium.</p> <p><i>Note:</i> Points will apply if state has established a standard that uses a <i>gram</i> limit that is comparable to the % limits identified above for fat, saturated fat and sugar (i.e., no more than 6 grams of total fat per 150 calorie portion).</p>
3	State restricts sale/service for entrée <i>a la carte</i> items of low nutritive value but without establishing nutrition standards that meet or exceed federal dietary guidelines. ³
2	State requirement for <i>a la carte</i> entrée items sold or served in cafeterias outside the school meal program is undefined (e.g., “healthy” foods and beverages must be available); or state requires a state agency to develop and adopt nutrition standards applicable to <i>a la carte</i> sales/service for both individual snack and entrée items.
1	State recommends nutrition standards for <i>a la carte</i> entrée items.
0	No provision.
Enhancing / Inhibiting Factors	<p>Description: These are features in the codified law that may enhance or inhibit implementation of <i>a la carte</i> in Cafeterias Entrée Requirement policies, and are coded as:</p> <p>“1” in data set if the factor applies “0” if it does not apply “999” if it was not scored for that particular year</p> <p><i>Note:</i> Exceptions to total sugar limit are allowed for dairy products and fruits.</p> <p><u>Potential enhancement factor</u> (ES- <i>entpores</i>, MS- <i>entporms</i>, HS- <i>entporhs</i>): Applies if state specifies</p>

	<p>portion sizes.</p> <p><u>Potential enhancement factor</u> (ES- <i>entpenes</i>, MS- <i>entpenms</i>, HS- <i>entpenhs</i>): Applies if penalties are established for violations.</p> <p><u>Potential inhibiting factor</u> (ES- <i>ent50es</i>, MS- <i>ent50ms</i>, HS- <i>ent50hs</i>): Policy allows for a certain percentage of unhealthy/junk food items.</p> <p><u>Potential inhibiting factor</u> (<i>entfundcgy</i>): Applies if there is a funding contingency written into the law that requires funding to implement the enhancements/improvements to <i>a la carte</i> entrees.</p>
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Decision rules:

Applicability. Variable applies to entrée items sold during meal periods in the cafeteria.

See above (non-entrée *a la carte* snacks) for % calorie calculation.

Portion size enhancement factor. Portion size is defined either by a calorie restriction or a volume or weight restriction, for example either 200 calories, or 1 oz.

Trans fat. Based on the Food and Drug Administration ruling, .5g of **trans fat** will be considered 0 grams of trans fat for coding purposes.

Note: Restricting FMNVs does not trigger +3 coding for this variable, since FMNVs do not include entrees (added January 2015).

If a state requires compliance with Smart Snacks, whether or not the standards are defined in the policy itself or incorporated by reference, the following coding was applied from the requirements established in the federal rule:

ENTREEES; ENTREEMS; ENTREEHS=4
entpores; entporms; entporhs=1

Vending Machines Non-entrée Food/Snacks Requirements

Note: The italicized text below corresponds to the variable names in the CLASS Data Set. The scoring criteria for this policy are identical at Elementary (ES), Middle (MS), and High (HS) School levels.

Variable name in data set: ES Level- *VEND_ES*, MS Level- *VEND_MS*, HS Level- *VEND_HS*

Note: If state policy sets out standards for all competitive food items without specifying the category (e.g., there is no separation for vended items versus school stores versus canteens versus fundraisers), the policy should still receive a score in 4 areas Vending Machines-non entrée foods/snacks only; Vending Machines – beverages only; School stores, canteens, and snack bars – foods only, and School stores, canteens, and snack bars – beverages only).

Score	Description: The vending machine food/snack score reflects the degree to which state law addresses the amount of vending food/snacks with respect to the IOM recommended standard at the ES, MS, and HS grade level.
6	<p>State prohibits the sale or service of food through vending <u>or</u> allows only the following exceptions.</p> <p><u>Non-entrée food items limited to:</u></p> <ul style="list-style-type: none"> ● Non-fried fruit (fresh or packed in juice or water) and vegetables, whole grain products, nonfat or 1% only, flavored or non-flavored dairy products that are 200 calories or less per serving⁶ <u>and</u> ● No more than 35% of total calories from fat (with the exception of nut/seed products) <u>and</u> ● Less than 10% calories from saturated fat <u>and</u> ● Zero trans fat <u>and</u> ● 35% or less by weight of total sugars or 35% or less of calories from total sugars (does not apply to fruit or dairy) <u>and</u> ● Sodium content 200 mg or less <p><i>Note:</i> Points will apply if state has established a standard that uses a <i>gram</i> limit that is comparable to the % limits identified above for fat, saturated fat and sugar (i.e., no more than 6 grams of total fat per 150 calorie portion).</p>
5	<p>State allows the sale or service of only the following food items through vending machines:</p> <p><u>Non-entrée food items limited to:</u></p> <ul style="list-style-type: none"> ● 200 calories or less per serving <u>and</u> ● No more than 35% of total calories from fat (with the exception of nut/seed products) <u>and</u> ● No more than 10% calories from saturated fat <u>and</u> ● Zero trans fat <u>and</u> ● 35% or less by weight of total sugars or 35% or less of calories from total sugars (does not apply to fruit or dairy) <u>and</u> ● Sodium content 200 mg or less <p><i>Note:</i> Points will apply if state has established a standard that uses a <i>gram</i> limit that is comparable to the % limits identified above for fat, saturated fat and sugar (i.e., no more than 6 grams of total fat per 150 calorie portion).</p>
4	State mandates nutrition standards for the sale of foods through vending machines with specified limits on calories, <u>or</u> fats (saturated or trans), <u>or</u> total or added sugar, <u>or</u> sodium.
3	State restricts sale of foods through vending machines of low nutritive value that meets federal

	requirements for FMNV, ⁷ but without establishing nutrition standards that meet or exceed federal dietary guidelines. ³
2	State requirement of foods sold through vending machines is undefined (e.g., “healthy” foods and beverages must be available); or state requires a state agency to develop and adopt nutrition standards applicable to <i>a la carte</i> sales/service or other competitive foods.
1	State recommends nutrition standards for sold through vending machines.
0	No provision.
Enhancing / Inhibiting Factors	<p>Description: These are features in the codified law that may enhance or inhibit implementation of Vending Machines Non-entrée Food/Snacks Requirement policies, and are coded as: “1” in data set if the factor applies “0” if it does not apply “999” if it was not scored for that particular year</p> <p><u>Note:</u> <u>Exceptions to total sugar limit are allowed for dairy products and fruits.</u></p> <p><u>Potential enhancement factor</u> (ES- <i>vendpores</i>, MS- <i>vendporms</i>, HS- <i>vendporhs</i>): Applies if state specifies portion sizes.</p> <p><u>Potential enhancement factor</u> (ES- <i>vendpenes</i>, MS- <i>vendpenms</i>, HS- <i>vendpenhs</i>): Applies if penalties are established for violations.</p> <p><u>Potential enhancement factor</u> (ES- <i>vendmilkes</i>, MS- <i>vendmilkms</i>, HS- <i>vendmilkhs</i>): Attempts are made to limit the amount of added sugar in flavored milk/dairy products (yogurt).</p> <p><u>Potential enhancement factor</u> (ES- <i>vendgraines</i>, MS- <i>vendgrainms</i>, HS- <i>vendgrainhs</i>): Applies if state further defines whole grains to be consistent with FDA and USDA guidance on whole grains (see below)</p> <p><u>Potential inhibiting factor</u> (ES- <i>vend50es</i>, MS- <i>vend50ms</i>, HS- <i>vend50hs</i>): Policy allows for a certain percentage of unhealthy/junk food items.</p> <p><u>Potential inhibiting factor</u> (<i>vendfundcgy</i>): Applies if there is a funding contingency written into the law that requires funding to implement the enhancements/improvements to food/snacks.</p> <p><u>Potential inhibiting factor</u> (ES- <i>vendlessdayes</i>, MS- <i>vendlessdayms</i>, HS- <i>vendlessdayhs</i>): Applies if standards apply for less than the school day.</p>

FDA guidance on label statements defines *whole grains* as “cereal grains that consist of the intact, ground, cracked or flaked caryopsis, whose principal anatomical components--the starchy endosperm, germ, and bran--are present in the same relative proportions as they exist in the intact caryopsis--should be considered a whole grain food.”

Applicability. If the policy addresses competitive foods on school grounds, facilities, property or any other term that indicates all of the school area, without specifically mentioning vending machines, the policy is relevant to vending machines and will be rated accordingly.

Vending machine contracts are not relevant.

⁷ As of July 1, 2014, the federal provision regulating FMNVs was no longer in effect. State laws using this language continue to be scored here, however please see variables related to Smart Snacks for federal competitive food language beginning July 1, 2014.

NOTE: Vending provisions may affect elementary school only.

Vending food/snacks (non-entrée only) + tracking variables

Definition:

The vending machine food/snack score reflects the degree to which state law addresses the amount of vending food/snacks with respect to the IOM recommended standard at the ES, MS, and HS grade level.

Decision rules:

Percentage allowance. If a policy specifies that 50% or more of food/beverage items offered must meet defined “healthy” criteria, a score of (1) is awarded. If the percent is less than 50%, no score is awarded. For example: If a provision states that 20% of the food/beverage items offered must meet the “healthy” criteria specified in the provision, that state would receive a (0). If the provision stated that 75% of the food/beverage items offered must meet the “healthy” criteria specified in the provision, that state would receive a (1).

Potential inhibiting factor: If a policy allows for between 50% and 100% of items offered must be ‘healthy’ then that policy will be scored as a +1 and will trigger this tracking variable, but if the policy allows for any percentage below 50% ‘healthy’ foods/beverages then that state receives no credit.

See above (non-entrée *a la carte* snacks) for % calorie calculation.

Portion size enhancement factor. Portion size is defined either by a calorie restriction or a volume or weight restriction, for example either 200 calories, or 1 oz.

Dairy fat limits. All dairy (including cheese and yogurt) must be designated as low-fat (1%) or non-fat (skim) to receive a +6. Reduced fat (2%) will not be accepted as a +6. These standards also apply to dairy substitutes such as soy milk/cheese.

Combination items. Combination items, like products that contain both whole grains and fruit, should be allowed and scored as part of the 6 point category.

Potential enhancement factor- portion size- Can either be defined by a calorie restriction or a volume or weight restriction, for example either 200 calories, or 1 oz.

Based on the Food and Drug Administration ruling, .5g of **trans fat** will be considered 0 grams of trans fat for coding purposes.

States that regulate only limits on trans fat are coded as +4, regardless of whether saturated fats are also limited (added October 2014).

States restricting the sale of FMNVs receive +3 (added October 2014).

If a state requires compliance with Smart Snacks, whether or not the standards are defined in the policy itself or incorporated by reference, the following coding was applied from the requirements established in the federal rule:

VEND_ES; VEND_MS; VEND_HS=4
vendpores; vendporms; vendporhs=1

Vending Machines Beverages Requirements

Note: The italicized text below corresponds to the variable names in the CLASS Data Set. The scoring criteria for this policy are identical at Elementary (ES), Middle (MS), and High (HS) School levels.

Variable name in data set: ES Level- *BEVENDES*, MS Level- *BEVENDMS*, HS Level- *BEVENDHS*

Note: If state policy sets out standards for all competitive food items without specifying the category (e.g., there is no separation for vended items versus school stores versus canteens versus fundraisers), the policy should still receive a score in 4 areas Vending Machines-non entrée foods/snacks only; Vending Machines – beverages only; School stores, canteens, and snack bars – foods only, and School stores, canteens, and snack bars – beverages only).

Score	Description: The vending machine beverage score reflects the degree to which state law addresses the amount of vending beverage with respect to the IOM recommended standard at the ES, MS, and HS grade level.
6	State prohibits the sale or service of beverages through vending <u>or</u> allows only the following exceptions: <u>Beverages limited to:</u> <ul style="list-style-type: none"> ● Water without added flavorings, additives or carbonation, <u>and/or</u> ● Nonfat or 1% only, flavored or non-flavored milk, <u>and/or</u> ● Other beverages with at least 100% fruit/vegetable juice with no added caloric or non-caloric sweeteners, <u>and/or</u> Caffeine-free, with the exception of trace amounts of naturally occurring caffeine substances.
5	State allows the sale or service of only the following beverages through vending machines: <u>Beverages limited to:</u> <ul style="list-style-type: none"> ● Water, <u>and/or</u> ● Nonfat or 1% only, flavored or non-flavored milk, <u>and/or</u> ● Other beverages with at least 100% fruit/vegetable juice with no added caloric sweeteners, <u>and/or</u> ● Caffeine-free, with the exception of trace amounts of naturally occurring caffeine substances. Additional beverages allowed with limits on total calories and/or added sugar (would allow for some sports drinks, juice drinks, flavored waters, and diet sodas).
4	State mandates nutrition standards for the sale of beverages through vending machines with specified limits on calories, <u>or</u> fats (saturated and trans), <u>or</u> total or added sugar, <u>or</u> sodium, <u>or</u> caffeine.
3	State restricts sale of beverages through vending machines of low nutritive value that meets federal requirements for FMNV, ⁸ but without establishing nutrition standards that meet or exceed federal dietary guidelines. ³
2	State requirement of beverages sold through vending machines is undefined (e.g., “healthy” foods and beverages must be available); or state requires a state agency to develop and adopt nutrition standards applicable to <i>a la carte</i> sales/service or other competitive foods.
1	State recommends nutrition standards for beverages sold through vending machines .
0	No provision.
Enhancing / Inhibiting	Description: These are features in the codified law that may enhance or inhibit implementation of Vending Machines Beverages Requirement policies, and are coded as:

⁸ As of July 1, 2014, the federal provision regulating FMNVs was no longer in effect. State laws using this language continue to be scored here, however please see variables related to Smart Snacks for federal competitive food language beginning July 1, 2014.

Factors	<p>“1” in data set if the factor applies “0” if it does not apply “999” if it was not scored for that particular year</p> <p><u>Note: Exceptions to total sugar limit are allowed for dairy products and fruits.</u></p> <p><u>Potential enhancement factor</u> (ES- <i>bevendpores</i>, MS- <i>bevendporms</i>, HS- <i>bevendporhs</i>): Applies if state specifies portion sizes.</p> <p><u>Potential enhancement factor</u> (ES- <i>bevendpenes</i>, MS- <i>bevendpenms</i>, HS- <i>bevendpenhs</i>): Applies if penalties are established for violations.</p> <p><u>Potential enhancement factor</u> (ES- <i>bevendmilkes</i>, MS- <i>bevendmilkms</i>, HS- <i>bevendmilkhs</i>): Attempts are made to limit the amount of added sugar in flavored milk/dairy products.</p> <p><u>Potential inhibiting factor</u> (ES- <i>bevend50es</i>, MS- <i>bevend50ms</i>, HS- <i>bevend50hs</i>): Policy allows for a certain percentage of unhealthy/junk food items.</p> <p><u>Potential inhibiting factor</u> (<i>bevendfundcgy</i>): Applies if there is a funding contingency written into the law that requires funding to implement the enhancements/improvements to beverages.</p> <p><u>Potential inhibiting factor</u> (ES- <i>bevendlessdayes</i>, MS- <i>bevendlessdayms</i>, HS- <i>bevendlessdayhs</i>): Applies if standards apply for less than the school day.</p>
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Percentage allowance. If a policy specifies that 50% or more of food/beverage items offered must meet defined “healthy” criteria, a score of (1) is awarded. If the percent is less than 50%, no score is awarded. For example: If a provision states that 20% of the food/beverage items offered must meet the “healthy” criteria specified in the provision, that state would receive a (0). If the provision stated that 75% of the food/beverage items offered must meet the “healthy” criteria specified in the provision, that state would receive a (1).

Potential inhibiting factor: If a policy allows for between 50% and 100% of items offered must be ‘healthy’ then that policy will be scored as a +1 and will trigger this tracking variable, but if the policy allows for any percentage below 50% ‘healthy’ foods/beverages then that state receives no credit.

Dairy fat limits. All dairy (including cheese and yogurt) must be designated as low-fat (1%) or non-fat (skim) to receive a +6 or +5. Reduced fat (2%) will not be accepted as a +6 or +5. These standards also apply to dairy substitutes such as soy milk/cheese.

Milk. Milk does not qualify as a low-calorie beverage.

Portion size enhancement factor. Portion size is defined either by a calorie restriction or a volume or weight restriction, for example either 200 calories, or 1 oz.

Adding water with no added sweeteners to 100% juice will still be coded as 100% juice (e.g. Ohio Senate Bill 210 (2010))

“Outside the reimbursable school meal program” shall be interpreted to mean a food/beverage disaggregated from a meal. A food/beverage item that is in the reimbursable school meal program, as part of entire meal, could not be sold *a la carte* unless it conforms to the criteria specified in the exceptions.

Conceptual Example: to get top score, law should not permit French fries to be sold *a la carte*, even if they may be included in the school meal program (added November 19, 2012).

Caffeine

Definition:

The Institute of Medicine's "Nutrition Standards for Foods in Schools: Leading the Way toward Healthier Youth" included caffeine in the standards for competitive beverages sold in schools. With the expansion of CLASS variables, we decided to make the beverages variables more complete and include caffeine with the current coding scheme.

Decision rules:

Carbonated beverages/soda/soft drinks are not enough; need to specifically mention caffeine (added July 20, 2012).

If *a la carte* beverages, vending beverages, school store beverages and fundraising beverages are different, and the highest score includes caffeine, then coded caffeine as the highest of these (for expansion only; in the future, it will be incorporated into the old coding schemes).

Unless otherwise specified, caffeine will receive the highest score of all the competitive beverage variables.

State specific (Indiana): caffeine was coded the same as *a la carte* beverages because the provision specifies caffeine for *a la carte*.

State specific (Delaware): the only competitive food law in place limits trans fats in foods and beverages. This is not coded for beverages here (January 2020).

States restricting the sale of FMNVs receive +3 (added October 2014).

If a state requires compliance with Smart Snacks, whether or not the standards are defined in the policy itself or incorporated by reference, the following coding was applied from the requirements established in the federal rule:

BEVENDES=5

BEVENDMS=5

BEVENDHS=4 (caffeine is allowed)

bevendpores; bevendporms; bevendporhs=1

School Stores, Canteens and Snack Bars Non-entrée Food/Snacks Requirements

Note: The italicized text below corresponds to the variable names in the CLASS Data Set. The scoring criteria for this policy are identical at Elementary (ES), Middle (MS), and High (HS) School levels.

Variable name in data set: ES Level- *VENUE_ES*, MS Level- *VENUE_MS*, HS Level- *VENUE_HS*

Note: If state policy sets out standards for all competitive food items without specifying the category (e.g., there is no separation for vended items versus school stores versus canteens versus fundraisers), the policy should still receive a score in 4 areas Vending Machines-non entrée foods/snacks only; Vending Machines – beverages only; School stores, canteens, and snack bars – foods only, and School stores, canteens, and snack bars – beverages only).

Score	Description: The school store, canteens and snack bar score reflects the degree to which state law addresses the amount of food/snacks with respect to the IOM recommended standard at the ES, MS, and HS grade level.
6	<p>State prohibits the sale or service of food through school stores, canteens and snack bars <i>or</i> allows only the following exceptions:</p> <p><u>Non-entrée food items limited to:</u></p> <ul style="list-style-type: none"> ● Non-fried fruit (fresh or packed in juice or water) and vegetables, whole grain products, non-fat and low fat dairy products (nonfat or 1% only, flavored or non-flavored) that are 200 calories or less per serving⁶ <i>and</i> ● No more than 35% of total calories from fat (with the exception of nut/seed products) <i>and</i> ● Less than 10% calories from saturated fat <i>and</i> ● Zero trans fat <i>and</i> ● 35% or less by weight of total sugars or 35% or less of calories from total sugars (does not apply to fruit or dairy) <i>and</i> ● Sodium content 200 mg or less <p><i>Note:</i> Points will apply if state has established a standard that uses a <i>gram</i> limit that is comparable to the % limits identified above for fat, saturated fat and sugar (i.e., no more than 6 grams of total fat per 150 calorie portion).</p>
5	<p>State allows the sale or service of only the following food items through school stores, canteens and snack bars:</p> <p><u>Non-entrée food items limited to:</u></p> <ul style="list-style-type: none"> ● 200 calories or less per serving <i>and</i> ● No more than 35% of total calories from fat (with the exception of nut/seed products) <i>and</i> ● No more than 10% calories from saturated fat <i>and</i> ● Zero trans fat <i>and</i> ● 35% or less by weight of total sugars or 35% or less of calories from total sugars (does not apply to fruit or dairy) <i>and</i> ● Sodium content 200 mg or less <p><i>Note:</i> Points will apply if state has established a standard that uses a <i>gram</i> limit that is comparable to the % limits identified above for fat, saturated fat and sugar (i.e., no more than 6 grams of total fat per 150 calorie portion).</p>
4	<p>State mandates nutrition standards for the sale of foods through school stores, canteens and snack bars with specified limits on calories, <i>or</i> fats (saturated or trans), <i>or</i> total or added sugar, <i>or</i> sodium.</p>

3	State restricts sale of foods through school stores, canteens and snack bars of low nutritive value that meets federal requirements for FMNV, ⁹ but without establishing nutrition standards that meet or exceed federal dietary guidelines. ³
2	State requirement of foods sold through school stores, canteens and snack bars is undefined (e.g., “healthy” foods and beverages must be available); or state requires a state agency to develop and adopt nutrition standards applicable to <i>a la carte</i> sales/service or other competitive foods.
1	State recommends nutrition standards for sold through school stores, canteens and snack bars.
0	No provision.
Enhancing / Inhibiting Factors	<p>Description: These are features in the codified law that may enhance or inhibit implementation of School Stores, Canteens and Snack Bars Non-entrée Food/Snacks Requirement policies, and are coded as: “1” in data set if the factor applies “0” if it does not apply “999” if it was not scored for that particular year</p> <p><u>Note:</u> <u>Exceptions to total sugar limit are allowed for dairy products and fruits</u></p> <p><u>Potential enhancement factor</u> (ES- <i>venupores</i>, MS- <i>venuporms</i>, HS- <i>venuporhs</i>): Applies if state specifies portion sizes.</p> <p><u>Potential enhancement factor</u> (ES- <i>venupenes</i>, MS- <i>venupenms</i>, HS- <i>venupenhs</i>): Applies if penalties are established for violations.</p> <p><u>Potential enhancement factor</u> (ES- <i>venumilkes</i>, MS- <i>venumilkms</i>, HS- <i>venumilkhs</i>): Attempts are made to limit the amount of added sugar in flavored milk/dairy products (yogurt).</p> <p><u>Potential inhibiting factor</u> (ES- <i>venu50es</i>, MS- <i>venu50ms</i>, HS- <i>venu50hs</i>): Policy allows for a certain percentage of unhealthy/junk food items.</p> <p><u>Potential inhibiting factor</u> (<i>venufundcgy</i>): Applies if there is a funding contingency written into the law that requires funding to implement the enhancements/improvements to food/snacks.</p> <p><u>Potential inhibiting factor</u> (ES- <i>venulesssdayes</i>, MS- <i>venulesssdayms</i>, HS- <i>venulesssdayhs</i>): Applies if standards apply for less than the school day.</p>

Percentage allowance. If a policy specifies that 50% or more of food/beverage items offered must meet defined “healthy” criteria, a score of (1) is awarded. If the percent is less than 50%, no score is awarded. For example: If a provision states that 20% of the food/beverage items offered must meet the “healthy” criteria specified in the provision, that state would receive a (0). If the provision stated that 75% of the food/beverage items offered must meet the “healthy” criteria specified in the provision, that state would receive a (1).

Potential inhibiting factor: If a policy allows for between 50% and 100% of items offered must be ‘healthy’ then that policy will be scored as a +1 and will trigger this tracking variable, but if the policy allows for any percentage below 50% ‘healthy’ foods/beverages then that state receives no credit.

⁹ As of July 1, 2014, the federal provision regulating FMNVs was no longer in effect. State laws using this language continue to be scored here, however please see variables related to Smart Snacks for federal competitive food language beginning July 1, 2014.

Dairy fat limits. All dairy (including cheese and yogurt) must be designated as low-fat (1%) or non-fat (skim) to receive a +6. Reduced fat (2%) will not be accepted as a +6. These standards also apply to dairy substitutes such as soy milk/cheese.

Combination items. Combination items, like products that contain both whole grains and fruit, should be allowed and scored as part of the 6 point category.

See above (non-entrée *a la carte* snacks) for % calorie calculation.

Portion size enhancement factor. Portion size is defined either by a calorie restriction or a volume or weight restriction, for example either 200 calories, or 1 oz.

Trans fat. Based on the Food and Drug Administration ruling, .5g of **trans fat** will be considered 0 grams of trans fat for coding purposes.

States restricting the sale of FMNVs receive +3 (added October 2014).

If a state requires compliance with Smart Snacks, whether or not the standards are defined in the policy itself or incorporated by reference, the following coding was applied from the requirements established in the federal rule:

VENUE_ES; VENUE_MS; VENUE_HS=4
venupores; venuporms; venuporhs=1

School Stores, Canteens, and Snack Bars Non-Entrée Beverage Requirements

Note: The italicized text below corresponds to the variable names in the CLASS Data Set. The scoring criteria for this policy are identical at Elementary (ES), Middle (MS), and High (HS) School levels.

Variable name in data set: ES Level- *BEVENUES*, MS Level- *BEVENUMS*, HS Level- *BEVENUHS*

Note: If state policy sets out standards for all competitive food items without specifying the category (e.g., there is no separation for vended items versus school stores versus canteens versus fundraisers), the policy should still receive a score in 4 areas Vending Machines-non entrée foods/snacks only; Vending Machines – beverages only; School stores, canteens, and snack bars – foods only, and School stores, canteens, and snack bars – beverages only).

Score	Description: The school stores, canteens, and snack bar beverage score reflects the degree to which state law addresses the amount of beverages with respect to the IOM recommended standard at the ES, MS, and HS grade level.
6	State prohibits the sale or service of beverages through school stores, canteen or snack bars <i>or</i> allows only the following exceptions: <u>Beverages limited to:</u> <ul style="list-style-type: none"> ● Water without added flavorings, additives or carbonation, <i>and/or</i> ● Nonfat or 1% only, flavored or non-flavored milk, <i>and/or</i> ● Other beverages with at least 100% fruit/vegetable juice with no added caloric or non-caloric sweeteners, <i>and/or</i> ● Caffeine-free, with the exception of trace amounts of naturally occurring caffeine substances.
5	State allows the sale or service of only the following beverages through school stores, canteen or snack bars: <u>Beverages limited to:</u> <ul style="list-style-type: none"> ● Water, <i>and/or</i> ● Nonfat or 1% only, flavored or non-flavored milk, <i>and/or</i> ● Other beverages with at least 100% fruit/vegetable juice with no added caloric sweeteners, <i>and/or</i> ● Caffeine-free, with the exception of trace amounts of naturally occurring caffeine substances. <p>Additional beverages allowed with limits on total calories and/or added sugar (would allow for some sports drinks, juice drinks, flavored waters, and diet sodas).</p>
4	State mandates nutrition standards for the sale of beverages through school stores, canteen or snack bars with specified limits on calories, <i>or</i> fats (saturated and trans), <i>or</i> total or added sugar, <i>or</i> sodium, <i>or</i> caffeine.
3	State restricts sale of beverages through school stores, canteen or snack bars of low nutritive value that meets federal requirements for FMNV, ¹⁰ but without establishing nutrition standards that meet or exceed federal dietary guidelines. ³
2	State requirement of beverages sold through school stores, canteen or snack bars is undefined (e.g., “healthy” foods and beverages must be available); or state requires a state agency to develop and adopt

¹⁰ As of July 1, 2014, the federal provision regulating FMNVs was no longer in effect. State laws using this language continue to be scored here, however please see variables related to Smart Snacks for federal competitive food language beginning July 1, 2014.

	nutrition standards applicable to <i>a la carte</i> sales/service or other competitive foods.
1	State recommends nutrition standards for beverages sold through school stores, canteen or snack bars.
0	No provision.
Enhancing / Inhibiting Factors	<p>Description: These are features in the codified law that may enhance or inhibit implementation of School Stores, Canteens and Snack Bars Non-entrée Beverage Requirement policies, and are coded as: “1” in data set if the factor applies “0” if it does not apply “999” if it was not scored for that particular year</p> <p><u>Potential enhancement factor</u> (ES- <i>bevenupores</i>, MS- <i>bevenuporms</i>, HS- <i>bevenuporhs</i>): Applies if state specifies portion sizes.</p> <p><u>Potential enhancement factor</u> (ES- <i>bevenupenes</i>, MS- <i>bevenupenms</i>, HS- <i>bevenupenhs</i>): Applies if penalties are established for violations.</p> <p><u>Potential enhancement factor</u> (ES- <i>bevenumilkes</i>, MS- <i>bevenumilkms</i>, HS- <i>bevenumilkhs</i>): Attempts are made to limit the amount of added sugar in flavored milk/dairy products.</p> <p><u>Potential inhibiting factor</u> (ES- <i>bevvenu50es</i>, MS- <i>bevvenu50ms</i>, HS- <i>bevvenu50hs</i>): Policy allows for a certain percentage of unhealthy/junk food items.</p> <p><u>Potential inhibiting factor</u> (<i>bevenufundcgy</i>): Applies if there is a funding contingency written into the law that requires funding to implement the enhancements/improvements to beverages.</p> <p><u>Potential inhibiting factor</u> (ES- <i>bevenulessdayses</i>, MS- <i>bevenulessdaysms</i>, HS- <i>bevenulessdayshs</i>): Applies if standards apply for less than the school day.</p>

Decision rules:

Percentage allowance. If a policy specifies that 50% or more of food/beverage items offered must meet defined “healthy” criteria, a score of (1) is awarded. If the percent is less than 50%, no score is awarded. For example: If a provision states that 20% of the food/beverage items offered must meet the “healthy” criteria specified in the provision, that state would receive a (0). If the provision stated that 75% of the food/beverage items offered must meet the “healthy” criteria specified in the provision, that state would receive a (1).

Potential inhibiting factor: If a policy allows for between 50% and 100% of items offered must be ‘healthy’ then that policy will be scored as a +1 and will trigger this tracking variable, but if the policy allows for any percentage below 50% ‘healthy’ foods/beverages then that state receives no credit.

Dairy fat limits. All dairy (including cheese and yogurt) must be designated as low-fat (1%) or non-fat (skim) to receive a +6 or +5. Reduced fat (2%) will not be accepted as a +6 or +5. These standards also apply to dairy substitutes such as soy milk/cheese.

Milk. Milk does not qualify as a low-calorie beverage.

Portion size enhancement factor. Portion size is defined either by a calorie restriction or a volume or weight restriction, for example either 200 calories, or 1 oz.

Adding water with no added sweeteners to 100% juice will still be coded as 100% juice (e.g. Ohio Senate Bill 210 (2010)).

Caffeine

Definition:

The Institute of Medicine's "Nutrition Standards for Foods in Schools: Leading the Way toward Healthier Youth" included caffeine in the standards for competitive beverages sold in schools. With the expansion of CLASS variables, we decided to make the beverages variables more complete and include caffeine with the current coding scheme.

Decision rules:

Carbonated beverages/soda/soft drinks are not enough; need to specifically mention caffeine (added July 20, 2012).

If *a la carte* beverages, vending beverages, school store beverages and fundraising beverages are different, and the highest score includes caffeine, then coded caffeine as the highest of these (for expansion only; in the future, it will be incorporated into the old coding schemes).

Unless otherwise specified, caffeine will receive the highest score of all the competitive beverage variables.

State specific (Indiana): Caffeine was coded the same as *a la carte* beverages because the provision specifies caffeine for *a la carte*.

States restricting the sale of FMNVs receive +3 (added October 2014).

If a state requires compliance with Smart Snacks, whether or not the standards are defined in the policy itself or incorporated by reference, the following coding was applied from the requirements established in the federal rule:

BEVENUES=5

BEVENUMS=5

BEVENUHS=4 (caffeine is allowed)

bevenupores; bevenuporms; bevenuporhs=1

Fundraisers Non-entrée Food/Snacks Requirements

Note: The italicized text below corresponds to the variable names in the CLASS Data Set. The scoring criteria for this policy are identical at Elementary (ES), Middle (MS), and High (HS) School levels.

Variable name in data set: ES Level- *FUND_ES*, MS Level- *FUND_MS*, HS Level- *FUND_HS*

Note: If state policy sets out standards for all competitive food items without specifying the category (e.g., there is no separation for vended items versus school stores versus canteens versus fundraisers), the policy should still receive a score in 4 areas Vending Machines-non entrée foods/snacks only; Vending Machines – beverages only; School stores, canteens, and snack bars – foods only, and School stores, canteens, and snack bars – beverages only).

If the policy specifically identifies fundraisers as an area in which the standards apply, than the policy is scored using the Fundraiser Non-entree: Foods/Snacks Requirements and Fundraisers Beverages Requirements in addition to the 4 areas listed above.

Score	Description: The fundraiser food/snacks score reflects the degree to which state law addresses the amount of snacks with respect to the IOM recommended standard at the ES, MS, and HS grade level.
6	<p>State prohibits the sale or service of food through school-based, on campus fundraisers <u>or</u> allows only the following exceptions:</p> <p><u>Non-entrée food items limited to:</u></p> <ul style="list-style-type: none"> ● Non-fried fruit (fresh or packed in juice or water) and vegetables, whole grain products, nonfat or 1% only, flavored or non-flavored dairy products that are 200 calories or less per serving⁶ <u>and</u> ● No more than 35% of total calories from fat (with the exception of nut/seed products) <u>and</u> ● Less than 10% calories from saturated fat <u>and</u> ● Zero trans fat <u>and</u> ● 35% or less by weight of total sugars or 35% or less of calories from total sugars (does not apply to fruit or dairy) <u>and</u> ● Sodium content 200 mg or less <p><i>Note: Points will apply if state has established a standard that uses a gram limit that is comparable to the % limits identified above for fat, saturated fat and sugar (i.e., no more than 6 grams of total fat per 150 calorie portion).</i></p>
5	<p>State allows the sale or service of only the following food items through school based, on campus fundraisers, throughout the school day:</p> <p><u>Non-entrée food items limited to:</u></p> <ul style="list-style-type: none"> ● 200 calories or less per serving <u>and:</u> ● No more than 35% of total calories from fat (with the exception of nut/seed products) <u>and</u> ● No more than 10% calories from saturated fat <u>and</u> ● Zero trans fat <u>and</u> ● 35% or less by weight of total sugars or 35% or less of calories from total sugars (does not apply to fruit or dairy) <u>and</u> ● Sodium content 200 mg or less <p><i>Note: Points will apply if state has established a standard that uses a gram limit that is comparable to the % limits identified above for fat, saturated fat and sugar (i.e., no more than 6 grams of total fat per 150 calorie portion).</i></p>

4	State mandates nutrition standards for the sale of foods through school based, on campus fundraisers with specified limits on calories, <i>or</i> fats (saturated or trans), <i>or</i> total or added sugar, <i>or</i> sodium.
3	State restricts sale of foods through school based, on campus fundraisers of low nutritive value that meets federal requirements for FMNV, ¹¹ but without establishing nutrition standards that meet or exceed federal dietary guidelines. ³
2	State requirement of foods sold through school based, on campus fundraisers is undefined (e.g., “healthy” foods and beverages must be sold); or state requires a state agency to develop and adopt nutrition standards applicable to fundraisers.
1	State recommends nutrition standards for sold through school based, on campus fundraisers.
0	No provision.
Enhancing / Inhibiting Factors	<p>Description: These are features in the codified law that may enhance or inhibit implementation of Fundraisers Non-entrée Food/Snacks Requirement policies, and are coded as: “1” in data set if the factor applies “0” if it does not apply “999” if it was not scored for that particular year</p> <p><u>Note:</u> Exceptions to total sugar limit are allowed for dairy products and fruits.</p> <p><u>Potential enhancement factor</u> (ES- <i>fundnofoodes</i>, MS- <i>fundnofoodms</i>, HS- <i>fundnofoodhs</i>): Applies if state specifies that only non-food items are permitted for fundraisers.</p> <p><u>Potential enhancement factor</u> (ES- <i>fundafteres</i>, MS- <i>fundafterms</i>, HS- <i>fundafterhs</i>): Applies if state policy requires/encourages the promotion of healthy food and beverage options or non-food options during after-school fundraising events and activities either on school property or off site.</p> <p><u>Potential enhancement factor</u> (ES- <i>fundpores</i>, MS- <i>fundporms</i>, HS- <i>fundporhs</i>): Applies if state specifies portion sizes.</p> <p><u>Potential enhancement factor</u> (ES- <i>fundpenes</i>, MS- <i>fundpenms</i>, HS- <i>fundpenhs</i>): Applies if penalties are established for violations.</p> <p><u>Potential enhancement factor</u> (ES- <i>fundmilkes</i>, MS- <i>fundmilkms</i>, HS- <i>fundmilkhs</i>): Attempts are made to limit the amount of added sugar in flavored milk/dairy products (yogurt).</p> <p><u>Potential inhibiting factor</u> (ES- <i>fund50es</i>, MS- <i>fund50ms</i>, HS- <i>fund50hs</i>): Policy allows for a certain percentage of unhealthy/junk food items.</p> <p><u>Potential inhibiting factor</u> (<i>fund2cgy</i>): Applies if there is a funding contingency written into the law that requires funding to implement the enhancements/improvements to food/snacks.</p> <p><u>Potential inhibiting factor</u> (ES- <i>fundlessdayes</i>, MS- <i>fundlessdayms</i>, HS- <i>fundlessdayhs</i>): Applies if standards apply for less than the school day.</p>

Applicability. While laws that generally refer to competitive foods apply for all other competitive food variables, laws must expressly refer to “fundraisers” (by term or by synonymous description) to be rated under this variable.

Percentage allowance. If a policy specifies that 50% or more of food/beverage items offered must meet defined “healthy” criteria, a score of (1) is awarded. If the percent is less than 50%, no

¹¹ As of July 1, 2014, the federal provision regulating FMNVs was no longer in effect. State laws using this language continue to be scored here, however please see variables related to Smart Snacks for federal competitive food language beginning July 1, 2014.

score is awarded. For example: If a provision states that 20% of the food/beverage items offered must meet the “healthy” criteria specified in the provision, that state would receive a (0). If the provision stated that 75% of the food/beverage items offered must meet the “healthy” criteria specified in the provision, that state would receive a (1).

Potential inhibiting factor: If a policy allows for between 50% and 100% of items offered must be ‘healthy’ then that policy will be scored as a +1 and will trigger this tracking variable, but if the policy allows for any percentage below 50% ‘healthy’ foods/beverages then that state receives no credit.

Dairy fat limits. All dairy (including cheese and yogurt) must be designated as low-fat (1%) or non-fat (skim) to receive a +6. Reduced fat (2%) will not be accepted as a +6. These standards also apply to dairy substitutes such as soy milk/cheese.

Combination items. Combination items, like products that contain both whole grains and fruit, should be allowed and scored as part of the 6 point category.

Portion size enhancement factor. Portion size is defined either by a calorie restriction or a volume or weight restriction, for example either 200 calories, or 1 oz.

Trans fat. Based on the Food and Drug Administration ruling, .5g of **trans fat** will be considered 0 grams of trans fat for coding purposes.

States that regulate only limits on trans fat are coded as +4, regardless of whether saturated fats are also limited (added October 2014).

Definition of Fundraisers. Competitive food provisions that exclude fundraisers outside of the school day, but fail to mention fundraisers during the school day are coded as though the nutrition standards apply (March 24, 2015).

Example:

Ohio: ORC 3313.814: (1) “*A la carte* item” means an individually priced food or beverage item that is available for sale to students through any of the following:

- (a) A school food service program;
- (b) A vending machine located on school property;
- (c) A store operated by the school, a student association, or other school-sponsored organization.

“*A la carte* item” does not include any food or beverage item available for sale in connection with a school-sponsored fundraiser held outside of the regular school day, any other school-sponsored event held outside of the regular school day, or an interscholastic athletic event. “*A la carte* item” also 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.

States restricting the sale of FMNVs in fundraisers receive +3 (added October 2014).

If a state requires compliance with Smart Snacks, whether or not the standards are defined in the policy itself or incorporated by reference, the following coding was applied from the requirements established in the federal rule:

FUND_ES; FUND_MS; FUND_HS=4
fundpores; fundporms; fundporhs=1

Fundraisers Beverage Requirements

Note: The italicized text below corresponds to the variable names in the CLASS Data Set. The scoring criteria for this policy are identical at Elementary (ES), Middle (MS), and High (HS) School levels.

Variable name in data set: ES Level- *BEVFUNDES*, MS Level- *BEVFUNDMS*, HS Level- *BEVFUNDHS*

Note: If state policy sets out standards for all competitive food items without specifying the category (e.g., there is no separation for vended items versus school stores versus canteens versus fundraisers), the policy should still receive a score in 4 areas Vending Machines-non entrée foods/snacks only; Vending Machines – beverages only; School stores, canteens, and snack bars – foods only, and School stores, canteens, and snack bars – beverages only).

*If the policy **specifically** identifies fundraisers as an area in which the standards apply, than score the policy using the Fundraisers: Foods/Snacks and Fundraisers: Beverages in addition to the 4 areas listed above.*

Score	Description: The fundraisers beverages score reflects the degree to which state law addresses the amount of beverages with respect to the IOM recommended standard at the ES, MS, and HS grade level.
6	<p>State prohibits the sale or service of beverages through school-based, on campus fundraisers <u>or</u> allows only the following exceptions.</p> <p><u>Beverages limited to:</u></p> <ul style="list-style-type: none"> ● Water without added flavorings, additives or carbonation, <u>and/or</u> ● Nonfat or 1% only, flavored or non-flavored milk, <u>and/or</u> ● Other beverages with at least 100% fruit/vegetable juice with no added caloric or non-caloric sweeteners, <u>and/or</u> ● Caffeine-free, with the exception of trace amounts of naturally occurring caffeine substances.
5	<p>State allows the sale or service of only the following beverages through school-based, on campus fundraisers:</p> <p><u>Beverages limited to:</u></p> <ul style="list-style-type: none"> ● Water, <u>and/or</u> ● Nonfat or 1% only, flavored or non-flavored milk, <u>and/or</u> ● Other beverages with at least 100% fruit/vegetable juice with no added caloric sweeteners, <u>and/or</u> ● Caffeine-free, with the exception of trace amounts of naturally occurring caffeine substances. <p>Additional beverages allowed with limits on total calories and/or added sugar (would allow for some sports drinks, juice drinks, flavored waters, and diet sodas).</p>
4	<p>State mandates nutrition standards for the sale of beverages through school-based, on campus fundraisers with specified limits on calories, <u>or</u> fats (saturated and trans), <u>or</u> total or added sugar, <u>or</u> sodium <u>or</u> caffeine.</p>
3	<p>State restricts sale of beverages through school school-based, on campus fundraisers of low nutritive value that meets federal requirements for FMNV,¹² but without establishing nutrition standards that meet or exceed federal dietary guidelines.³</p>
2	<p>State requirement of beverages sold through school-based, on campus fundraisers is undefined (e.g.,</p>

¹² As of July 1, 2014, the federal provision regulating FMNVs was no longer in effect. State laws using this language continue to be scored here, however please see variables related to Smart Snacks for federal competitive food language beginning July 1, 2014.

	“healthy” foods and beverages must be sold); or state requires a state agency to develop and adopt nutrition standards applicable to fundraisers.
1	State recommends nutrition standards for beverages sold through school-based, on campus fundraisers.
0	No provision.
Enhancing / Inhibiting Factors	<p>Description: These are features in the codified law that may enhance or inhibit implementation of Fundraisers Beverage Requirement policies, and are coded as: “1” in data set if the factor applies “0” if it does not apply “999” if it was not scored for that particular year</p> <p><u>Potential enhancement factor</u> (ES- <i>bevfundnofoodes</i>, MS- <i>bevfundnofoodms</i>, HS- <i>bevfundnofoodhs</i>): Applies if state specifies that only non-food items are permitted for fundraisers.</p> <p><u>Potential enhancement factor</u> (ES- <i>bevfundafteres</i>, MS- <i>bevfundafterms</i>, HS- <i>bevfundafterhs</i>): Applies if state requires/encourages the promotion of healthy food and beverage options or non-food options during after-school fundraising events and activities either on school property or off site.</p> <p><u>Potential enhancement factor</u> (ES- <i>bevfundpores</i>, MS- <i>bevfundporms</i>, HS- <i>bevfundporhs</i>): Applies if state specifies portion sizes.</p> <p><u>Potential enhancement factor</u> (ES- <i>bevfundpenes</i>, MS- <i>bevfundpenms</i>, HS- <i>bevfundpenhs</i>): Applies if penalties are established for violations.</p> <p><u>Potential enhancement factor</u> (ES- <i>bevfundmilkes</i>, MS- <i>bevfundmilkms</i>, HS- <i>bevfundmilkhs</i>): Attempts are made to limit the amount of added sugar in flavored milk/dairy products.</p> <p><u>Potential inhibiting factor</u> (ES- <i>bevfund50es</i>, MS- <i>bevfund50ms</i>, HS- <i>bevfund50hs</i>): Policy allows for a certain percentage of unhealthy/junk food items.</p> <p><u>Potential inhibiting factor</u> (<i>bevfund2cgy</i>): Applies if there is a funding contingency written into the law that requires funding to implement the enhancements/improvements to beverages.</p> <p><u>Potential inhibiting factor</u> (ES- <i>bevfundlessdayes</i>, MS- <i>bevfundlessdayms</i>, HS- <i>bevfundlessdayhs</i>): Applies if standards apply for less than the school day.</p>

Applicability. While laws that generally refer to competitive foods apply for all other competitive food variables, laws must expressly refer to “fundraisers” (by term or by synonymous description) to be rated under this variable.

Percentage allowance. If a policy specifies that 50% or more of food/beverage items offered must meet defined “healthy” criteria, a score of (1) is awarded. If the percent is less than 50%, no score is awarded. For example: If a provision states that 20% of the food/beverage items offered must meet the “healthy” criteria specified in the provision, that state would receive a (0). If the provision stated that 75% of the food/beverage items offered must meet the “healthy” criteria specified in the provision, that state would receive a (1).

Potential inhibiting factor: If a policy allows for between 50% and 100% of items offered must be ‘healthy’ then that policy will be scored as a +1 and will trigger this tracking variable, but if the policy allows for any percentage below 50% ‘healthy’ foods/beverages then that state receives no credit.

Dairy fat limits. All dairy (including cheese and yogurt) must be designated as low-fat (1%) or non-fat (skim) to receive a +6 or +5. Reduced fat (2%) will not be accepted as a +6 or +5. These standards also apply to dairy substitutes such as soy milk/cheese.

Milk. Milk does not qualify as a low-calorie beverage.

Portion size enhancement factor. Portion size is defined either by a calorie restriction or a volume or weight restriction, for example either 200 calories, or 1 oz.

Definition of Fundraisers. Competitive food provisions that exclude fundraisers outside of the school day, but fail to mention fundraisers during the school day are coded as though the nutrition standards apply (March 24, 2015).

Example:

Ohio: ORC 3313.814: (1) “*A la carte* item” means an individually priced food or beverage item that is available for sale to students through any of the following:

(a) A school food service program;

(b) A vending machine located on school property;

(c) A store operated by the school, a student association, or other school-sponsored organization.

“*A la carte* item” does not include any food or beverage item available for sale in connection with a school-sponsored fundraiser held outside of the regular school day, any other school-sponsored event held outside of the regular school day, or an interscholastic athletic event. “*A la carte* item” also 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.

Caffeine

Definition:

The Institute of Medicine’s “Nutrition Standards for Foods in Schools: Leading the Way toward Healthier Youth” included caffeine in the standards for competitive beverages sold in schools. With the expansion of CLASS variables, we decided to make the beverages variables more complete and include caffeine with the current coding scheme.

Decision rules:

Carbonated beverages/soda/soft drinks are not enough; need to specifically mention caffeine (added July 20, 2012).

If *a la carte* beverages, vending beverages, school store beverages and fundraising beverages are different, and the highest score includes caffeine, then coded caffeine as the highest of these (for expansion only; in the future, it will be incorporated into the old coding schemes).

Unless otherwise specified, caffeine will receive the highest score of all the competitive beverage variables.

State specific (Indiana): caffeine was coded the same as *a la carte* beverages because the provision specifies caffeine for *a la carte*.

States restricting the sale of FMNVs in fundraisers receive +3 (added October 2014).

If a state requires compliance with Smart Snacks, whether or not the standards are defined in the policy itself or incorporated by reference, the following coding was applied from the requirements established in the federal rule:

BEVFUNDES=5

BEVFUNDMS=5

BEVFUNDHS=4 (caffeine is allowed)

bevfundpores; bevfundporms; bevfundporhs=1

Classroom Parties/Activities/Events/Practices

Note: The italicized texts in parenthesis are the variable names in the CLASS Data Set.

Classroom Parties/Activities/Events/Practices

Variable name in data set: (classbon)

Score	Description: The Classroom Parties/Activities/Events/Practices score reflects the degree to which state law addresses the need for classroom parties/activities/events/practices to encourage healthy food and beverage options or non-food options or restricts the use of unhealthy food as a reward in the classroom.
1	State policy does address classroom parties/activities/events/practices or specifically addresses the use of food as a reward.
0	State policy does not address classroom parties/activities/events/practices or the use of food as a reward.
Enhancing / Inhibiting Factors	There are no enhancing or inhibiting factors for this variable.

Examples

California Educ. Code § 8993:

The Legislature encourages school instructional staff to do the following:

(a) Be informed about the negative consequences of using food as a reward and of withholding food from pupils as punishment.

Colorado Stat. § 22-32-136:

(3) On or before July 1, 2006, each school district board of education is encouraged to adopt policies ensuring that:

(a) Every student has access to healthful food choices in appropriate portion sizes throughout the school day. At a minimum, this includes the provision of:

(III) Healthful items for fundraisers, classroom parties, and rewards in the schools.

D.C. Code § 38-822.06:

(f) Foods and beverages that do not meet the nutritional requirements of subsection (a) of this section shall not be:

(1) Used as incentives, prizes, or awards in public schools or public charter schools.

West Virginia Code Regs. § 126-86-5:

5.1.3. Foods and beverages shall not be offered as a reward or used as a means of punishment or disciplinary action for any student during the school day.

Exceptions for Classroom Parties/Activities/Events/Practices

Beginning with the 2015 CLASS data set, the variable “Exceptions for Classroom Parties/Activities/Events/Practices” (classpen) was sunset. Please see the inhibiting factors of fundexempt and bevfundexempt that are coded under Smart Snacks for data pertaining to exceptions allowed to established nutrition standards.

Exceptions for Classroom Parties/Activities/Events/Practices

Variable name in data set: (classpen) *new 2013

Score	Description: The Exceptions for Classroom Parties/Activities/Events/Practices score reflects the degree to which state law specifically allows for exceptions to established nutrition guidelines for classroom parties/activities/events/practices.
1	State allows for exceptions to established nutrition guidelines for classroom parties/activities/events/practices.
0	State does not specifically allow for exceptions to established nutrition guidelines for classroom parties/activities/events/practices.
Enhancing / Inhibiting Factors	There are no enhancing or inhibiting factors for this variable.

Example

70 Okla. Stat. Ann. § 5-147

- A. Each district board of education shall ensure that students in elementary schools do not have access to foods of minimal nutritional value *except on special occasions*.
- B. Each district board of education shall ensure that students in middle and junior high schools do not have access to foods of minimal nutritional value except after school, at events which take place in the evening, *and on special occasions*.

Reimbursable School Lunch Requirements

Beginning with the 2012 CLASS data set, the variable “Reimbursable School Lunch Requirements” (MEALS_ES; MEALS_MS; MEALS_HS; and all enhancement/inhibiting factors) was sunset. In 2012, USDA instituted new, enhanced nutrition standards for the National School Lunch Program. As a result, state laws in this area are no longer being captured. Prior to the 2012 data set, however, the coding scheme below applies.

Variable name in data set: ES Level- *MEALS_ES*, MS Level- *MEALS_MS*, HS Level- *MEALS_HS*

Score	Description: The reimbursable school lunches score reflects the degree to which state law addresses the amount of reimbursable lunches with respect to the USDA National School Lunch Program and School Breakfast Program and the Federal Dietary Guidelines for Americans at the ES, MS, and HS grade level.
6	<p>State addresses nutrition in reimbursable school lunch programs by requiring meals in all schools to meet <u>all</u> of the following 4 criteria:</p> <ul style="list-style-type: none"> ● Whole Grains: whole grain foods are offered 3 or more times per week; or, half of all grains offered are whole grains. ● Fruits and vegetables: both a fruit and vegetable are offered each day, regardless of the menu planning approach used; or, three different fruits and five different vegetables are offered each week. ● Milk: nonfat or 1% only, flavored or non-flavored milk offered daily. ● Cholesterol: meals, on average over a school week, provide less than 100 mg cholesterol at lunch.
5	<p>State addresses nutrition in reimbursable school lunch programs by requiring meals in all schools to meet <u>2 or 3</u> of the following 4 criteria:</p> <ul style="list-style-type: none"> ● Whole Grains: whole grain foods are offered 3 or more times per week; or, half of all grains offered are whole grains. ● Fruits and vegetables: both a fruit and vegetable are offered each day, regardless of the menu planning approach used; or, three different fruits and five different vegetables are offered each week. ● Milk: nonfat or 1% only, flavored or non-flavored milk offered daily. ● Cholesterol: meals, on average over a school week, provide less than 100 mg cholesterol at lunch.¹³
4	<p>State addresses nutrition in reimbursable school lunch programs by requiring meals in all schools to meet <u>at least 1 of the 4</u> criteria outlined above in the 5 point score category.</p>
3	<p>State addresses nutrition in reimbursable school lunch programs with requirements or standards that exceed compliance with federal regulations for school meals (7 CFR 210 for the National School Lunch Program) but does not meet criteria outlined in the 4 or 5 point score categories outlined above.</p> <p><i>For example, state sets standards for some food groups/nutrients that do not meet standards in 4 or 5 score categories above; state prohibits deep-fried foods in school meals; state requires more fruits and vegetables without specifying amount and/or frequency.</i></p>

¹³ USHealthier School Challenge Criteria: <http://www.fns.usda.gov/tn/HealthierUS/index.html>; USDA Memo, December 2007

2	State addresses nutrition in reimbursable school lunch programs with a general mandate to develop and adopt requirements or standards that exceed compliance with federal regulations (e.g., State Education Agency is required to establish nutrition standards for all food and beverages sold or served in schools, including school nutrition programs). Beginning in 2012, state requires that school lunches meet existing federal regulations for school meals.
1	State recommends nutrition standards for school lunches that exceed compliance with federal regulations.
0	No provision or state requires that school lunches meet existing federal regulations for school meals (7 CFR 210 for the National School Lunch Program) (through 2010).
Enhancing / Inhibiting Factors	<p>Description: These are features in the codified law that may enhance or inhibit implementation of Reimbursable School Lunch Requirement policies, and are coded as: “1” in data set if the factor applies “0” if it does not apply “999” if it was not scored for that particular year</p> <p><u>Potential enhancement factor</u> (ES- <i>mealpores</i>, MS- <i>mealporms</i>, HS- <i>mealporhs</i>): Applies if state specifies portion sizes.</p> <p><u>Potential enhancement factor</u> – whole grain (ES- <i>mealgraines</i>, MS- <i>mealgrainms</i>, HS- <i>mealgrainhs</i>): Applies if state requires whole grains to be offered each day.</p> <p><u>Potential enhancement factor</u> – cooked legumes (dried beans or peas) (ES- <i>mealegumes</i>, MS- <i>mealegumms</i>, HS- <i>mealegumhs</i>): Applies if state specifies that they must be offered one or more times a week.</p> <p><u>Potential enhancement factor</u> – Vitamin C (ES- <i>mealvitces</i>, MS- <i>mealvitcms</i>, HS- <i>mealvitchs</i>): Applies if state requires that a good source of Vitamin C be offered each day.</p> <p><u>Potential enhancement factor</u> – fruit and vegetable (ES- <i>mealfvcs</i>, MS- <i>mealfvms</i>, HS- <i>mealfvhs</i>): Applies if state specifies that dark green or orange vegetables or fruit is offered three or more times per week.</p> <p><u>Potential enhancement factor</u> – iron (ES- <i>mealirones</i>, MS- <i>mealironms</i>, HS- <i>mealironhs</i>): Applies if state specifies that two or more sources of iron is offered daily.</p> <p><u>Potential enhancement factor</u> – limits (ES- <i>mealimites</i>, MS- <i>mealimitms</i>, HS- <i>mealimiths</i>): Applies if state sets limits or targets for sodium or trans fat.</p> <p><u>Potential enhancement factor</u> – fiber (ES- <i>mealfiberes</i>, MS- <i>mealfiberms</i>, HS- <i>mealfiberhs</i>): Applies if state sets a standard for fiber (at least 11 grams per meal or 11 grams averaged over the course of the week).</p> <p><u>Potential enhancement factor</u> (ES- <i>mealinfoes</i>, MS- <i>mealinfoms</i>, HS- <i>mealinfohs</i>): State requires nutrient information for each meal be available at point of purchase/in the cafeteria near where the meal is served or on the menu (e.g., fat, calories, protein, carbohydrates).</p> <p><u>Potential inhibiting factor</u> (<i>mealfund</i>): Applies if there is a funding contingency written into the law that requires funding to implement the enhancements/improvements to meals.</p>

Decision rules:

Applicability. Current school meal program guidelines for reimbursable school meals may be no less restrictive than regulations. This requirement implies that districts must ensure that reimbursable school meals meet the program requirements and nutrition standards set forth under the 7 CFR Part 210 and Part 220.

Dairy fat limits. All dairy (including cheese and yogurt) must be designated as low-fat (1%) or non-fat (skim) to receive a +6 or +5. Reduced fat (2%) will not be accepted as a +6 or +5. These standards also apply to dairy substitutes such as soy milk/cheese.

Trans fat. Based on the Food and Drug Administration ruling, .5g of **trans fat** will be considered 0 grams of trans fat for coding purposes.

School Meal Environment Requirements

Note: This policy applies across all grade levels. The italicized text below corresponds to the variable names in the CLASS Data Set.

Variable name in data set: ENVIRO2

Score	Description: The school meal environment score reflects the degree to which state law addresses the meal environment with respect to the USDA National School Lunch Program and School Breakfast Program and the IOM recommended standard.
3	State mandates two standards (beyond the school meal federal requirements) ^{6,7} for designated meal periods, in categories such as: (1) specific meal scheduling time requirements (e.g., lunch must be served between 11 a.m. and 1 p.m. and/or lunch must follow recess), and (2) specific eating time requirements (e.g., school must provide 20 minutes for students to eat after students are seated).
2	State mandates one standard (beyond the school meal federal requirements) ^{6,7} for designated meal period, in categories such as: (1) specific meal scheduling time requirements (e.g., lunch must be served between 11 a.m. and 1 p.m.), and/or (2) specific eating time requirements (e.g., school must provide 20 minutes for students to eat after students are seated).
1	State recommends requirements for designated meal periods that exceed compliance with federal regulations for the school meal.
0	No provision.
Enhancing / Inhibiting Factors	<p>Description: These are features in the codified law that may enhance or inhibit implementation of School Meal Environment Requirement policies, and are coded as: “1” in data set if the factor applies “0” if it does not apply “999” if it was not scored for that particular year</p> <p><u>Potential enhancement factor (envirotime):</u> Law specifies that school provides at least 10 minutes for breakfast and 20 minutes for lunch.</p> <p><u>Potential enhancement factor (envirosched):</u> Law specifies that school only schedules lunch between 11am and 1pm.¹²</p>

Note: According to federal regulations, schools that participate in the USDA National School Lunch Program must serve lunch between 10:00am and 2:00pm.

Individual schools/school districts, not USDA, determine how much time to give students for lunch. USDA’s Changing the Scene document recommends 20 minutes for lunch – after being served, and 10 minutes for breakfast – after being served.

Decision rules:

Policies that require “adequate” lunch periods simply repeat the federal requirement and are not applicable.

Envirotime: State must specify both a time period for breakfast and a time period for lunch (added October 2014).

Food Service Director Qualification Requirements

Note: This policy applies across all grade levels. The italicized text below corresponds to the variable names in the CLASS Data Set.

*Variable name in data set: **SERVIC2***

Score	Description: The food service director qualifications score reflects the degree to which state law addresses the qualifications for food service directors with respect to the USDA National School Lunch Program and National Associations of State Boards of Education recommended standard.
4	State requires newly-hired district food service directors to have a minimum of a bachelor’s degree in nutrition, dietetics, food service management, (or related field) or certification/credentialing from either a state or national program (e.g., School Nutrition Association or American Dietetic Association) at a level that specifies a post-secondary degree and a minimum requirement for specialized training in a nutrition-related field.
3	State requires newly-hired food service directors to have a minor in a nutrition, dietetics, food service management (or related field) or certification/credentialing that specifies a post-secondary degree (e.g., associate’s degree) and a minimum requirement for specialized training in a nutrition-related field.
2	State requires newly-hired district food service directors to have a high school degree / GED and, in addition, a minimum requirement for specialized training in a nutrition-related field; or state requires certification/credentialing that specifies a HS/GED degree with a minimum requirement for specialized training in a nutrition-related field.
1	State recommends credentials for food service directors (or state certification is voluntary).
0	No provision.
Enhancing / Inhibiting Factors	<p>Description: These are features in the codified law that may enhance or inhibit implementation of Food Service Director Qualification Requirement policies, and are coded as: “1” in data set if the factor applies “0” if it does not apply “999” if it was not scored for that particular year</p> <p><u>Potential enhancement factor</u> (<i>servbon</i>): Applies if state addresses professional development for food service directors, whether related to certification or otherwise.</p>

Decision rules:

State policy requiring a “qualified” food service director without specifics to education is coded as the lowest requirement (+2). Policy that require food-related training without reference to specific degree (masters, bachelors, HS/GED), will default to HS/GED +2 (September 19, 2005).

Pay particular attention to education requirement consisting of graduate degree or credit. If graduate education is required, then “+4” would be assigned.

If a bachelor's degree is required, but not in a food-related field, then the policy would be coded as having a minor in a food-related field.

If state specifies different levels of education/certification for Food Service Director based on size of the school/school district, therefore not applying the same regulation to the entire state, code for highest level of education (or most restrictive) and downgrade by (1). Example: GA ADC 160-5-1.22.

Note that AR law requires that 3 prongs be satisfied: (1) high school diploma/GED, (2) successful completion of a national/state program for certification/credentialing of food service director, *and* (3) a post-secondary degree or other specified training. Because all criteria are met and the requirement is more rigorous than a (3), the state was coded as a (4). See: AR ADC 005 01 007.

Training: Food related training must include nutrition. Food safety or food handling does not qualify as food related training.

Professional development/training must be specific to food service directors, not simply "food service staff" or "food service personnel" (added October 2014).

Professional development/training need only be *addressed* for credit. For example, Miss. Code Ann. 37-13-137 receives a 1:

(2) The Office of Healthy Schools of the State Department of Education shall provide comprehensive training for superintendents, business managers, food service directors and food service managers of a local school district, or the designees appointed by those individuals for training purposes, as required by the department on marketing healthy foods, creating a healthy cafeteria environment, effective and efficient food service operations, the standards and expectations of food service staff, and other topics as identified by the department (added October 2014).

Coordinating, Advisory, or Wellness Teams or Councils Requirements

Note: This policy applies across all grade levels. The italicized text below corresponds to the variable names in the CLASS Data Set.

Variable name in data set: ADVISORY

Score	Description: The coordinating, advisory, or wellness teams or councils score reflects the degree to which state law addresses the nutrition and wellness policies of these advisory or councils with respect to the Center for Disease Control and National Associations of State Boards of Education recommended standard.
3	State mandates that districts, local education agencies or schools form school health coordinating, advisory or wellness councils that include a nutrition component and linked to local wellness policies required by the federal “Child Nutrition and WIC Reauthorization Act of 2004 (P.L. 108-265 section 204)” or otherwise, establishes a state-wide infrastructure to support such programs.
2	State mandates that districts, local education agencies or schools form school health coordinating, advisory or wellness councils linked to local wellness policies required by the federal “Child Nutrition and WIC Reauthorization Act of 2004” or otherwise.
1	State recommends voluntary coordinating, advisory or wellness councils for districts, local education agencies or schools.
0	No provision.
Tracking variable	<p>Description: These are features in the codified law that may enhance or inhibit implementation of Coordinating, Advisory, or Wellness Teams or Councils Requirement policies, and are coded as: “1” in data set if the factor applies “0” if it does not apply “999” if it was not scored for that particular year</p> <p><u>Potential enhancement factor</u> (<i>advisboard</i>): Applies if state creates a board/commission/ committee to provide advice and recommendations related to nutrition and youth overweight policies. <u>Potential enhancement factor</u> (<i>advisreview</i>): Applies if state reviews/assesses local committee actions and makes recommendations.</p>

Decision rules:

By July 1, 2006, school districts that participate in the National School Lunch Program must have local wellness policies [P.L. 108-265 sec. 204]. The new law does not say what the details of the local policy should be, but does require that policies be adopted across four areas: nutrition education goals, physical activity goals, nutrition standards, and other school-based activities. The law states that parents, students, and others should be involved and that implementation should be measured. In supporting materials, USDA suggests that schools work with existing “teams” already in place.

If any state regulatory body must report, regarding the progress of district wellness policies, to the state legislature that state will receive credit for: Potential Enhancement Factor: Applies if state reviews/assesses local committee actions and makes recommendations. Example: AR ST § 20-7-135.

Nutrition Education Requirements

Note: The italicized text below corresponds to the variable names in the CLASS Data Set. The scoring criteria for this policy are identical at Elementary (ES), Middle (MS), and High (HS) School levels.

Variable name in data set: ES Level- *EDUC_ES*, MS Level- *EDUC_MS*, HS Level- *EDUC_HS*

Score	Description: The nutrition education score reflects the degree to which state law addresses the amount of nutrition education with respect to the USDA National School Lunch Program and the Center for Disease Control recommended standard at the ES, MS, HS grade level.
4	State requires a curriculum to incorporate/integrate sequential nutrition education content into standards-based health education curriculum with reference to specific nutrition standards for specified grade levels. For example, standards may specify that by a certain grade level, certain standards, concepts or content should be completed by grades 2, 5, 8 and 12. Nutrition education components can be included as part of overall health curriculum.
3	State requires a curriculum to incorporate/integrate sequential nutrition education content into standards-based health education curriculum without reference to specific nutrition standards or grades. Nutrition education components can be included as part of overall health curriculum.
2	State requires a curriculum to incorporate nutrition education content into health curriculum without reference to any additional requirements. Note: If state requires comprehensive health education that is consistent with CDC's Coordinated School Health Program (CSHP), this would qualify, since nutrition is included.
1	State recommends a curriculum to incorporate nutrition education content into health curriculum without reference to any additional requirements. Note: If state recommends comprehensive health education that is consistent with CDC's Coordinated School Health Program (CSHP), this would qualify since nutrition is included.
0	No provision for broad health education provision with no mention of nutrition.
Enhancing / Inhibiting Factors	<p>Description: These are features in the codified law that may enhance or inhibit implementation of Nutrition Education Requirement policies, and are coded as: "1" in data set if the factor applies "0" if it does not apply "999" if it was not scored for that particular year</p> <p><u>Potential enhancement factor</u> (ES- <i>educfoodserves</i>, MS- <i>educfoodservims</i>, HS- <i>educfoodservihs</i>): Applies if state specifies that schools must integrate/ coordinate nutrition instruction in the school with the food service program and/or instruction in other subjects.</p> <p><u>Potential enhancement factor</u> (ES- <i>educrefes</i>, MS- <i>educrefms</i>, HS- <i>educrefhs</i>): Applies if state references the National Health Education Standards, the Dietary Guidelines for Americans, or MyPyramid, in language regarding nutrition education.¹²</p> <p><u>Potential enhancement factor</u> (ES- <i>educinses</i>, MS- <i>educinsms</i>, HS- <i>educinshs</i>): Applies if state specifies hours of student instruction per year (e.g., 50 hours per year) and/or hours of nutrition education professional development (e.g., 10 hours per year).</p> <p><u>Potential enhancement factor</u> (ES- <i>educchshpes</i>, MS- <i>educchshpms</i>, HS- <i>educchshps</i>): Applies if state requires health education (based on CDC's CSHP) for any grade.</p>

Applicability. Nutrition education must be a separate credit-bearing course or a *specific* sub-component of health education requirement. Home economics, vocational education, and family/consumer sciences are not applicable.

Pay particular attention to grade range designation: ES, MS, or HS. If there is no grade range specified, then all grade ranges are applicable.

Marketing: Advertising Requirements

Note: This policy applies across all grade levels. The italicized text below corresponds to the variable names in the CLASS Data Set.

Variable name in data set: MARKTING

Score	Description: The marketing advertising score reflects the degree to which state law addresses the amount of advertising within the school with respect to the IOM and American College of Preventive Medicine recommended standard.
5	State prohibits the sales, commercial promotion/advertising, or giving away of food and beverages, during the school day, that do not conform to specified nutrition standards that meet or exceed federal dietary guidelines. ³
4	State prohibits commercial advertising/promotion of all food and beverages, during the school day, that do not conform to specified nutrition standards that meet or exceed federal dietary guidelines. ³
3	State limits certain types of commercial advertising/promotion for low-nutrient food and beverages in certain locations and/or at certain times (e.g., direct advertising, such as a requirement to switch vending machine signage for soda to signage for water; or indirect advertising, such as in-school fundraisers involving branded foods).
2	State requirement for advertising/marketing is undefined (e.g. schools must promote “healthy” food choices and prohibit advertising/marketing of “less healthy” food and beverages); or state requires districts or schools to develop and adopt a standard for commercial advertising/promotion of food or beverages.
1	State recommends a standard for nutrition-based marketing of food and beverages to students during the school day.
0	No provision.
Enhancing / Inhibiting Factors	<p>Description: These are features in the codified law that may enhance or inhibit implementation of Marketing: Advertising Requirement policies, and are coded as: “1” in data set if the factor applies “0” if it does not apply “999” if it was not scored for that particular year</p> <p><u>Potential enhancement factor (incentive):</u> Applies if a state prohibits the use of commercial food products (through coupon, incentives or other means) as a reward for school achievement.</p> <p><u>Potential enhancement factor (instructban):</u> State prohibits all advertising associated with instruction (such as the use of logos and brands for food/beverage items on educational materials provided by the school).</p>

Decision rules:

Credit is given for restrictions on commercial advertising/promotion that include foods of low-nutritive value as a subset. For example, a policy that prohibits commercial advertisements on instructional materials unless local school boards meet state-mandates procedures, descriptive terms for food/beverages to be **promoted** must be consistent and based on specified definitions (e.g., state must promote “healthy foods” is insufficient without specifics which conform to US Dietary Guidelines).

To get a score of 5, the law must include some mention of giving away of food and beverages. If this is not present, a score of 4 will be provided (update January 9, 2020).

Marketing: Preferential Pricing Requirements

Note: This policy applies across all grade levels. The italicized text below corresponds to the variable names in the CLASS Data Set.

Variable name in data set: PRF_PRIC

Score	Description: The marketing preferential pricing score reflects the degree to which state law addresses preferential pricing with respect to the recommendations published in the scientific literature.
4	State mandates preferential pricing, applicable to multiple settings, to promote nutrient-dense food or beverages choices (e.g., preferential pricing of fruits and vegetables wherever sold or served in school).
3	State mandates preferential pricing; applicable to a single setting or food group to promote nutrient-dense food or beverages choices (e.g., vending prices may not favor carbonated beverages over water or 100% fruit juice).
2	State mandates a general requirement for preferential pricing (e.g., districts or schools shall promote healthy foods through preferential pricing); or State requires districts or schools to develop and adopt a policy related to preferential pricing for nutrient-dense food and beverages.
1	State recommends preferential pricing to promote nutrient-dense food or beverage choices.
0	No provision.
Enhancing/ Inhibiting Factors	<p>Description: These are features in the codified law that may enhance or inhibit implementation of Marketing: Preferential Pricing Requirement policies, and are coded as: “1” in data set if the factor applies “0” if it does not apply “999” if it was not scored for that particular year</p> <p><u>Potential enhancement factor (pricplace):</u> Applies if state addresses placement of food or beverages to promote nutrient-dense food and beverage choices (e.g., fruits and vegetables should be offered at all points of service).</p>

Decision rules:

Credit is given for restrictions on commercial advertising/promotion that include foods of low-nutritive value as a subset. For example, a policy that prohibits commercial advertisements on instructional materials unless local school boards meet state-mandates procedures, descriptive terms for food/beverages to be **promoted** must be consistent and based on specified definitions (e.g., state must promote “healthy foods” is insufficient without specifics which conform to US Dietary Guidelines).

Body Mass Index (BMI) Screening

Note: This policy applies across all grade levels. The italicized text below corresponds to the variable names in the CLASS Data Set.

Variable name in data set: BMI

Score	Description: The Body Mass Index (BMI) screening score reflects the degree to which state law addresses the prevention of overweight and obesity in accordance with the IOM and Federal Dietary Guidelines for Americans recommended standard.
3	State mandates BMI screening (if not exempted by parents) in all grades AND mandates purpose of screening, expected outcomes, appropriate parent notification/communication, and appropriate follow-up actions. ¹⁴
2	State mandates BMI screening (if not exempted by parents) AND mandates purpose of screening, expected outcomes, appropriate parent notification/communication, and appropriate follow-up actions. Grade levels not specified.
1	State recommends/encourages/allows schools to conduct BMI screening that would include purpose of screening, expected outcomes, appropriate parent notification/communication, and appropriate follow-up actions.
0	No BMI screening provision OR BMI screening required/recommended but no mention of purpose, outcomes, parent notification/communication, and/or appropriate follow up.
Tracking variable	<p>Description: These are features in the codified law that may enhance or inhibit implementation of Body Mass Index Screening Requirement policies, and are coded as: “1” in data set if the factor applies “0” if it does not apply “999” if it was not scored for that particular year</p> <p><u>Inhibiting factor</u> (to track distinction between the two zero categories) (<i>bmi_fwup</i>): BMI screening required/recommended but no mention of purpose, outcomes, parent notification/communication, and/or appropriate follow up.</p>

Decision rules:

Applicability. Policies that require the collection of student height and weight, without specifically referring to “BMI,” are relevant for this topic area and will be rated accordingly.

Policies that require or recommend BMI screening, but do not contain provisions related to purpose, outcomes, parental notification, or some other follow-up are coded as a (0) *with the inhibiting factor* *bmi_fwup*.

Policies that require health care providers outside the school system to perform BMI screening, but also include the Department of Education or the school districts in the screening and data collection process (see IL and NY), are relevant and will be rated accordingly (April 25, 2006).

¹⁴ Nihiser AJ, Lee SM, Wechsler H, McKenna M, Odom E, Reinold C, Thompson D, Grummer-Strawn L. Body Mass Index Measurement in Schools. *Journal of School Health*. 2007;77(10):651–671.
http://www.ashaweb.org/journal_schoolhealth.html#bmi

Policies that require Fitnessgram testing are coded as (0) *with the inhibiting factor* bmi_fwup=1 unless reporting results are specified (added 2015).

Farm to School Requirements

Note: The italicized text below corresponds to the variable names in the CLASS Data Set. The scoring criteria for this policy are identical at Elementary (ES), Middle (MS), and High (HS) School levels.

Variable name in data set: ES Level- FRMSCHEs, MS Level- FRMSCHMS, HS Level- FRMSCHHS

Score	Description: The Farm to School score reflects the degree to which state law establishes a farm to school program with respect to the USDA National School Lunch Program and the Center for Disease Control and Prevention’s recommended School Health Guidelines at the ES, MS, HS grade level.
4	State establishes a Farm to School program which requires all of the following components: <ul style="list-style-type: none"> ● Technical assistance for the Farm to School program provided by the state (e.g., website of farmers/schools participating in the program, farm/food service director education, or other outreach). ● Nutrition education to students in conjunction with the program (e.g. school garden or farm tours). ● Dedicated funding (i.e., state grants) for the program. ● State defines “local” or “regional” produce used in the program.
3	State establishes a Farm to School program with at least 2 of the 4 criteria listed above.
2	State establishes a Farm to School program without specified requirements.
1	State recommends that schools establish a Farm to School program, OR state only requires less than one week devoted to a Farm to School Program (e.g., a pilot).
0	No provision for establishment of a Farm to School program.
Enhancing / Inhibiting Factors	<p>Description: These are features in the codified law that may enhance or inhibit implementation of Nutrition Education Requirement policies, and are coded as: “1” in data set if the factor applies “0” if it does not apply “999” if it was not scored for that particular year</p> <p><u>Potential enhancement factor</u> (at all school levels- <i>schgrd</i>): Applies if state addresses school gardens as a stand-alone program.</p> <p><u>Potential enhancement factor</u> (at all school levels- <i>interag</i>): Applies if state requires interagency collaboration regarding the Farm to School program.</p> <p><u>Potential enhancement factor</u> (at all school levels- <i>intcurr</i>): Applies if state requires the Farm to School nutrition component be integrated into permanent curriculum (e.g., health or science).</p>

Definition:

The term ‘farm to school’ is generally understood to include efforts that connect schools with local or regional producers in order to serve local or regionally produced foods in school cafeterias. In addition to procurement activities, food, agriculture and nutrition-based educational efforts that span a host of hands-on experiential activities, such as school gardens, field trips to

local farms, and cooking classes, are also included in the concept of farm to school. Standards-based curriculum centered on food, agriculture, and/or nutrition often integrates as well¹⁵. Themes present in both the literature and in the actual laws and regulations regarding Farm to School programs include: **1. Technical Assistance for leadership development and facilitate farmer participation; 2. Nutrition education for students; 3. Dedicated funding for the program; and 4. Define “local/regional” produced used in the program. These factors highlight appropriate state-level policy interventions that may be applied when designing a Farm to School program. These factors are captured in total in a score of 4 on the newly created coding instrument.**

Decision rules:

This variable captures the establishment of a program. Provisions that address the criteria needed for a score of 3 or 4 on the Farm to School scale, but do not establish a program are not included in the dataset (example: Virginia).

If a program requires any/all aspects of a typical Farm to School program (i.e. TA, education etc.), but it is not named “Farm to School”, it **will be** included in this dataset.

If the provision states that the produce used for the Farm to School program must be grown in the specific state or surrounding states the state should receive credit for defining “local produce”.

Outreach is included as a TA component of Farm to School.

Dedicated funding is defined as: provisions that require a permanent state funding source (i.e. grants).

Nutrition education is defined as any education directed towards students, for example about farms or nutrition.

Technical assistance from the state may include education to teachers, food service workers, and farmers regarding the farm to school program.

The provision does not need to specifically be named Farm to School, but must contain specified components of a Farm to School program.

In order to receive higher than a score of 2, the actual elements of the Farm to School Program must also be required, and not simply encouraged/recommended (added April 2015).

School Garden v. Farm to School Program

State Specific DR: California: Generally CA has many different grant programs that address Farm to School type programs. Each program has different criteria/objectives, with a general theme of education surrounding the Farm to School program or increased fruit and vegetable

¹⁵ United States Department of Agriculture School Garden Q&As Memo to Regional Directors Child Nutrition Programs All Regions and State Directors Child Nutrition Programs All States July 29, 2009 (SP 32-2009)

intake of students. CA does establish the Instructional School Gardens Program is the closest to Farm to School program as it includes the establishment of the program and accompanying TA and nutrition education to students (Cal Ed. Code § 9000 et seq., Cal Ed Code § 51796, 51796.2, 51796.5) (added July 20, 2012).

The school garden enhancement factor is meant to capture **any** aspects of a school garden program.

If the garden program encompasses some codified aspects of a typical Farm to School program, the provisions should be scored as the Farm to School variable (see **District of Columbia** as example).

To say “gardens” are a stand-alone program means that they are not simply listed as an educational tool as part of the broader farm to school program. If there is a distinct program, whether or not farm to school is addressed as well, this enhancement factor gets coded (added 2022).

Local Procurement Program v. Farm to School Program

Local procurement programs that do not address other aspects of a typical Farm to School program (i.e. TA, education etc.) **are not included** in this dataset.

Provisions that address only local procurement programs will not be included in this coding system.

Procurement Example (added April 2015)

RI Code Ann. 16-21-28:

(d) The school health and wellness subcommittee shall be responsible for, but not limited to, development of policies, strategies, and implementation plans **that promote purchasing and serving locally grown fruits, vegetables and dairy products** and that meet the requirements of the child nutrition and WIC Reauthorization Act of 2004. The school health and wellness subcommittee shall forward all recommendations regarding the district's health education curriculum and instruction, physical education curriculum and instruction, nutrition policies, and physical activity policies to the full school committee.

Potable Water Requirements

Note: The italicized text below corresponds to the variable names in the CLASS Data Set. The scoring criteria for this policy are identical at Elementary (ES), Middle (MS), and High (HS) School levels.

Variable name in data set: ES Level- POTWTRES, MS Level-POTWTRMS, HS Level- POTWTRHS

Score	Description: The potable water score reflects the degree to which state law requires free potable water access with respect to the USDA National School Lunch Program and the Center for Disease Control and Prevention’s recommended School Health Guidelines at the ES, MS, HS grade level.
4	State requires free potable water access with requirements or standards that exceed compliance with federal regulations (7 CFR 210 for the National School Lunch Program) and meets all the following criteria: <ul style="list-style-type: none"> ● Requires access to potable water during all meal times. ● Requires access to potable water at all times during the day. ● Requires access to potable water in other areas of the school building other than the cafeteria.
3	State requires free potable water access with requirements or standards that exceed compliance with federal regulations (7 CFR 210 for the National School Lunch Program) and meets at least 1 of the 3 criteria: <ul style="list-style-type: none"> ● Requires access to potable water during all meal times. ● Requires access to potable water during at all times during the day. ● Requires access to potable water in other areas of the school building other than the cafeteria.
2	State requires that potable water be available to children at no charge in the place where lunch meals are served during meal service.
1	State recommends access to free potable water that exceeds compliance with federal regulations (7 CFR 210 for the National School Lunch Program).
0	No provision for access to potable water.
Enhancing / Inhibiting Factors	Description: These are features in the codified law that may enhance or inhibit implementation of Nutrition Education Requirement policies, and are coded as: “1” in data set if the factor applies “0” if it does not apply “999” if it was not scored for that particular year <u>Potential enhancement factor</u> (at all school levels- <i>wtrecp</i>): Applies if state requires that schools provide a water receptacle near all potable water access points (i.e., cups/pitchers).

Note. Section 203 of the Healthy Hunger Free Kids Act amends section 9(a) of the Richard B. Russell National School Lunch Act (42 U.S.C. (1758(a)) by requiring that schools participating in the NSLP make potable water available to children at no charge in the place **where lunch meals** are served **during the meal service**. Issues affecting potable water consumption by students include access, quality, infrastructure, and funding. This scoring system focuses on access (e.g. time, number and location of access points, ability to utilize access points).

Definition:

Section 203 of the Healthy Hunger Free Kids Act amends section 9(a) of the Richard B. Russell National School Lunch Act (42 U.S.C. (1758(a)) by requiring that schools participating in the NSLP make potable water available to children at no charge in the place **where lunch meals** are served **during the meal service**. This part of the law is to be implemented January 2013. This scale was created in 2012 but will include the upcoming changes due to occur in 2013, as to make coding consistent across years. Issues affecting potable water consumption by students include access, quality, infrastructure, and funding. This scoring system focuses on access (e.g. time, number and location of access points, ability to utilize access points).

Decision rules:

Provisions that require potable water in schools, without specifically saying that the water may be available in food service areas for drinking, will not be coded.

Water (typically bottled water), if offered for sale, is not included in this dataset.

Examples:

Score of 1

- D.C. Code § 38-822.03 (District of Columbia) – Schools are **encouraged** to make cold, filtered water available free to students, through water fountains or other means, when meals are served to students.

Score of 3

- W. Va. CSR § 126-86-8 (West Virginia)
 - 8.1. – In addition to milk, safe drinking water shall be offered with meals for student consumption in all child nutrition programs. Cups must be available with any water dispenser for easy student access.
 - 8.2. – Schools shall make available plain, unflavored water throughout the school day at no charge.

Smart Snacks Food Requirements

Note: This variable was added beginning with the CLASS 2014 data set. Please note that the Smart Snacks Food Requirement variable is coded in addition to the IOM related competitive food and beverages variables included in the 2003-2014 CLASS data sets. The new variable written below will be coded only if Smart Snacks or its nutrient standards are specifically addressed.

Variable name in data set: ES Level- SMARTSNACKES, MS Level- SMARTSNACKMS, HS Level- SMARTSNACKHS

Score	Description: The Smart Snacks Requirement score reflects the degree to which state law addresses compliance with the federal rule known as “Smart Snacks” standards ¹⁶ at the ES, MS, and HS grade level.
6	State institutes a complete ban on competitive food sales.
5	<p>State requires compliance with Smart Snacks/Federal Rule/ 7 CFR 210.11 requirements for food sold at school and defines the standards or requires compliance with articulated standards that meet or exceed Smart Snacks requirements, even if no reference to Smart Snacks/Federal Rule/ 7 CFR 210.11 exists.</p> <p>Smart Snacks requires that all food fall into one of the general standards as well as meet the specific nutrient standards.</p> <p>General food standard requires that food sold must:</p> <ul style="list-style-type: none"> ● Be a grain product that contains 50 percent or more whole grains by weight or have the first ingredient a whole grain; or ● Have as the first ingredient a fruit, vegetable, dairy product, protein food; or ● Be a combination food that contains at least ¼ cup of fruit and/or vegetable; or ● Contain 10% of the daily value of one of the nutrients of public health concern based on the most recent Dietary Guidelines for Americans¹⁷ (calcium, potassium, vitamin D, or dietary fiber)*; and ● If water is the first ingredient, the second ingredient must be one of the food items above. <p>Nutrient standards:</p> <ul style="list-style-type: none"> ● No more than 200 calories per snack portion ● No more than 350 calories per entrée ● No more than 230 mg of sodium per snack item** ● No more than 480 mg of sodium per entrée item ● No more than 35% total calories from fat*** ● Less than 10% total calories from saturated fat**** ● Zero grams trans fat per portion (less than 0.5g per portion) ● No more than 35% of weight from total sugars***** <p>*Beginning July 1, 2016 foods may not qualify using the 10% DV criteria.</p>

¹⁶ *National School Lunch Program and School Breakfast Program: Nutrition Standards for All Foods Sold in School as Required by the Healthy, Hunger-Free Kids Act of 2010*, 7 CFR 210.11 (interim final rule June 28, 2013) available at http://www.ecfr.gov/cgi-bin/text-idx?rgn=div5&node=7:4.1.1.1.1#se7.4.210_111. See also Tools for Schools: Focusing on Smart Snacks. Available at <http://www.fns.usda.gov/healthierschoolday/tools-schools-focusing-smart-snacks>.

¹⁷ Dietary Guidelines for Americans 2010. U.S. Department of Agriculture. 2010. Available at <http://health.gov/dietaryguidelines/dga2010/dietaryguidelines2010.pdf>.

	<p>** Effective July 1, 2016, these snack items and side dishes must have not more than 200 mg of sodium per item as packaged or served.</p> <p>***Exemptions to fat/saturated fat requirements: reduced fat cheese and part skim mozzarella cheese, nuts, seeds, nut/seed butters, dried fruit with nuts and/or seeds with no added nutritive sweeteners or fat, seafood with no added fat.</p> <p>****Exemptions to sugar requirements: dried whole fruits or vegetables, dried whole fruit or vegetable pieces, dehydrated fruits or vegetables with no added nutritive sweeteners, dried fruits with nutritive sweeteners required for processing, products that consist of only dried fruit with nuts and/or seeds, fresh frozen and canned fruits and vegetables with no added ingredients.</p>
4	State requires compliance with Smart Snacks/Federal Rule/ 7 CFR 210.11 requirements for food sold at school without specifying actual standards.
3	<p>State requires compliance with all of the specific nutrient standards of Smart Snacks.</p> <p>Nutrient standards:</p> <ul style="list-style-type: none"> ● No more than 200 calories per snack portion ● No more than 350 calories per entrée ● No more than 230 mg of sodium per snack item** ● No more than 480 mg of sodium per entrée item ● No more than 35% total calories from fat*** ● Less than 10% total calories from saturated fat**** ● Zero grams trans fat per portion (not more than 0.5g per portion) ● No more than 35% of weight from total sugars***** <p>*Beginning July 1, 2016 foods may not qualify using the 10% DV criteria.</p> <p>**Effective July 1, 2016, these snack items and side dishes must have not more than 200 mg of sodium per item as packaged or served.</p> <p>***Exemptions to fat/saturated fat requirements: reduced fat cheese and part skim mozzarella cheese, nuts, seeds, nut/seed butters, dried fruit with nuts and/or seeds with no added nutritive sweeteners or fat, seafood with no added fat.</p> <p>****Exemptions to sugar requirements: dried whole fruits or vegetables, dried whole fruit or vegetable pieces, dehydrated fruits or vegetables with no added nutritive sweeteners, dried fruits with nutritive sweeteners required for processing, products that consist of only dried fruit with nuts and/or seeds, fresh frozen and canned fruits and vegetables with no added ingredients.</p>
2	State requires some nutrition standards that meet or exceed Smart Snacks requirements with specified limits on calories <u>or</u> sodium, <u>or</u> fat, <u>or</u> saturated fat, <u>or</u> trans fat, <u>or</u> sugar.
1	State recommends compliance with Smart Snacks/Federal Rule/ 7 CFR 210.11 requirements for food sold at school.
0	No provision related to Smart Snacks/Federal Rule/ 7 CFR 210.11.
Enhancing / Inhibiting Factors	<p>Description: These are features in the codified law that may enhance or inhibit implementation of Smart Snacks Requirement policies, and are coded as:</p> <p>“1” in data set if the factor applies</p> <p>“0” if it does not apply</p> <p>“999” if it was not scored for that particular year</p> <p><u>Potential enhancement factor</u> (ES-<i>fundnoexemptes</i>; MS-<i>fundnoexemptms</i>; HS-<i>fundnoexempths</i>): Applies if policy allows for 0 exempt fundraisers each year.</p> <p><u>Potential inhibiting factor</u> (ES-<i>fundexemptes</i>; MS-<i>fundexemptms</i>; HS-<i>fundexempths</i>): Applies if policy allows for a certain number of exempt fundraisers each year.</p>

Decision rules:

Level 2 coding includes situations where not all venues are regulated for the Smart Snacks requirements. If vending machines, school stores, *a la carte*, entrees, and fundraisers did not *all* meet Smart Snacks, a level 5 coding would not be given.

If a policy only includes old language regulating FMNVs, no coding is applied here.

A few states have adopted fundraiser exemption policies without requiring compliance with Smart Snacks nutrition standards (ex. MI, TX, VA). In those cases, the parent variable receives a score of 0 but the fundraiser exemption inhibiting factor is still coded in order to track those policies.

Smart Snacks Beverage Requirements

Note: This variable was added beginning with the CLASS 2014 data set. Please note that the Smart Snacks Beverage Requirement variable is coded in addition to the IOM related competitive food and beverages variables included in the 2003-2014 CLASS data sets. The new variable written below will be coded only if Smart Snacks or its beverage standards are specifically addressed.

Variable name in data set: ES Level- BEVSMARTSNACKES, MS Level- BEVSMARTSNACKMS, HS Level- BEVSMARTSNACKHS

Score	Description: The Smart Snacks Requirement score reflects the degree to which state law addresses compliance with the federal rule known as “Smart Snacks” standards ⁹ at the ES, MS, and HS grade level.
6	State institutes a complete ban on competitive food sales.
5	<p>State requires compliance with Smart Snacks/Federal Rule/ 7 CFR 210.11 requirements for beverages sold at school and defines the standards or requires compliance with articulated standards that meet or exceed Smart Snacks requirements, even if no reference to Smart Snacks/Federal Rule/ 7 CFR 210.11 exists.</p> <p>Smart Snacks requires that beverages be limited to the following in elementary and middle schools:</p> <ul style="list-style-type: none"> ● Plain water (with or without carbonation but no flavorings) ● Unflavored low fat milk ● Unflavored or flavored fat free milk and milk alternatives permitted by NSLP/SBP ● 100% fruit/vegetable juice ● 100% fruit/vegetable juice diluted with water (with or without carbonation) and no added sweeteners <p>High Schools may additionally sell:</p> <ul style="list-style-type: none"> ● No more than 20-fluid ounce portions of calorie-free, flavored water (with or without carbonation); and other beverages containing < 5 calories/8 fl. oz. (or ≤ 10 calories/20 fl. oz.) ● No more than 12-fluid ounce portions of beverages with ≤ 40 calories/8 fl. oz. or ≤ 60 calories/12 fl. oz. <p>Serving sizes are limited as follows: ES—8 fl. oz. for all beverages except water MS—12 fl. oz. for all beverages except water HS—12 fl. oz. for milk and juice; 20 fl. oz. portions of calorie-free, flavored water (with or without carbonation) and other beverages that are labeled to contain <5 calories/8 fl. oz. or ≤ 10 calories/20 fl. oz.; 12 fl. oz. other beverages ≤ 40 calories/8 fl. oz. or ≤ 60 calories/12 fl. oz.</p>
4	State requires compliance with Smart Snacks/Federal Rule/ 7 CFR 210.11 requirements for beverages sold at school without specifying actual standards.
3	<p>State requires compliance with the following Smart Snacks/Federal Rule/ 7 CFR 210.11 requirements for beverages sold at school, without limiting serving sizes.</p> <p>Smart Snacks requires that beverages be limited to the following in elementary and middle schools:</p> <ul style="list-style-type: none"> ● Plain water (with or without carbonation but no flavorings)

	<ul style="list-style-type: none"> ● Fat free or low fat unflavored milk ● Fat free flavored milk ● 100% juice ● 100% juice diluted with water <p>High Schools may additionally sell:</p> <ul style="list-style-type: none"> ● Calorie-free, flavored water (with or without carbonation); and other beverages containing < 5 calories/8 fl. oz. (or ≤ 10 calories/20 fl. oz.) ● Beverages with ≤ 40 calories/8 fl. oz. or ≤ 60 calories/12 fl. oz.
2	State requires some nutrition standards that meet or exceed Smart Snacks requirements with specified restrictions on water <u>or</u> milk fat <u>or</u> juice <u>or</u> serving size <u>or</u> other beverages.
1	State recommends compliance with Smart Snacks/Federal Rule/ 7 CFR 210.11 requirements for beverages sold at school.
0	No provision related to Smart Snacks/Federal Rule/ 7 CFR 210.11.
Enhancing / Inhibiting Factors	<p>Description: These are features in the codified law that may enhance or inhibit implementation of Smart Snacks Requirement policies, and are coded as: “1” in data set if the factor applies “0” if it does not apply “999” if it was not scored for that particular year</p> <p><u>Potential enhancement factor</u> (ES-<i>bevfundnoexemptes</i>; MS-<i>bevfundnoexemptms</i>; HS-<i>bevfundnoexempths</i>): Applies if policy allows for 0 exempt fundraisers each year.</p> <p><u>Potential inhibiting factor</u> (ES-<i>bevfundexemptes</i>; MS-<i>bevfundexemptms</i>; HS-<i>bevfundexempths</i>): Applies if policy allows for a certain number of exempt fundraisers each year.</p>

Decision rules:

Level 2 coding includes situations where not all venues are regulated for the Smart Snacks requirements. If vending machines, school stores, *a la carte*, entrees, and fundraisers did not *all* meet Smart Snacks, a level 5 coding would not be given.

If a policy only includes old language regulating FMNVs, no coding is applied here.

If a policy restricted caffeine in ES/MS but did not limit the types of water/milk/juice, it was given level 2 coding.

A few states have adopted fundraiser exemption policies without requiring compliance with Smart Snacks nutrition standards (ex. MI, TX, VA). In those cases, the parent variable receives a score of 0 but the fundraiser exemption inhibiting factor is still coded in order to track those policies.

Coordinated School Health

Note: The italicized text below corresponds to the variable names in the CLASS Data Set. The scoring criteria for this policy are identical at Elementary (ES), Middle (MS), and High (HS) School levels. *new 2016 data

Variable name in data set: ES Level- *WSCCES*, MS Level-*WSCCMS*, HS Level- *WSCCHS*

Score	Description: The coordinated school health score reflects the degree to which state law addresses the Whole School, Whole Community, Whole Child Model developed by the Center for Disease Control ¹⁸ and Prevention's at the ES, MS, HS grade level.
3	State institutionalizes the Whole School, Whole Community, Whole Child Model as a framework for coordinated school health.
2	State includes language to institutionalize a coordinated school health model, but not WSCC.
1	State recommends utilizing either a coordinated school health model or the WSCC Model.
0	No provision related to coordinated school health.
Enhancing / Inhibiting Factors	<p>Description: These are features in the codified law that may enhance or inhibit implementation of Nutrition Education Requirement policies, and are coded as: "1" in data set if the factor applies "0" if it does not apply "999" if it was not scored for that particular year</p> <p><u>Potential inhibiting factor:</u> (<i>wscddist</i>) Applies if state only recommends that districts use or incorporate the materials that the state develops/adopts.</p>

Decision rules:

If the state Department is required to provide resources, or policies, even if districts only need to consider recommendations, WSCC=2.

- Note: in these cases, the inhibiting factor will be scored as 1.

If state requires district integration of CSHP, or the creation of a Coordinated School Health Council, WSCC=2 (ex. MS, NM, SC).

If state simply references WSCC without working to institutionalize it, it will not be coded (ex. VT).

States that institutionalize WSCC through HE standards are coded based on whether WSCC applies more generally throughout the school (ex. WA=3) or specifically in HE (ex. DC=1).

¹⁸ Centers for Disease Control and Prevention. Whole School, Whole Community, Whole Child. 2015. Available at: <http://www.cdc.gov/healthyyouth/wsc/index.htm>

Unpaid School Meal Charges

Note: The italicized text below corresponds to the variable names in the CLASS Data Set. The scoring criteria for this policy are identical at Elementary (ES), Middle (MS), and High (HS) School levels. *New 2019 data

Variable name in data set: **UNPAIDMEALS**

Score	Description: The unpaid school meals charges score reflects the degree to which state law addresses how to handle unpaid school meal debt in an effort to reduce identification and stigma.
3	State law requires that students with unpaid meal debt be served a meal and requires both of the following: <ul style="list-style-type: none"> ● No overt identification/shaming ● No alternative meals
2	State law requires that students with unpaid meal debt be served a meal and may mention 1 of the following: <ul style="list-style-type: none"> ● No overt identification/shaming ● No alternative meals
1	State law recommends that efforts be made to reduce stigma related to unpaid school meal charges without including specifics or without ensuring that the student be fed.
0	No provision related to unpaid school meal charges.
Enhancing / Inhibiting Factors	<p>Description: These are features in the codified law that may enhance or inhibit implementation of Nutrition Education Requirement policies, and are coded as: “1” in data set if the factor applies “0” if it does not apply “999” if it was not scored for that particular year</p> <p><u>Potential inhibiting factor:</u> (<i>stigma</i>) Applies if state specifically allows for an alternative meal or restricts access to food/beverages after a certain number of days.</p> <p><u>Potential enhancement factor:</u> (<i>application</i>) Applies if state discusses helping a family with unpaid meal debt certify eligibility or otherwise apply for FRPL.</p>

Decision rules:

The inhibiting factor is designed to account for a policy that stops supporting students after a certain number of days.

Ex. Hawaii Revised Statutes §302A-404

(b) No student shall be denied a meal solely for failure to pay:

* (1) Within the first twenty-one days of the first semester of a school year while the student's application for free or reduced lunch is being processed; or

* (2) Within seven days after a student's meal fund account reaches a zero or negative balance.

Ex. Texas Education Code Sec. 33.908

The policy:

(1) must allow a student whose meal card or account balance is exhausted or insufficient to continue, for a period determined by the board, to purchase meals by:

- * (A) accumulating a negative balance on the student's card or account; or
- * (B) otherwise receiving an extension of credit from the district;

This also means that a state law can receive the strongest level of coding for UNPAIDMEALS even if the protections only last for a specific amount of time (see MA Stat. 71, 72B) (added November 2022).

Level 1 coding includes state laws in which stigma is addressed, but it's not clear that the student must continue to be fed.

Ex. Minnesota Statutes. 124D.111

Subdivision 4. ****No fees.**** A participant that receives school lunch aid under this section must make lunch available without charge to all participating students who qualify for free or reduced-price meals. The participant must also ensure that any reminders for payment of outstanding student meal balances do not demean or stigmatize any child participating in the school lunch program.

Ex. 702 KAR 6:050

No physical segregation or other discrimination against any child shall be made by school officials because of his inability to pay the full cost of a meal.

Potential enhancement factor (application):

Suggesting that the parent apply for FRPL, without offering assistance, is not enough.

Ex: ACA 6-18-715

(d) If a student owes money for a meal or snack that is in excess of the amount charged a student for five (5) lunches, or another amount as determined by the student's school district, a school may contact the parent or guardian of the student to:

- (1) Attempt collection of the owed money; and
- (2) Request that the parent or guardian apply for meal benefits in a federal or state child nutrition program.

But, if the district must try to directly certify student's eligibility, that will be scored as 1.

Ex: California Education Code 49557.5

(e) A local educational agency shall notify a parent or guardian of the negative balance of a pupil's school meal account no later than 10 days after the pupil's school meal account has reached a negative balance. Before sending this notification to the parent or guardian, the local educational agency shall exhaust all options and methods to directly certify the pupil for free or reduced-price meals. If the local educational agency is not able to directly certify the pupil, the local educational agency shall provide the parent or guardian with a paper copy of, or an electronic link to, an application with the notification and contact the parent or guardian to encourage application submission.

School Vaccinations

Note: The italicized text in parenthesis provides the variable names in the CLASS Data Set.

*Variable name in data set: (VACCINEEXEMPT)*new 2020 data*

Score	Description: The school vaccination variable measures the extent to which students are allowed to be exempt from state-mandated vaccination requirements.
3	State law includes vaccination mandates and allows no exemptions (outside of medical exemptions).
2	State law includes vaccination mandates but allows for religious exemptions (may also include medical exemptions).
1	State law includes vaccination mandates but allows for religious and/or personal exemptions (may also include medical exemptions).
0	No mention of vaccination mandates or exemptions in state law.
Enhancing / Inhibiting Factors	There are no enhancement factors for this variable.

Decision rules:

Laws that allow for “individually” held beliefs will be coded as personal exemptions.

New Mexico Administrative Code 6.12.2.8

* (ii) notarized affidavits or written affirmation from his parent or legal guardian that his religious beliefs, held either **individually** or jointly with others, do not permit the administration of vaccine or other immunizing agent.

Some states have chosen to strengthen laws over time by eliminating religious and/or personal exemptions. In those situations, some students have been grandfathered in and old exemptions allowed to remain (see e.g. ME CMR 05-071-126 and CT Conn Stat. 10-204a). This variable will measure the general requirements for new students and will not be downgraded based on the transition period.