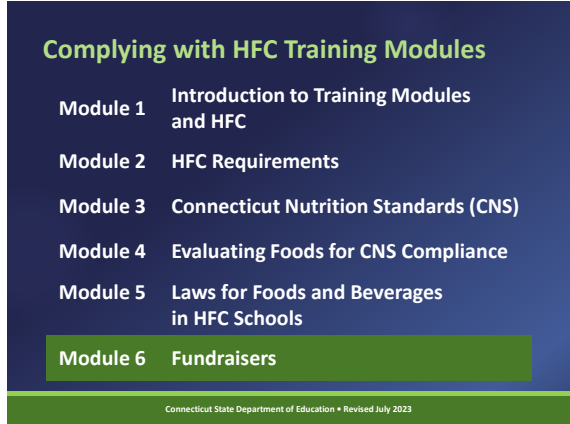




1



2



3



4




5




6

Examples of Fundraisers


Tickets and similar items redeemable for foods and beverages



Offering foods and beverages for a suggested donation



Place orders and receive distribution on school premises



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Compliant Foods

- Foods that meet the Connecticut Nutrition Standards (CNS)



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Compliant Beverages

- Beverages that meet the requirements of the state beverage statute (C.G.S. Section 10-221q) and USDA's Smart Snacks beverage standards




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Module Topics and Key Messages



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Module 6 Topics

- Overview of state and federal laws that apply to fundraisers
- Three categories of allowable fundraisers
- Compliant and Noncompliant foods
- Compliant and Noncompliant beverages
- Tickets, coupons, and similar items
- Orders and distribution on school premises
- Fundraiser catalogs, fliers, and similar promotions
- Suggested donations for foods and beverages
- Bake sales
- Candy and gum
- Compliance strategies
- Knowledge Check: Allowable Fundraisers
- Summary of fundraiser requirements
- Resources

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Key Messages About Fundraisers

- Cannot sell noncompliant foods unless meet exemption criteria
- Cannot sell noncompliant beverages unless meet exemption criteria
- Fundraisers must comply with other state laws for competitive foods
- State laws apply regardless of when students will receive or consume foods and beverages



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Overview of State and Federal Laws that Apply to Fundraisers


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HFC Public Schools Must Comply with

HFC statute
(C.G.S. Section 10-215f)

Connecticut Nutrition Standards (CNS)
(C.G.S. Section 10-215e)



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HFC Public Schools Must Comply with

State beverage statute

- C.G.S. Section 10-221q

State statute for nutritious and low-fat foods

- C.G.S. Section 10-221p

USDA's Smart Snacks beverage standards

- 81 FR 50131

State competitive foods regulations

- Sections 10-215b-1 and 10-215b-23 of Regulations of Connecticut State Agencies

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Child Nutrition Programs


- National School Lunch Program (NSLP)
- School Breakfast Program (SBP)
- Afterschool Snack Program (ASP) of NSLP
- Seamless Summer Option (SSO) of NSLP
- Special Milk Program (SMP)
- Fresh Fruit and Vegetable Program (FFVP)
- Child and Adult Care Food Program (CACFP) At-risk Afterschool Meals operated in schools
- Summer Food Service Program (SFSPP) operated in schools

<https://portal.ct.gov/SDE/Nutrition/Child-Nutrition-Programs>

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Considerations for When Laws Apply to Different Types of Fundraisers



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Considerations for When Laws Apply to Different Types of Fundraisers

- 1 What foods and beverages are being sold
- 2 When selling occurs
- 3 Where selling occurs

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CSDE Resource

Summary Chart: Federal and State Requirements for Competitive Foods in HFC Public Schools

Summary Chart: Federal and State Requirements for Competitive Foods in HFC Public Schools		State Requirements		Federal Requirements	
Category	Item	State Requirements	Federal Requirements	State Requirements	Federal Requirements
Beverages	Soft Drinks	Not Allowed	Not Allowed	Not Allowed	Not Allowed
	Sweetened Beverages	Not Allowed	Not Allowed	Not Allowed	Not Allowed
Foods	High-Fat Foods	Not Allowed	Not Allowed	Not Allowed	Not Allowed
	High-Sugar Foods	Not Allowed	Not Allowed	Not Allowed	Not Allowed

https://portal.ct.gov/-/media/SDE/Nutrition/CompFoods/Summary_Chart_Requirements_Competitive_Foods_HFC.pdf

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Three Categories of Allowable Fundraisers

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Categories of Allowable Fundraisers

1

Sales of compliant foods and beverages to students on school premises

- **Commercial products**
 - CSDE's List of Acceptable Foods and Beverages webpage
- **Foods made from scratch**
 - Accurate standardized recipe
 - Completed CNS worksheet

<https://portal.ct.gov/SDE/Nutrition/List-of-Acceptable-Foods-and-Beverages>

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Categories of Allowable Fundraisers

1


Sales of compliant foods and beverages to students on school premises

- **Reminder: CNS applies to serving with accompaniments**

Food item

+

Accompaniments



<https://portal.ct.gov/SDE/Nutrition/List-of-Acceptable-Foods-and-Beverages>

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Categories of Allowable Fundraisers

1

Sales of compliant foods and beverages to students on school premises

During school day

- C.G.S. Section 10-221p requires nutritious and low-fat foods



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Categories of Allowable Fundraisers

1

Sales of compliant foods and beverages to students on school premises

If CNPs are operating

- Section 10-215b-23 requires nonprofit school food service account (NSFSA) must receive gross income




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Example: Fundraisers Selling Compliant Foods and Beverages While CNPs Operate

NSLP operates from 11:00 AM – 1:00 PM
Fundraiser sells compliant cookies during lunch period

- Section 10-215b-23 requires NSFS account receives all fundraiser gross income from 10:30 AM – 1:30 PM



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Categories of Allowable Fundraisers

2

Sales noncompliant foods and beverages to students at location of an event on school premises after school day or on the weekend

- Meet exemption criteria of state HFC and beverage statutes

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Categories of Allowable Fundraisers

2

Sales noncompliant foods and beverages to students at location of an event on school premises after school day or on the weekend

If CNPs are operating

- State competitive foods regulations supersede exemptions allowed by state HFC and beverage statutes

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Categories of Allowable Fundraisers

2

Sales noncompliant foods and beverages to students at location of an event on school premises after school day or on the weekend

If CNPs are operating

- Section 10-215b-1 prohibits sales of candy, coffee, tea, and soft drinks



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Categories of Allowable Fundraisers

2

Sales noncompliant foods and beverages to students at location of an event on school premises after school day or on the weekend

If CNPs are operating

- Section 10-215b-23 requires NSFS account must receive gross income




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Example: Fundraisers at Events that Occur While CNPs Operate

ASP operates from 4:30 – 5:30 PM
Fundraiser sells foods/beverages during soccer game (event) from 4:00 – 6:00 PM

- Section 10-215b-1 prohibits sales of candy, coffee, tea, and soft drinks to students from 4:00 – 6:00 PM




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Example: Fundraisers at Events that Occur While CNPs Operate

ASP operates from 4:30 – 5:30 PM
Fundraiser sells foods/beverages during soccer game (event) from 4:00 – 6:00 PM

- Section 10-215b-23 requires NSFSA account must receive gross income from all foods and beverages sold to students from 4:00 – 6:00 PM



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Categories of Allowable Fundraisers

3

Orders for noncompliant foods and beverages off school premises (fundraiser catalogs)

- Students may bring orders and money to school
- Students cannot pick up noncompliant foods and beverages on school premises

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Categories of Allowable Fundraisers

3

Orders for noncompliant foods and beverages off school premises (fundraiser catalogs)

Distribution Procedures

- Parents pick up at school
- Pick-up location is off school premises
- Students pick up at event after school day or on weekend, when CNPs are not operating

Must clearly indicate pick-up policy

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Categories of Allowable Fundraisers

1

Sales of compliant foods and beverages to students on school premises

2

Sales noncompliant foods and beverages to students at location of an event on school premises after school day or on the weekend


3

Orders for noncompliant foods and beverages off school premises (fundraiser catalogs)

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Exemptions for Noncompliant Foods and Beverages



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Requirements for Noncompliant Foods and Beverages

1

Board of education (BOE) votes to allow exemptions

2

Sales meet exemption criteria of state HFC and beverage statutes



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Three Exemption Criteria

1. The sale is in connection with an event occurring after the end of the regular school day or on the weekend

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School Day

The period from midnight before to 30 minutes after the end of the official school day

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School Day


The period from midnight before to 30 minutes after the end of the official school day

- Includes summer school programs operated by BOE
- Applies to half days

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School Day

The period from midnight before to 30 minutes after the end of the official school day

Example	
School ends at	3:00 PM
School day =	Midnight through 3:30 PM
After school day =	3:31 PM through 11:59 PM

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Three Exemption Criteria

1. The sale is in connection with an event occurring after the end of the regular school day or on the weekend
2. The sale is at location of the event

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Location

The same place where the event is being held

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Three Exemption Criteria

1. The sale is in connection with an event occurring after the end of the regular school day or on the weekend
2. The sale is at location of the event
3. The foods and beverages are not sold from a vending machine or school store



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Summary: Requirements for Fundraisers Selling Noncompliant Foods and Beverages

- Must meet the three exemption criteria
- Additional laws apply depending on when fundraisers operate



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Tickets and Similar Items



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Tickets and Similar Items Redeemable for Foods and Beverages

- Selling tickets or similar items is the same as selling foods and beverages

- Coupons
- Tokens
- Gift cards
- Entertainment books



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Tickets and Similar Items Redeemable for Foods and Beverages

- Cannot sell to students unless
 1. BOE votes to allow exemptions
 2. Sales meet exemption criteria of state HFC and beverage statutes



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Example: Fundraiser Does Not Comply with HFC Exemption Criteria

Monday during school day
School club sells tickets to students on school premises


Friday after school day
Students can exchange tickets at school for candy bars

- Candy does not comply with CNS
- Fundraiser is not eligible for food exemptions



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Fundraiser Orders and Distribution on School Premises

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Fundraiser Orders and Distribution on School Premises

- Students place *orders* for foods/beverages on school premises
- Students *receive* foods/beverages on school premises



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Timing of Distribution and Consumption

- State laws apply regardless of when students will receive or consume foods and beverages
 - Precooked foods
 - Bulk products

Frozen pies, cakes, cookie dough, pizza

Boxes or bags of candy, cookies, popcorn kernels, gourmet coffee and tea, hot chocolate packets



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Examples of Fundraiser Orders and Distribution on School Premises

Students place order during first week of September for doughnuts that they will receive during second week of September

- Doughnuts do not comply with CNS
- Fundraiser orders do not meet exemption criteria

Not Allowed



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Examples of Fundraiser Orders and Distribution on School Premises

Students order boxes of frozen cookie dough on school premises, which is not distributed to students on school premises

- Boxes of cookie dough do not comply with CNS
- Fundraiser is not eligible for food exemptions

Not Allowed




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Options for Allowable Fundraiser Orders on School Premises

Cookie Fundraiser Order Form

Name	Number of Boxes			
	Chocolate chip	Oatmeal raisin	Sugar	Double chocolate
	1	1	1	1
	2	1		
			1	1
	4			
		2	1	1



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Options for Allowable Fundraiser Orders on School Premises

Option 1	Option 2	Option 3
Orders are only for compliant foods/beverages	Students order noncompliant foods/beverages at events that meet exemption criteria	Students pick up noncompliant foods/beverages at events that meet exemption criteria

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Option 1: Orders are Only for Compliant Foods and Beverages

- All foods meet CNS
- All beverages meet state beverage statute and Smart Snacks beverage standards

<https://portal.ct.gov/SDE/Nutrition/List-of-Acceptable-Foods-and-Beverages>

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Option 1: Orders are Only for Compliant Foods and Beverages

- Students may *order* foods and beverages on school premises **AND**
- Fundraiser may *deliver* foods and beverages to students on school premises

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Option 1: Orders are Only for Compliant Foods and Beverages

Example	Allowed
Fundraiser on school premises collects student orders and money for snack foods on CSDE's List of Acceptable Foods and Beverages	
Students receive these foods on school premises later in the week	

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Option 1: Orders are Only for Compliant Foods and Beverages

Other Applicable Laws	
If orders occur while CNPs are operating	If distribution of foods is during school day
Section 10-215b-23 of state competitive foods regulations <ul style="list-style-type: none"> Income must accrue to NSFSA 	C.G.S. Section 10-221p <ul style="list-style-type: none"> Low-fat dairy foods and fresh or dried fruit must be available for sale to students when food orders are distributed

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Option 2: Students Order Noncompliant Foods/Beverages at Events Meeting Exemption Criteria

- Fundraiser may *deliver* noncompliant foods and beverages to students anywhere on school premises

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Option 2: Students Order Noncompliant Foods/Beverages at Events Meeting Exemption Criteria

Example	Allowed
<p>Fundraiser located at school concert (event) in evening takes student orders and money for noncompliant cupcakes</p> <p>Cupcakes are delivered to students on school premises the next week during the school day</p>	

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Option 2: Students Order Noncompliant Foods/Beverages at Events Meeting Exemption Criteria

Other Applicable Laws
<p>If orders occur while CNPs are operating</p> <p>State competitive foods regulations</p> <ul style="list-style-type: none"> Section 10-215b-1: Students cannot order candy, coffee, tea, or soft drinks Section 10-215b-23: Income must accrue to NSFSA

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Option 3: Students Pick Up Noncompliant Foods/Beverages at Events Meeting Exemption Criteria

- Students may *order* foods and beverages on school premises at any time

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Option 3: Students Pick Up Noncompliant Foods/Beverages at Events Meeting Exemption Criteria

Example	Allowed
<p>Fundraiser on school premises during school day takes student orders and money for candy bars</p> <p>Candy bars will be picked up by students in a few weeks at open house held at school in evening</p>	

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Fundraising Catalogs, Fliers, and Similar Promotions for Sales Off School Premises

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Fundraising Catalogs, Fliers, and Similar Promotions

- Students may sell noncompliant foods and beverages off school premises
- Students may bring orders and money to school
- But students cannot pick up noncompliant foods and beverages at school

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Sale on School Premises = Exchange of



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Example of Fundraising Catalog

Students take orders off school premises for frozen cakes, boxes of cookies, and bags of gourmet coffee

Students bring orders and money to school

Students pick up the foods and beverages at school for distribution to customers

- Foods do not comply with CNS
- Coffee does not comply with state beverage statute
- Fundraiser is not eligible for exemptions


Not Allowed

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Options for Allowable Fundraisers with Catalog Sales Off School Premises

- Change ordering or pick-up procedure so students are not bringing money to school **and** picking up noncompliant foods and beverages at school



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Option 1: Parents Pick Up Noncompliant Foods/Beverages At School

- Students take orders off school premises and bring orders and money to school
- Must clearly indicate pick-up policy



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Option 2: Students Pick Up Noncompliant Foods/Beverages At Event Meeting Exemption Criteria

- Students take orders off school premises and bring orders and money to school




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Option 3: Online Orders Of Noncompliant Foods/Beverages

- Students may pick up foods and beverages at school for delivery to customers




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Option 4: Pick-up Location for Noncompliant Foods/Beverages is Off School Premises

- Students may bring orders and money to school



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Suggested Donations to Receive Foods or Beverages



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Suggested Donations to Receive Foods or Beverages

- Same as selling




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Example of Fundraiser with Suggested Donations

A charity fundraiser on school premises offers students a noncompliant cookie for making a donation



Not Allowed

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Options for Allowable Fundraisers with Suggested Donations



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Option 1: Offer Compliant Foods

- Use CSDE's List of Acceptable Foods and Beverages webpage



<https://portal.ct.gov/SDE/Nutrition/List-of-Acceptable-Foods-and-Beverages>

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Option 2: Fundraiser Meets Exemption Criteria

Example	Allowed
---------	---------

A fundraiser on school premises located at a school concert (event) in the evening offers students a candy bar for donating to a local charity



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Bake Sales



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Bake Sales

- Must always comply with CNS
 - Includes foods intended to be brought home

Not eligible for exemptions



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Bake Sales

- Could sell noncompliant foods to students if located at event after school day or on weekend




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Bake Sales

- CNS does not apply to
 - bake sales to adults
 - bake sales off school premises



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Candy



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Fundraisers cannot sell candy to students on school premises unless sales meet three requirements

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Examples of Candy (includes Sugar Free)

- Chocolate
- Candy bars
- Chocolate-covered nuts and fruits
- Hard candies and lollipops
- Caramels, taffy, and licorice
- Jelly candies, e.g., gumdrops, gummies, and jelly beans
- Breath mints

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Requirements for Selling Candy

1. BOE voted to allow food exemptions **AND**
2. Sales meet exemption criteria of state HFC statute **AND**
3. Event cannot occur while any CNPs are operating

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Gum

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Fundraisers cannot sell gum to students on school premises unless sales meet two requirements

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Requirements for Selling Gum

1. BOE voted to allow food exemptions **AND**
2. Sales meet exemption criteria of state HFC statute

If event occurs while CNPs are operating, Section 10-215b-23 requires that income must accrue to NSFSA

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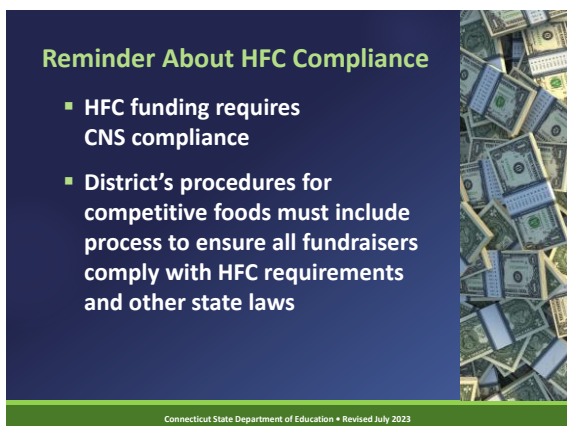
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1: Implement Districtwide Fundraiser Approval Process

Two elements

1. Identify district/school point person
2. Develop fundraiser approval form



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CSDE Resource

Sample Fundraiser Form for Healthy Food Certification (HFC)



https://portal.ct.gov/-/media/SDE/Nutrition/HFC/Sample_Fundraiser_Form_HFC_Introduction.pdf

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2: Communicate Requirements to all Fundraiser Coordinators

- School-related groups
- Entities outside district that sell foods to students on school premises
- Inform new staff



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2: Communicate Requirements to all Fundraiser Coordinators

- Training and resources
 - Use this module
 - CSDE's HFC webpage
 - Requirements for Food and Beverage Fundraisers in HFC Public Schools
 - List of Acceptable Foods and Beverages webpage



<https://portal.ct.gov/SDE/Nutrition/List-of-Acceptable-Foods-and-Beverages>

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Knowledge Check: Allowable Fundraisers

Decide if fundraiser is allowed

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1: Fundraiser Catalog



Students use a fundraiser catalog to sell cakes, pies, candy, and cookie dough to customers off school premises

Students deliver food orders and money to school


When foods arrive two months later, students pick up the foods at school and bring them home for distribution to customers

Is fundraiser allowed?
 Yes No

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1: Fundraiser Catalog



Possible Modifications

- Parents pick up foods at school
- Distribute food items at location off school premises
- Distribute food items on school premises at location of event held after school day or on weekend
- Conduct online fundraiser (foods ordered online and picked up at school)

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2: Candy Bar Sales



30 minutes after school ends, a school club sets up tables in the hallway to sell candy bars to students

Is fundraiser allowed?
 Yes No

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2: Candy Bar Sales




Possible Modifications

- Sell candy bars at location of event held after school day or on weekend
- Conduct online fundraiser (candy bars ordered online and picked up at school)
- Sell candy bars at location off school premises

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3: Bake Sale at Football Game



Parent volunteers hold a bake sale to raise money for the high school football team

The bake sale occurs during football game that starts 1 hour after school and is located next to football field


Is fundraiser allowed?
 Yes No

If CNPs are operating, must comply with state competitive foods regulations

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4: Cookies Comply with CNS



Student club sells cookies as a fundraiser during school day

Cookies are on CSDE's List of Acceptable Foods and Beverages webpage

Is fundraiser allowed?
 Yes No

Must comply with C.G.S. Section 10-221p (nutritious low-fat foods)

If CNPs are operating, must comply with state competitive food regulations


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5: Cookie Sales After School Day

30 minutes after school ends, a student group sells noncompliant cookies to raise money for class trip

Sales occur in the cafeteria, while a soccer game is played on the school's soccer field



Is fundraiser allowed?

Yes No

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5: Cookie Sales After School Day

Possible Modifications

- Sell cookies at location of the event, i.e., the soccer field
- Sell cookies that comply with the CNS
- Sell cookies at location off school premises
- Conduct online fundraiser (cookies ordered online and picked up at school)




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6: Pie Sales to School Staff

Student group sells pies to school staff on school premises during school day



Is fundraiser allowed?

Yes No


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7: Doughnut Sales on Election Day

The town uses a school building to conduct voting on Election Day when school is not in session

Volunteers sell doughnuts to adults and students at the voting site



Is fundraiser allowed?

Yes No

Election day = event

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8: Gift Cards for Foods and Beverages

During the school day on school premises, a student sports team sells gift cards that are redeemable for foods and beverages at local businesses



Is fundraiser allowed?

Yes No

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8: Gift Cards for Foods and Beverages

Possible Modifications

- Sell gift cards at location of event held after school day or on weekend
- Sell gift cards off school premises
- Conduct online fundraiser (gift cards ordered online and picked up at school)
- All foods that can be purchased with gift cards comply with CNS and all beverages comply with state beverage statute




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9: Holiday Candy Grams

Student club sells candy grams for a holiday

Students order and pay for candy that will be given to another student several days later



Is fundraiser allowed?

Yes No

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9: Holiday Candy Grams

Possible Modifications



Order candy on school premises at location of event held after school day or on weekend

Conduct online fundraiser (candy ordered online)


Distribute candy on school premises at location of event held after school day or on weekend

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10: Pancake Breakfast

A school club sells tickets to a family pancake breakfast that will take place on school premises in the morning before school starts



Is fundraiser allowed?

Yes No


School ends at	3:00 PM
School day =	Midnight through 3:30 PM
After school day =	3:31 PM through 11:59 PM

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10: Pancake Breakfast

Possible Modifications




Schedule on weekend or as “breakfast for dinner” after school day

Sell pancakes that comply with CNS (must include all accompaniments, e.g., butter and syrup)

Hold pancake breakfast off school premises

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Summary of Fundraiser Requirements

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Summary of Fundraiser Requirements

Compliant foods and beverages	Sales to students
<ul style="list-style-type: none"> Foods meet CNS Beverages meet state beverage statute and Smart Snacks 	<p>Allowed anytime if comply with</p> <ul style="list-style-type: none"> Section 10-215b-23 of state competitive foods regulations (income accrual) C.G.S Section 10-221p (nutritious low-fat foods) 

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Summary of Fundraiser Requirements

Noncompliant foods and beverages	Sales to students
<ul style="list-style-type: none"> Foods do not meet CNS Beverages do not meet state beverage statute and Smart Snacks 	<p>Not allowed unless</p> <ol style="list-style-type: none"> BOE voted to allow exemptions AND Sales meet exemption criteria AND Event does not occur while CNPs are operating

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FUNDRAISER

Many fundraisers do not meet exemption criteria of state HFC and beverage statutes

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Requirements for Fundraisers that Do Not Meet Exemption Criteria

Foods must comply with	Beverages must comply with
<p>CNS</p> <ul style="list-style-type: none"> Commercial products Foods made from scratch 	<ul style="list-style-type: none"> State beverage statute Smart Snacks beverage standards

Must evaluate all foods and beverages for compliance *before* selling to students

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Local School Wellness Policy (LSWP) Requirements


- Schools may have additional locally determined requirements for fundraisers



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Resources




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CSDE Resource

Requirements for Food and Beverage Fundraisers in HFC Public Schools



https://portal.ct.gov/-/media/SDE/Nutrition/HFC/Fundraiser_Requirements_HFC.pdf

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CSDE Resource

Beverage Requirements Webpage

<https://portal.ct.gov/SDE/Nutrition/Beverage-Requirements>

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CSDE Resource

Requirements for Competitive Foods in HFC Public Schools

https://portal.ct.gov/-/media/SDE/Nutrition/HFC/Requirements_Competitive_Foods_HFC.pdf

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CSDE Resource

Resources for Meeting the Federal and State Requirements for Competitive Foods in Schools

https://portal.ct.gov/-/media/SDE/Nutrition/CompFoods/Resources_Federal_State_Requirements_Competitive_Foods.pdf

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CSDE Resource

Healthy Food Certification Webpage

<https://portal.ct.gov/SDE/Nutrition/Healthy-Food-Certification/Related-Resources#Fundraisers>

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CSDE Resource

Healthy Food Certification Webpage

<https://portal.ct.gov/SDE/Nutrition/Healthy-Food-Certification/Related-Resources#Fundraisers>

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Questions? Contact CSDE's HFC coordinator or school nutrition programs staff

<https://portal.ct.gov/SDE/Nutrition/Healthy-Food-Certification/Contact>
<https://portal.ct.gov/-/media/SDE/Nutrition/CNstaff/countyassign.pdf>

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Thank you for participating in module 6!

<https://portal.ct.gov/SDE/Nutrition/Healthy-Food-Certification/Related-Resources>

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To file a program discrimination complaint, a Complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form which can be obtained online at: <https://www.usda.gov/sites/default/files/documents/USDA-DRSCRN209-Complaint-Form-0508-0002-508-11-28-17ras2Mail.pdf>, from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to USDA by:

1. mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410; or
2. fax: (833) 256-1665 or (202) 690-7442; or
3. email: program.intake@usda.gov

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