Summary

The rise in childhood obesity and Type 2 diabetes rates for children prompted the San Mateo County Civil Grand Jury to investigate what food and beverages were being sold to students in San Mateo County schools.

The Grand Jury found a significant amount of food and beverages sold at schools to be of little or no nutritional value or very high in fat. School administrators recognize the need for change but must balance this with fiscal obligations and the need to keep extracurricular activities in place. Public concern and current and pending legislation have increased the focus on this issue making significant and timely changes imperative.

The Grand Jury concluded that schools are contributing to the current obesity problem, and should exercise their authority to impact positively the nutritional well-being of their students, by promoting balanced and healthy choices and educating students on the importance of good nutrition.

- Key recommendations of the Grand Jury include:
  - All school districts in the County should develop plans to comply with the provisions of SB677 and the potential legislation of SB1566 even though they may not be required by law to do so.
  - School districts should immediately:
    - reduce the sizes of beverages offered from 20 oz. to 12 oz.
    - remove all “king size” snack items from schools
    - require vendors to stock waters and 100% juices in vending machines and snack bars
    - offer low fat milk in vending machines
    - offer menu options that are high in protein and low in fat
    - offer baked snacks rather than fried snacks
- stop sales of all candy from snack bars and vending machines
- restrict sales of candy from school stores, fundraisers and classrooms at least to after school hours
- use fresh fruit, vegetables and 100% fruit juices to provide vitamins instead of candy and soda “fortified” with vitamins

- School districts should immediately investigate alternative sources of income to replace revenue lost to changes in menus.

- By December 1, 2004, school districts should develop and implement policies that control food and beverages offered by student stores, vending machines, classrooms and other venues, so that these offerings do not undermine or conflict with efforts of food service departments to provide healthy choices.
Nutrition in San Mateo County Schools

Issue

Are public schools taking the appropriate steps to ensure food and beverages sold on campuses have nutritional value?

Background

Obesity has become epidemic in California and threatens almost one third of our children. The repercussions of this problem are apparent with the increase in the number of children with Type 2 diabetes. The long-term effects of this trend will be an alarmingly high rate of heart disease, diabetes, and cancer; and added medical costs as these children reach adulthood and are forced to deal with the complications associated with these diseases. Although no single group can be held solely responsible, parents, schools and communities must take action to reverse this trend and provide children with a healthy start to their lives.

The Grand Jury investigated what foods and beverages public schools within the County sell to students outside the National School Lunch Program (NSLP). This includes food and beverages sold in vending machines, snack bars, student stores, and food sales by other fundraising groups. The Grand Jury was also interested in the influences and pressures school administrators face as they make decisions about what food and beverages to offer their students.

The Grand Jury interviewed representatives of three school districts, toured a middle school and high school campus, reviewed press reports and numerous web sites devoted to this subject, sent a questionnaire to all school districts in the County and consulted with the State Department of Education.

In San Mateo County, approximately 30% of the fifth, seventh and ninth graders are overweight. In comparing healthy weight levels of seventh graders with other Bay Area counties and the state, the seventh graders in San Mateo County have scored at or near the bottom since 1998.
Findings

Health Trends and Statistics

National statistics show:

- 15% of children in the United States between the ages of 9-16 are overweight. That is triple the rate of twenty years ago.\(^1\)
- Overweight children have a 70%-80% chance of remaining overweight or becoming obese as adults.\(^2\)
- Teenagers drink twice as much soda as milk, a reversal from 20 years ago.\(^3\) This consumption of soda in lieu of healthier beverages leads to

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\(^1\) American Academy of Pediatrics, “AAP Weighs in on Preventing Childhood Obesity,” August 2003

\(^2\) U.S. Surgeon General

\(^3\) US Department of Agriculture, “Team Nutrition Call to Action: Healthy School Environments,” 2001
osteoporosis, obesity, dental cavities and diabetes. Further, the acidity in soda has been shown to erode tooth enamel.

- Less than 20% of school age girls meet the recommended daily intake of calcium.\(^4\)
- Even moderate under-nutrition can have lasting effects on children’s cognitive development and school performance.\(^5\)
- Only 2% of school age children meet daily requirements of all six food groups. The remaining 98% consume 20% of daily calories from the tip of the food pyramid (fats, oil, sweets).\(^6\)

**Food Service Departments**

The food service department within each school district is responsible for all food and beverages sold as part of the NSLP and sales through snack bars and some vending machines on campus. Snack bars sell a variety of items including hot entrees (usually pizza, hamburgers, burritos, fries), sandwiches, salads, chips, snacks, fruit, candy and beverages. Vending machine choices include snack items, candy and beverages. Food service departments must be self-supporting. Food service revenues come primarily from the federal government’s reimbursement for the NSLP and sales from snack bars and vending machines. A small reimbursement also comes from the state. Reimbursement has risen slightly over the years, but has not matched increases in food program costs. The difference between actual costs and the state and federal reimbursement must be made up from their vending and snack bar sales. All proceeds from food service sales must be used for food program costs including employee salaries, benefits, equipment and purchases of food. No revenue from food service sales may be used for school activities.

**Competitive Vending Machines**

Other vending machines on campuses compete with those managed by the food service departments but are not subject to the same regulations. The revenue from these machines benefit student clubs and other school organizations by paying for such things as sports, music, scoreboards, busing for cheerleaders, assemblies, scholarships and field trips.

Schools and/or districts may enter into exclusive or non-exclusive contracts with companies for vending machines. Exclusive contracts can be especially lucrative with one district receiving a $250,000 payment up front, a fixed annual payment of $75,000 as well as 20% of profits. Payments may be made to individual schools or

\(\text{\(^4\) US Department of Agriculture, “Team Nutrition Call to Action: Healthy School Environments,” 2001\)

\(\text{\(^5\) Center on Hunger, Poverty and Nutrition Policy 1995\)

\(\text{\(^6\) Food Nutrition and Consumer Services/USDA 2001\)\)
to the districts. Schools and/or districts can choose which of the vendor’s products are stocked in the machines.

**Student Stores**

Most high schools and some middle schools have student stores that operate during the school day and sell a large variety of items including, candy, chips, sodas, milk, juice, water, donuts, bagels, corn dogs, and Hot Pockets. Many of these items do not meet the nutritional standards used by the food service departments.

**Other Food and Beverage Sales**

Some teachers sell sodas and snacks in their classrooms to raise money for particular needs. Student clubs or classes may have periodic fundraisers involving the sale of food and/or beverages.

**Competitive Food Standards**

There are State and Federal guidelines for food and beverage sales at schools. While federal guidelines regulate the NSLP, state guidelines regulate all food and beverage sales outside the NSLP. Education Code 38085 states that 50% of food and beverage items for sale outside the NSLP must be “nutritious.” This law allows for half the food sold outside the NLSP to be of little nutritional value.

The Childhood Obesity Prevention Act, (SB 677), effective July 1, 2004, will amend the California Education Code by prohibiting all elementary and middle schools from selling unhealthy beverages from between 30 minutes prior to the start of school to 30 minutes after the end of the school day. Healthy beverages that can be sold at any time include:

- Water
- Milk
- 100% fruit juice
- Fruit based drinks with no less than 50% fruit juice and no added sweeteners
- Electrolyte replacement beverages with no more than 42 grams of added sweetener per 20 oz. serving.

The beverage industry successfully lobbied to have high schools exempt from this law.

Senate Bill 1566 (SB1566) was recently passed by the Senate Health Committee and Senate Education Committee and will next appear before the Committee on Appropriations. This bill would apply the SB677 beverage standards to high schools and institute food standards for Kindergarten through 12th grade (K-12). The bill states that individual food items must have no more than:
• 35% of its calories from fat
• 10% of its calories from saturated fat
• 35% sugar by weight (excluding fruit and vegetables)

Upon passage of these two bills many of the food and beverage items currently sold in the County’s schools would be unacceptable. See Attachment A.

**School survey responses**

In response to the Grand Jury questionnaire, all schools responded that they sold “fruit juices.” The Grand Jury found what the schools consider fruit juice can be anything from a beverage with no juice to 100% juice. In the case of beverages with no juice, vitamin C had been added. In another attempt to provide vitamin C to students, many schools offer a form of “fruit snack.” These chewy, gummy-like items have a miniscule amount of fruit juice and added vitamin C that make them appear healthy. They are primarily made from added sugar.

Some school administrators may not be aware of what is being sold in their vending machines. One district was surprised to learn that a school had placed an unauthorized soda machine on campus. In another instance, a school found that a vendor had included unauthorized beverages in a vending machine.

Every high school and some middle schools in the County sell sodas during the school day. These sales may be made through snack bars, vending machines, student stores, teachers or all of these venues. Large vendors such as Coca-Cola and Pepsi have a line of drinks acceptable under SB 677 regulations, including water and products with 100% juice. Two high schools are looking at these alternate choices as a replacement for soda starting in the 2004-05 school year.

Many of the schools are considering offering smaller sized food and beverage containers. Currently schools offer 20 oz. bottles of sodas (with 60 grams of sugar) and “king size” candy and chips. These over-sized portions can add 30 grams of fat to a child’s diet in a single sitting, half the recommended fat for a whole day. Even the 12 oz. containers of soda have over 40 grams of sugar.

Food service personnel recognize the disturbing trend in the health of students and would like to reduce the amount of products high in sugar, fat and salt that are offered in schools. They are constantly attempting to balance the need for more healthy food and snacks and the need to keep revenues up by selling what students will buy. Food service directors continue to introduce a variety of food by periodically changing the menu. While students are temporarily enthusiastic about menu changes, they tend to return to buying pizza, hamburgers, and burritos. These items, although high in protein, can be very high in fat.

Food service departments must also contend with competitive vending machines and student stores sales that may be serving the very food and beverages they are
attempting to eliminate. One food service department stopped sales of Coca Cola at the snack bars only to see its revenue drop 18% in one quarter. Meanwhile, vending machines outside the control of this food service department continues to make these sodas available, taking beverage sales away from snack bars and the cafeteria.

Beginning with the 2004-05 school year, only one high school will have an open campus. School administrators believe students will bring unhealthy items from off-campus before school if they are no longer available on campus. No hard data exists on this subject.

**Grand Jury Observations**

The Grand Jury observed the student stores to be very popular, often competing with food service departments and in one case, selling some of the same products at a lower price than the snack bar.

The Grand Jury observed many high school students not eating lunch at all. It is unclear whether they had eaten a meal at the snack break instead, or if other factors were involved. This was not the case at the middle school, where most students purchased food from the snack bar or student store for lunch. Although many students were observed eating pizza and sandwiches, it was common to see students with a soda and king size bag of chips as their lunch.

**Public response**

Parents have become increasingly concerned about obesity. Some parents consider obesity as big a threat as illegal drug use and feel schools should do more to combat this problem. A recent poll showed 82% of parents feel local public schools should play a role in educating students on the health risks associated with obesity and 68% of parents support prohibiting sales of “junk food” and sodas within schools. 7

The following community actions have been taken:

- The San Mateo County Board of Supervisors has expressed its concern with obesity statistics. Under development is a pilot program with a high school district which would reimburse participating schools up to $10,000 for revenue lost due to reduced sales of carbonated and sugar based beverages. The exact formula for reimbursement has not been determined.
- Los Angeles Unified School District has adopted the food and beverage guidelines of SB677 and SB1566 for all students. Attachment B lists some foods that meet the new standards.

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• San Francisco Unified School District has a “no empty calories” standard for all food sold. This policy has stricter standards for both food and beverages than SB677 and SB1566.

• In 2002 the Oakland Unified School District banned all sodas, iced tea and sports drinks from its vending machines.

The *Action for Healthy Kids* website ([www.actionforhealthykids.com](http://www.actionforhealthykids.com)) reports that some schools which have changed menus and reduced the availability of high sugar, low nutritional value items have noticed a significant decrease in discipline referrals after lunch.

A study of student sensitivity to prices of snack items found that price reductions of 10%-50% on snack items resulted in sales increases of up to 93%.  

**Conclusions**

San Mateo County schools should be doing more to exercise the authority they have to control available food and beverages that foster more nutritious student diets. Students will consume what is easily available. The current array of relatively unhealthy food and beverages, although claimed to be offered in response to student demand, is a contributing factor to student obesity. It is clear that modifying the range of options can be a factor in improving nutrition. It is one thing for a student to bring in unhealthy items from off campus; it is quite another for the school to be involved in the distribution of those unhealthy items.

The problem of obesity in children has gained national attention. Federal, State and local governments recognize this growing problem and are attempting to legislate or implement programs that move schools toward more nutritious food offerings. Parents also recognize the important role of schools and want them to play a part in reversing the trend. In response, San Francisco and Los Angeles Unified School Districts have radically changed their menus exceeding standards set by current laws and proposed legislation.

In San Mateo County, statistics reveal almost a third of its 5th, 7th and 9th grade students (twice the national average) are at particular risk for health problems associated with obesity. Meanwhile school districts are struggling to cover the costs of food service departments and keep important extracurricular activities in place. This requires a constant balancing act between keeping food and beverage sales high and serving healthy food.

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Many food service departments are working toward healthier offerings with lower fat and sugar content. These proposed changes are welcome news but areas exist where immediate improvement could be made, such as banning candy, fried snacks and beverages with little juice and high sugar content from school menus, and reducing the size of some snack items being offered. Schools should price healthier offerings attractively to draw students away from less healthy alternatives. At the same time schools must not undermine these food service department efforts by allowing student stores, teachers, and other fundraising groups to sell such items to students during the school day.

School districts have an opportunity, and the obligation, in the next year to make significant changes that will benefit both students and schools. Almost all schools will have closed campuses at lunch, providing an opportunity for schools to promote balanced and healthy choices and educate students on the importance of good nutrition.

**Recommendations**

1. **All school districts in the County should develop plans to comply with the provisions of SB677 and the potential legislation of SB1566 even though they may not currently be required by law to do so.**

2. **School districts should immediately:**
   2.1 reduce the sizes of beverages offered from 20 oz. to 12 oz.
   2.2 remove all “king size” snack items from schools.
   2.3 require vendors to stock waters and 100% juices in vending machines and snack bars.
   2.4 offer low fat milk in vending machines.
   2.5 offer menu options that are high in protein and low in fat.
   2.6 offer baked snacks rather than fried snacks.
   2.7 stop sales of all candy from snack bars and vending machines.
   2.8 restrict sales of candy from school stores, fundraisers and classrooms at least to after school hours.
   2.9 use fresh fruit, vegetables and 100% fruit juices to provide vitamins instead of candy and soda “fortified” with vitamins.

3. **School districts should immediately investigate alternative sources of income to replace revenue temporarily lost to changes in menus.**

4. **By December 1, 2004, school districts should develop and implement policies that control food and beverages offered by student stores, vending machines, classrooms and other venues, so that these offerings do not**
undermine or conflict with efforts of food service departments to provide healthy choices.

5. School districts should check vending machine offerings at least twice a year to ensure that they comply with all policies and vendor agreements.

6. School districts should price food and beverage offerings to encourage purchase of healthier choices.

7. School districts should develop and implement more education programs for students K-12 to increase student awareness of nutrition, including the need for a balanced diet and appropriate caloric intake.
August 4, 2004

Honorable Jonathan E. Karesh
Judge of the Superior Court
Hall of Justice
400 County Center, 2nd Floor
Redwood City, CA 94063-1655

Re: Grand Jury Recommendations, Health and Nutrition

Dear Judge Karesh:

This is in response to the Grand Jury’s recent recommendations. It applies to both Bayshore and Brisbane School Districts.

• We have reviewed the requirements of SB 677 and are complying. We are reviewing the approved list of snack foods under SB1566 and have forwarded those to the Student Council at the middle school and Parent groups at the elementary schools. The districts do not offer any snack foods.

• The districts agree with most of the finding. The districts do not agree with the prohibition of water sales in containers larger than twelve ounces. The districts do not sell any of the items recommended for prohibition by the grand jury. Student run stores do not sell candy, beverages in large containers (except water), or king size snacks. The districts have no vending machines. The districts are seeking alternate fundraisers to replace candy sales. Parent organizations have conducted candy sales of premium candy, (not the dollar bars sold by students.) They have been informed of the grand jury’s recommendations. They are autonomous groups.

• The districts agree with the finding. Its student-run candy sales were discontinued a year ago. An equal income alternate revenue stream has not yet been identified. Healthy snack sales have not been as large as sales for candy.
The districts agree with this finding. The only student run store discontinued sales of soda and candy and other items recommended for restriction nearly a year ago.

Not applicable. The districts do not have any vending machines.

Not applicable. The districts’ sole student store does not offer items that are considered unhealthy. Thus competitive pricing is not an issue.

The districts agree with this finding. Teachers have been reminded of the issues of health. The student government at Brisbane has developed a healthy snack bar, teachers have been encouraged to make nutrition more central to their instructional program.

Sincerely,

Stephen J. Waterman
Superintendent
The 2003-2004 Grand Jury report on Nutrition in San Mateo County Schools included a number of findings and recommendations. Based on my review of the food services practices and policies of Belmont-Redwood Shores School District, I offer the following response to the Grand Jury report.

**Findings:**
Several of the findings cited in the report refer to national statistics prepared by the American Academy of Pediatrics, the U.S. Surgeon General, and the U.S. Department of Agriculture. Belmont-Redwood Shores School District agrees with and does not contest the statistical findings cited in the report.

Belmont-Redwood Shores School District does not operate a Food Services Department. We participate in a Free/Reduced Cost Lunch program for qualifying families, utilizing the food services department of Jefferson School District for the preparation of sack lunches which are assembled in accordance with nutritional guidelines issued by the State of California. Qualifying students are identified through a District-administered application process. Lunches are delivered from Jefferson School District to the B-RSSD District Office on a daily basis, and delivered from there to each school site by the District’s Mail/Delivery Driver. On those days when PTA’s are offering a hot lunch at school sites, students qualifying for a free/reduced cost sack lunch are given the option of receiving the menu offered by the PTA. The District works with the PTA Coordinating Council to encourage menu selections that meet nutritional standards issued by the State and Federal governments, but has not been entirely effective in achieving these standards. The District intends to continue to exert pressure through the PTA Coordinating Council to achieve this goal. The adoption of Board Policies in 2003-2004 which reflect this goal will be shared with the PTA Coordination Council in the 2004-2005 school year. It is our intention that full adherence to the appropriate nutritional standards can be achieved in this school year.

The school lunch programs available in the District are not reimbursed from State or Federal sources at this time. The PTA offerings are essentially “at cost,” but are subsidized by District General Fund dollars to cover the cost of those students who qualify for free/reduced cost lunches when they participate.
The District also offers an at cost/free/reduced cost milk program whereby milk is delivered (by commercial delivery) directly to each school site. Parents can apply for and pay for milk directly at the school site. Students qualifying for free or reduced cost milk receive milk at the appropriate cost level, with reimbursements made available to the District through the State program.

The District does not allow vending machines in locations available to students.

The District does not have any student stores through which food sales are permitted.

The District has adopted policies governing the availability of food through fundraising sales which limit these sales to hours other than the lunch period. The District has also, in 2003-2004, revised its Board Policies relating to the nutritional content of fundraising food sales. During the 2004-2005 school year, the District anticipates fully implementing these new policies, which will bring all food sales on campus into alignment with the appropriate nutritional standards.

The District does not derive any net revenue from food sales, nor does the District support any positions from gross revenues associated with the provision of lunches or milk.

**Recommendations:**
Belmont-Redwood Shores School District has, through revision of Board Policies and the planned implementation of those policies, developed a plan for compliance with SB677 and the language of SB1566.

The District does not offer or allow most of the items identified in recommendations 2.1 through 2.9. Candy sales, chiefly for the purpose of fundraising, will be addressed during the 2004-2005 school year through the implementation of the recently revised Board Policies.

The District, as stated earlier, does not derive net revenue from food sales, and there is no lost revenue anticipated as a result of the planned implementation of the new Board Policies.

The December 1, 2004, date identified in the Grand Jury report has been met in terms of Board Policy revision.

The District can and will, through the efforts of its six site administrators, make bi-annual reviews of compliance with the Board Policies.

The District does not currently have a policy or program that uses pricing to encourage healthier choices. This concept will be reviewed with the Governing Board and the PTA Coordinating Council during the 2004-2005 school year.

Educational programs focusing on health and nutrition are under review as part of the State’s curriculum and textbook adoption process. This is an ongoing program in Belmont-Redwood Shores School District and will continue. In addition, through the efforts of the PTA’s at each site, lunch areas have been decorated with posters demonstrating healthy choices at several school sites. These efforts, too, will continue.

Board of Trustees: Karen Clancy, MJ Crousore, Eric Shrader, Sharon Thompson, Cathy Wright
August 4, 2004

Honorable Jonathan E. Karesh
Judge of the Superior Court
Hall of Justice
400 County Center, 2nd Floor
Redwood City, CA 94063-1655

Re: Grand Jury Recommendations, Health and Nutrition

Dear Judge Karesh:

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- We have reviewed the requirements of SB 677 and are complying. We are reviewing the approved list of snack foods under SB1566 and have forwarded those to the Student Council at the middle school and Parent groups at the elementary schools. The districts do not offer any snack foods.

- The districts agree with most of the finding. The districts do not agree with the prohibition of water sales in containers larger than twelve ounces. The districts do not sell any of the items recommended for prohibition by the grand jury. Student run stores do not sell candy, beverages in large containers (except water), or king size snacks. The districts have no vending machines. The districts are seeking alternate fundraisers to replace candy sales. Parent organizations have conducted candy sales of premium candy, (not the dollar bars sold by students.) They have been informed of the grand jury’s recommendations. They are autonomous groups.

- The districts agree with the finding. Its student-run candy sales were discontinued a year ago. An equal income alternate revenue stream has not yet been identified. Healthy snack sales have not been as large as sales for candy.
• The districts agree with this finding. The only student run store discontinued sales of soda and candy and other items recommended for restriction nearly a year ago.

• Not applicable. The districts do not have any vending machines.

• Not applicable. The districts’ sole student store does not offer items that are considered unhealthy. Thus competitive pricing is not an issue.

• The districts agree with this finding. Teachers have been reminded of the issues of health. The student government at Brisbane has developed a healthy snack bar, teachers have been encouraged to make nutrition more central to their instructional program.

Sincerely,

Stephen J. Waterman
Superintendent
BURLINGAME SCHOOL DISTRICT

August 24, 2004

Honorable Jonathan E. Karesh
Judge of the Superior Court
Superior Court of San Mateo County
Hall of Justice and Records
400 County Center
Redwood City, Ca 94063-1655

Re: NUTRITION IN SAN MATEO COUNTY SCHOOLS

Dear Judge Jonathan E. Karesh,


Our elementary schools have no vending machines installed; the following procedures have been implemented to our middle school:

- Reduced the sizes of beverages offered from 20 oz. to 12 oz.
- Removed all “king size” snack items from schools
- Required vendors to stock waters and 100% juices in vending machines and snack bars.
- Offering baked snacks rather than fried snacks.
- Stopped sales of all candy from snack bars and vending machines
- Restricted sales of candy from school stores, fundraisers and classrooms at least to after school hours
- Vending machine offerings are checked twice a year to ensure that they comply with all policies and vendor agreements
- Food and beverage offerings have been priced to encourage purchases of healthier choices

We are planning on implementing the following procedures in this and upcoming school years:

- Offer low fat milk in vending machines for middle school and lunch sales for elementary schools
- Offer menu options restricted in fat (especially transfat), empty calories, and sodium
- Focusing on increasing healthy, tasty foods at a reasonable price
- Use fresh fruit, vegetables and 100% fruit juices to provide vitamins instead of candy and soda “fortified” with vitamins
Our District has had a Child Nutrition policy in place since May of 2004. The District will further develop and implement policies regarding food and beverages offered by student stores, vending machines, classrooms and other venues, so that these offerings do not undermine or conflict with efforts of food services departments to provide healthy choices as well as developing and implementing more education programs for our K-8 students to increase student awareness of nutrition, including the need for a balanced diet and appropriate caloric intake.

Sincerely,

Linda Lees Dwyer

President
Board of Trustees of Burlingame Elementary School District
August 19, 2004

Hon. Jonathan E. Karesh  
Judge of the Superior Court  
Hall of Justice  
400 County Center, 2nd Floor  
Redwood City, CA 94063-1655

Honorable Judge Karesh,

The Cabrillo Unified School District offers the following responses to the recommendations regarding the San Mateo County Grand Jury report on nutrition in San Mateo County schools.

Recommendations #1 through 7  
Cabrillo Unified School District agrees with the findings regarding the compliance with SB677 and intends to work collectively with groups to implement healthy and nutritious alternatives for students. We will be reviewing with staff the recommendations and implementing them in the 2004-2005 school year.

The only caveat will be that the district will need to analyze the economic impact to ensure that while we are meeting the importance of good nutrition, we are not also impacting our General Fund in order to support the nutritional service programs at the District.

The alternative is that parents provide nutritious lunches for their students rather than depending on the school district programs.

Sincerely,

John Bayless, Ed.D.  
Superintendent

/rc

cc: Clerk, CUSD Governing Board  
     Members, CUSD Governing Board
August 18, 2004

The Honorable Jonathan Karesh
Judge of the Superior Court
Hall of Justice
400 County Center; 2nd Floor
Redwood City, Ca 94063-1655

Dear Sir:

The President of the Governing Board of the Hillsborough City School District asked me to respond to the Grand Jury report dated May 28, 2004. This school district has consistently been concerned with the health of its students. As such, the school district has worked with the parent organizations and student councils in the district to improve the nutritional value of the food provided by them to the students. The district does not operate any food service in our schools; rather, any food products are offered by the parent organizations or by the student councils.

The respondent agrees that this school district will work to comply with the provisions of SB677 and any other law which regulates the type of food available to our students. The district has already met with food providers and has changed the menus offered by the parent organizations and by the student councils. The Assistant Superintendent will oversee compliance of these changes to more healthy food ingredients.

The respondent agrees with the conclusions and recommendations of the Grand Jury even though the respondent has not had offered to its students many of the items listed. Beverage sizes are less than 12oz. currently, there are no king sized snack items offered, there are no vending machines in any building available to students, low fat milk is offered as a food item currently, candy is not sold, and the food value of all snack items is being evaluated. Fresh fruit and vegetables are offered as a part of the lunch program. We are examining any practices which include the sale of any food items, including candy, as fund raising devices.

The respondent agrees that school districts should examine other sources of revenue to replace any funding losses, particularly to student councils, that result from these changes. However, having said this, the reality is that there are very few sources of revenue untapped in this district which are available to student councils. During these particularly hard times for the educational community the Grand Jury needs to realize that any income lost from the sale of the items mentioned above is truly lost revenue and probably cannot be made up. It is unrealistic to suppose that alternative sources of revenue are available and that any changes of this magnitude will have no negative effect on student councils. In our case, student councils earn money to be able to donate most of it to worthy causes; as a district we believe it is in the public interest to help our
students learn how to raise and distribute money to charity. It is this practice which will be most at risk from the changes instituted.

The respondent agrees that food choices need to be healthy and has already implemented procedures to insure compliance prior to the December date.

I believe the statements made by the Grand Jury have been answered completely. If you have any additional questions or concerns, please contact me.

Sincerely,

Marilyn Loushin-Miller
Superintendent
Hillsborough City School District

Cc: Thomas F. Casey III
June 22, 2004

Honorable Jonathan E. Karesh
Judge of the Superior Court
Hall of Justice
400 County Center; 2nd Floor
Redwood City, CA 94063-1655

Dear Judge Karesh:

The Jefferson School District is pleased to respond to the Grand Jury regarding Nutrition in San Mateo County Schools. There were no specific findings listed within the document to which we can respond. However, we have either already implemented or plan on implementing many of the recommendations.

Recommendation 1. We have reviewed the requirements of SB 677 and we are complying. We are awaiting final approval of SB 1566 to determine the legislative requirements in their final form.

Recommendation 2.

a. We will be reducing all beverage offerings to no greater than 12 oz. beginning in September 2004.
b. We have already removed all king size offerings
c. We will require that vendors stock waters and 100% fruit juices in vending machines beginning in September 2004.
d. There are no milk products offered in vending machines at this time.
e. We will offer menu options that are high in protein and low in fat.
f. We will offer baked snacks rather than fried snacks beginning in September 2004.
g. We will stop all sales of candy from snack bars in September 2004. No candy bars are sold in vending machines to students.
h. We will notify schools and the PTA that they are not to sell candy for fundraisers.
i. We currently use fresh fruit, vegetables and 100% fruit juices to provide vitamins instead of candy and soda “fortified” with vitamins.

j.

Recommendation 3. We do not believe that there will be a loss of revenue as we have closed campuses and there is no other opportunity for students to purchase food during school time.
Recommendation 4. The Superintendent will present policies to the Board for consideration in the Fall of 2004.

Recommendation 5. Principals shall check vending machine contents at least twice a year.

Recommendation 6. Beginning in September 2004, food and beverages that are not healthy will have a surcharge that will help reduce the cost of healthier choices. In the past year, healthy choices have been expanded to include salads and healthier sandwiches.

Recommendation 7. Physical education classes include information on nutrition.

Please contact me if you have further concerns regarding the nutritional program in the Jefferson Elementary School District.

Respectfully,

Barbara B. Wilson
Superintendent
August 24, 2004

The Honorable Jonathan E. Karesh  
Judge of the Superior Court  
Hall of Justice  
400 County Center, 2nd Floor  
Redwood City, California 94063-1655

Dear Judge Karesh:

I am writing this letter in response to the Grand Jury findings related to Nutrition in San Mateo County Schools. Since we are a high school district, we have not been held to the restrictions of the most recent laws impacting vending machines and products sold on school campuses. However, the district is very concerned about the growing body of information demonstrating that schools may contribute to the unhealthy eating habits of today’s youth.

With this in mind, the Board of Trustees has requested that an in-depth Study Session be held this fall to examine the current practices of the district with a commitment to develop a comprehensive approach to promoting healthier students. This comprehensive strategy will incorporate not only cafeteria practices and menus, food sales and vending machine policies, but also the role of physical education classes, health classes, and parent education in supporting and encouraging healthy eating choices, regular exercise patterns, and healthy life styles.

In regard to the specific recommendations of the Grand Jury, the Jefferson Union High School District responds in the following manner:

**Recommendation #1:** The district agrees with the intentions of the SB677 legislation although high schools are not currently mandated to do so under the law. The district, as part of a larger study, will review the legislation and its impact on our students, programs, and practices to determine the most appropriate course of action for our school community.

**Recommendation #2:** Many of the items in this recommendation fall under the jurisdiction of the cafeteria program. These items have been discussed and will be implemented as of the reopening of school. Items that are associated with Student Government and school activity fund raising will be systematically tackled,
addressed, and implemented on a schedule that supports student health and does not reduce the level and quality of programs currently provided to students.

**Recommendation #3:** The school district will continue to investigate other methods of fund raising and program support to reduce the dependence on competitive food sales and vending machines to support student activities and after school sports programs. The Grand Jury should be aware that the funding resources of “Revenue Limit” school districts are far less than “Basic Aid” districts. The disparity at the high school level is in excess of $2000 per student; making fund raising at all levels not a choice, but a necessity. If funds were provided to “Revenue Limit” high schools in the same manner they are for the well funded “Basic Aid” high schools (“Basic Aid” high schools make up the majority of high schools in San Mateo County), the Jefferson Union High School District would have absolutely no need to pursue most fund raising activities, including vending machines, competitive food sales, and class room candy sales.

**Recommendation #4:** It is the intention of the district, through the coming Study Session process, to develop a comprehensive approach to student health that incorporates strategies related to the health class and physical education program as well as cafeteria menus, club and classroom food sales, and school vending machines.

**Recommendation #5:** The district agrees with this recommendation and will monitor its implementation.

**Recommendation #6:** The district agrees with this recommendation and has enacted this strategy in the school cafeteria program.

**Recommendation #7:** The district agrees with this recommendation and views it as a very important component of the district’s health and physical education curricula. These items are already apparent in current health class instruction.

These responses, I believe, address the recommendations of the Grand Jury. If you have further questions, please do not hesitate to contact me at 650-550-7969.

Sincerely,

Michael J. Crilly
Superintendent
June 15, 2004

Hon. Jonathan E. Karesh  
Judge of the Superior Court  
Hall of Justice  
400 County Center; 2\textsuperscript{nd} Floor  
Redwood City, California 94063-1655

Dear Judge Karesh:

This is in response to the 2003/04 Grand Jury report regarding nutrition in San Mateo County schools. The Menlo Park City Elementary School District agrees with the findings and recommendations. However, it should be noted that some recommendations will not be implemented because they are not warranted.

As reported in the Grand Jury questionnaire completed and submitted by the District on March 16\textsuperscript{th}, the schools in the Menlo Park City Elementary School District:

1. follow the USDA Guidelines for children 6-12 years of age when offering students la carte services once a week (all food is pre-portioned)
2. do not have a District food service program
3. have no vending machines on the K-5 campuses and the middle school has one vending machine that currently sells only Gatorade and water and does not nor will sell carbonated or caffeinated beverages
4. anticipate no loss of schools’ revenue due to changes in menu, since no changes are necessary. Therefore, no investigation needs to be conducted.
5. teach proper nutrition and include a PE program as part of the curriculum which is taught by credentialed physical education teachers

Sincerely,
Kenneth Ranella
Hon. Jonathan E. Karesh  
Judge of the Superior Court  
Hall of Justice  
400 County Center, 2nd Floor  
Redwood City, CA 94063-1655

Dear Judge Karesh:


In response to the recommendations of the Grand Jury:

1) The provisions of SB 677 and SB 1566 have been implemented in the Millbrae School District.

2) The recommendations of 2.1 through 2.9 have been implemented with the exception that soft drinks are sold from the Student Store for special fundraising. However, this practice is being reevaluated for the new school year.

Additionally, low-fat milk products are sold in the cafeteria only and not in vending machines.

3) The Millbrae School District continues to investigate alternative sources of income. However, with the recent state economy and its impact on state funding to schools, alternative resources including special grants, service clubs, PTA, and individual parent donations are already supporting basic program needs. Alternative resources are extremely limited.

4) All vending machines are locked during school hours and, therefore, do not conflict with our food service department’s nutrition program. See #2 regarding student stores.

5) This recommendation has already been implemented.

6) Millbrae School District Lunch Program and vending machines comply with healthy food standards and thus alternative pricing is not applicable.
7) The Middle School recently implemented a special Health Component to the Physical Education Program that includes student awareness of nutrition.

Sincerely,

Karen K. Philip
Superintendent

cc: Board of Trustees
Administrators

ar
October 8, 2004

Hon. Jonathan E. Karesh
Judge of the Superior Court
Hall of Justice
400 County Center, 2nd Floor
Redwood City, CA  94063-1655

Dear Judge Karesh:

This letter is in response to the Grand Jury’s recent recommendations regarding Nutrition in San Mateo County Schools. I am sorry that the information is late due to the change in administration in our district.

Recommendation 1
We are developing plans to comply with SB677 and SB1566 at the three schools in our district as this legislation is adopted.

Recommendation 2
We will review what is offered in the high school snack bar and work to offer healthy alternatives to candy and fried snacks.

Recommendation 3
The district will explore alternative revenue sources to replace lost income due to these changes.

Recommendation 4
By December 1, the high school will develop a plan to avoid vending machine and snack bar conflicts with a healthy lunch program.

Recommendation 5
We will check vending machine offerings twice a year to see that they comply with the policies set forth in SB677 and SB1566.

Recommendation 6
The high school will review the pricing of snack and beverage offerings in the snack bar to encourage purchase of healthier choices.

Recommendation 7
The district agrees to inform teachers and parents of these findings on nutrition. I will direct the principals to encourage teachers to include information on nutrition as a regular part of their instructional program.

Sincerely,

Timothy A. Beard
Superintendent

cc: Chris Brancart, Board President
    Lee Thompson, Attorney
July 17, 2002

Honorable Jonathan E. Karesh
Judge of the Superior Court
Hall of Justice
400 County Center: 2nd Floor
Redwood City, CA 94063-1655

Dear Judge Karesh:

The following comments are in response to the Grand Jury Findings and Recommendations related to Nutrition in San Mateo County Schools:

1. **All school districts in the County should develop plans to comply with the provisions of SB 677 and the potential legislation of SB 1566, even though they may not currently be required by law to do so.**

   We agree. Although the District, itself, sells no food, we have established a procedure whereby the PTA will comply with the law(s). The Governing Board will conduct a public hearing each fall at which the PTAs will submit their lists of vendors and food items intended for sale.

2. **School Districts shall immediately:**

   2.1 **reduce the sizes of beverages offered from 20 oz. To 12 oz.**

      We agree with the finding. However, the Las Lomitas Elementary School District has never sold beverages in 20 oz. containers. We will continue this practice.

   2.2 **remove all “king size” snack items from schools**

      We agree with the finding. However, the Las Lomitas Elementary School District has never sold “king size” snack items. We will continue this practice.

   2.3 **require vendors to stock waters and 100% juices in vending machines and snack bars**

      We agree with the finding. However, there are no vending machines for students at Las Lomitas School. The machines at La Entrada have always stocked waters. We will continue this practice. We have instructed vendors to eliminate the 50% fruit juices.

   2.4 **offer low fat milk in vending machines**

      We agree with the finding. However, there are no vending machines for students at Las Lomitas School. The machines at La Entrada do not stock milk. Low fat milk is provided by the PTA at both schools on a daily basis. We will continue this practice.

   2.5 **offer menu options that are high in protein and low in fat**

      We agree with the finding. However, the Las Lomitas Elementary School District does not sell food items. The list of approved / preferred food items has been given to the PTAs who have agreed to comply with the guidelines.

   2.6 **offer baked snacks rather than fried snacks**

      We agree with the finding. However, the Las Lomitas Elementary School District does not sell snack items of any kind. The list of approved / preferred food items has been given to the PTAs who have agreed to comply with the guidelines.
2.7 **stop sales of all candy from snack bars and vending machines**

We agree with the finding. However, there are no vending machines for students at Las Lomitas School. The machines at La Entrada have never stocked candy.

2.8 **restrict sales of candy from school stores, fundraisers and classrooms at least to after school hours**

We agree with the finding. However, there are no sales of candy on school sites during school hours, and there have never been. Teachers have been instructed not to give candy rewards in the classrooms.

2.9 **use fresh fruit, vegetables and 100% fruit juices to provide vitamins instead of candy and soda “fortified” with vitamins**

We agree with the finding. However, the Las Lomitas Elementary School District does not sell food items. The list of approved / preferred food items has been given to the PTAs who have agreed to comply with the guidelines.

3. **School districts should immediately investigate alternative sources of income to replace revenue temporarily lost to changes in menus.**

We agree with the finding. However, the Las Lomitas Elementary School District does not sell food items. There will be no loss of revenue to the District as a result of compliance with nutrition laws.

4. **By December 1, 2004, school districts should develop and implement policies that control food and beverages offered by student stores, vending machines, classrooms and other venues, so that these offerings do not undermine or conflict with efforts of food service departments to provide healthy choices.**

We agree with the finding. However, the Las Lomitas Elementary School District does not have a food service department. Nevertheless, we will develop policies to control food and beverages offered by the PTA during lunch periods and in classrooms. There is no student store, and there are no vending machines available to students at Las Lomitas School. The student store at La Entrada School does not sell food items. The vending machine with waters and juices at La Entrada School complies with / will continue to comply with Code requirements.

5. **School districts should check vending machine offerings at least twice a year to ensure that they comply with all policies and vendor agreements.**

We agree. The recommendation has been implemented.

6. **School districts should price food and beverage offerings to encourage purchase of healthier choices.**

We agree with the finding. However, the Las Lomitas Elementary School District does not sell food items. We have been assured of cooperation by the PTAs who sell lunches to students four-days-a-week.

7. **School districts should develop and implement more education programs for students K-12 to increase student awareness of nutrition, including the need for a balanced diet and appropriate caloric intake.**

We agree with the finding. Our health / nutrition curricula have always included instruction in the need for a balanced diet, the appropriate caloric intake, and the need for exercise. The entire health K-8 curriculum was reviewed during the 2003-04 school year. Recommendations for materials and revisions to course content will be adopted in the spring of 2005. Proper nutrition has been given significant and appropriate focus at all grade levels.

Sincerely,
August 20, 2004

Honorable Jonathan E. Karesh
Judge of the Superior Court
Hall of Justice, 2nd Floor
400 County Center
Redwood City, CA 94063-1655

Re: Nutrition in San Mateo County Schools

Dear Judge Karesh:

On behalf of the Pacifica School District, Board of Trustees, we submit the following in response to the 2003-04 Grand Jury report of May 28, 2004 which contains findings and recommendations pertaining to the Pacifica School District.

The Pacifica School District agrees with the findings. Beginning in September 2004, all school lunch programs in the Pacifica School District will be in full compliance with SB 677. The district’s compliance with SB 677 will meet all recommendations by the Civil Grand Jury as outlined in the Nutrition in San Mateo County Schools Summary.

If you have any questions regarding the response of the Pacifica School District, please do not hesitate to contact the Office of the Superintendent at 650.738.6625. Thank you.

Sincerely,

Michele Garside, Ph.D.
Superintendent

MG:sc

Cc: Pacifica School District, Board of Trustees
    Thomas F. Casey III, County Counsel
    Jim Lianides, Director, Administrative Services
August 24, 2004

Hon. Jonathan E. Karesh
Judge of the Superior Court
Hall of Justice
400 County Center, 2nd Floor
Redwood City, CA  94063-1655

Dear Judge Karesh,

On behalf of the Portola Valley School District, I would like to respond to the findings and recommendations of the 2003-04 Grand Jury. Before providing detailed responses, however, I wish to assure the Grand Jury that the Portola Valley School District is firmly committed to offering balanced and healthy food choices on campus and to educating students on the importance of good nutrition.

Response to Grand Jury Recommendations

1. The Portola Valley School District is in agreement with this recommendation and is in compliance with SB677. School district policies prohibit the sale of soda at any time on our campuses. We also are working with our student government and PTA to comply with the requirements of SB1566.

2. The Portola Valley School District is in agreement with all of these recommendations.
   (a) We do not offer any beverages larger than 12 oz.
   (b) We do not offer any “king size” snack items.
   (c) We do not have any vending machines on either campus. Our middle school snack bar is currently selling ice tea, Hansen’s and Snapple. When school reconvenes in September, we will ask our student government to also offer water and 100% fruit juice.
   (d) We do not have any vending machines.
   (e) Our school lunch program is run by the PTA. We will work with them
to review all menu choices to insure that menu options are high in protein and low in fat.

(f) We currently are offering chips for purchase at our student snack bar. We will work with the student government to be sure this type of snack is baked, not fried.

(g) We do not sell candy during school hours for fund-raising purposes.

(h) We do not sell candy.

(i) We do not offer candy or soda, but we will suggest to our student government and PTA that they review their menu options to be sure they are providing vitamins by offering fresh fruit, vegetables, and 100% fruit juices.

3. The Portola Valley School District is in agreement with this recommendation. Because of our current snack bar offerings, we do not anticipate a loss of revenue based upon the above recommendations.

4. The Portola Valley School District is in agreement with this recommendation. It is important to note that we do not have a food service department because we are a very small school district. However, we will review and develop any policies that are necessary based upon the Grand Jury’s recommendations.

5. The Portola Valley School District is in agreement with this recommendation. We do not have any vending machines nor will we be acquiring any.

6. The Portola Valley School District is in agreement with this recommendation. We will work with our student government and PTA to establish prices that encourage the purchase of healthier choices.

7. The Portola Valley School District is in agreement with this recommendation. We will work with our school staffs to be sure they are helping students understand the need for a balanced diet and appropriate caloric intake.

We will file this response with the Clerk of the Court, with the Grand Jury website, and with our agency’s clerk.

Please be sure to contact me if you have any questions about the responses provided above or if you need additional information about nutrition in the Portola Valley School District.

Very truly yours,

Anne E. Campbell

AEC:a
August 24, 2004

Honorable Jonathan E. Karesh
Judge of the Superior Court
Hall of Justice
400 County Center, 2nd Floor
Redwood City, Ca. 94063-1655

Re: Grand Jury Findings and Recommendations on Child Nutrition
In San Mateo County Schools

Dear Judge Karesh:

This is in response to the Grand Jury findings and recommendations on child nutrition in San Mateo County Schools. The Ravenswood City School District response is submitted in the same numerical order as the grand jury recommendations.

Recommendation #1

The Ravenswood City School District has no vending machines for its k-8 students and the sale of any beverages to students on campus is prohibited. All students are served Non Fat Chocolate milk and/or 1% White milk will all breakfast and lunch meals.

Recommendation #2.1, 2.2, 2.3, 2.4

These recommendations are not applicable because snacks and beverages are not available to students.

Recommendation #2.5

The daily menu options offered to our students are in fact high in protein and low in fat. We use a Nutrikids (a data base) to analyze our menus.

Recommendation #2.6, 2.7, 2.8, 2.9

These recommendations are not applicable to Ravenswood students. We do not currently sell any of these items nor do we plan to do so.

Recommendation #3.0
No beverages or snack items are sold to students.

Recommendation # 4.0

These recommendations are not applicable to Ravenswood students. We do not currently have any departments doing these activities nor do we plan to do so.

Recommendation # 5.0

This recommendation is not applicable to Ravenswood students. We do not have any vending machines.

Recommendation # 6.0

If we implement selling ala carte items we will price food and beverages offerings to encourage purchase of healthier choices.

Recommendation # 7.0

Our Menus that are sent to student homes have articles that talk about good nutrition. We have flyers and banners posted in all cafeterias promoting good health.

Please feel free to contact me at (650) 329-2800 ext. 121 if you any questions or need additional information or clarification.

Sincerely

Mack McClendon
Chief Business Officer
Hon. Jonathan E. Karesh  
Judge of the Superior Court  
400 County Center, 2nd Floor  
Redwood City, CA 94063-1655

Re: Response to Grand Jury Report Filed on May 28, 2004

Dear Judge Karesh:

This letter is in response to the 2003-2004 Grand Jury Report entitled, “Nutrition in San Mateo County Schools.” The Board met on August 11, 2004 regarding the Grand Jury Report and have the following findings:

Response to the Findings:

The District agrees to all the findings related to the Redwood City School District.

Response to the Recommendations:

The Redwood City School District Board of Education approved the attached District Goals in Response to San Mateo County Grant Jury Recommendation.

Sincerely,

Ronald F. Crates, Ed.D.  
Superintendent

August 16, 2004

Ronald F. Crates, Ed.D.
Superintendent
District Goals in Response to San Mateo County Grand Jury Recommendations on Nutrition:

- Vending machines accessible to students will vend only products compliant with SB677 to include 100% juice, 50% or more juice, water, and electrolyte replacement beverages containing 42 grams or less of sugar per 20 ounces. Electrolyte replacement beverage size will be 12 ounce; 20 ounce size will be phased out.

- Middle schools will include reduced fat and reduced sugar snack items in the a la carte program. Baked chips will be offered as an option.

- Board Policy relating to nutrition will be reviewed and updated as applicable.

- Competitive food sales will halt at MIT and Kennedy Middle School during school hours. Loss of revenue to be subsidized by Child Nutrition in exchange for student workers to help serve food and beverages at lunch.
August 20, 2004

Hon. Jonathan E. Karesh
Judge of the Superior Court
Hall of Justice
400 County Center; 2nd Floor
Redwood City, CA 94063-1655

RE: MAY 25, 2004, GRAND JURY NUTRITION IN SAN MATEO COUNTY SCHOOLS REPORT

Dear Judge Karesh:

The Governing Board of the San Bruno Park School District has reviewed the recommendations in Nutrition in San Mateo County Schools. As per your request, the following constitutes its response, which was officially approved at a Regular Meeting of the Governing Board held on August 11, 2004:

Recommendation 1: All school districts in the County should develop plans to comply with the provisions of SB677 and the potential legislation of SB1566 even though they may not currently be required by law to do so.

Response: The San Bruno Park School District agrees with the finding and has no vending machines available to students so no plans are necessary to address the potential legislation.

Recommendation 2: School district should immediately:

2.1 reduce the sizes of beverages offered from 20 oz. to 12 oz.

Response: The San Bruno Park School District agrees with the finding and 12 oz. is the largest size of beverage offered to students other than plain water which is available in 16 oz. size, in compliance with current state law.

2.2 remove all “king size” snack items from schools.

Response: The San Bruno Park School District agrees with the finding and there are no “king size” snack items sold in our schools.

2.3 require vendors to stock waters and 100% juices in vending machines and snack bars.

Response: The San Bruno Park School District agrees with the finding and there are no vending machines or snack bars in the school district.
2.4 offer low fat milk in vending machines.

Response: The San Bruno Park School District agrees with the finding and there are no student vending machines in the school district. All milk offered through the National School Lunch Program is 1% fat.

2.5 offer menu options that are high in protein and low in fat.

Response: The San Bruno Park School District agrees with the finding and menus are planned and analyzed to meet the National School Lunch Program guidelines which are based on sound scientific and nutrition information. Menus meet nutrition targets while keeping the percentage of calories from fat under 30% and saturated fats under 10%.

2.6 offer baked snacks rather than fried snacks.

Response: The San Bruno Park School District agrees with the finding and offers for sale snacks that are baked.

2.7 stop sales of all candy from snack bars and vending machines.

Response: The San Bruno Park School District agrees with the finding and there are no vending machines or snack bars available to students.

2.8 restrict sales of candy from school stores, fundraisers and classrooms at least to after school hours.

Response: The San Bruno Park School District agrees with the finding and is reviewing current district policy limiting such sales to after school hours while balancing the needs of school organizations to raise funds to supplement decreased revenues from other sources.

2.9 use fresh fruit, vegetables and 100% fruit juices to provide vitamins instead of candies and soda “fortified” with vitamins.

Response: The San Bruno Park School District agrees with the finding and fresh fruits and vegetables and 100% fruit juices are offered everyday.

Recommendation 3: School districts should immediately investigate alternative sources of income to replace revenue temporarily lost to changes in menus.

Response: The San Bruno Park School District agrees with the finding and does not foresee a loss in revenue.

Recommendation 4: By December 1, 2004, school districts should develop and implement policies that control food and beverages offered by student stores, vending machines, classrooms and other venues, so that these offerings do not undermine or conflict with efforts of food service departments to provide healthy choices.
Response: The San Bruno Park School District agrees with the finding and is reviewing current district policy limiting such sales to after school hours while balancing the needs of school organizations to raise funds to supplement decreased revenues from other sources.

**Recommendation 5**: School districts should check vending machine offerings at least twice a year to ensure that they comply with all policies and vendor agreements.

Response: The San Bruno Park School District agrees with the finding and has no vending machines available to students.

**Recommendation 6**: School districts should price food and beverage offerings to encourage purchase of healthier choices.

Response: The San Bruno Park School District agrees with the finding and food and menu items are priced to recover food, supply and labor costs. To control food costs, items are required to be put out to bid to obtain the lowest cost to the District.

**Recommendation 7**: School districts should develop and implement more education programs for students K-12 to increase student awareness of nutrition, including the need for a balanced diet and appropriate caloric intake.

Response: The San Bruno Park School District agrees with the finding and has already put in place programs that include: printing the food pyramid in each menu; placing informational nutrition posters in all cafeteria serving areas, providing teachers with fresh produce education kits, complete with history, lesson plan and samples, for use in the classroom.

Members of the Governing Board and the administration of the San Bruno Park School District continue to appreciate the interest of members of the Grand Jury in improving education.

Cordially,

David E. Hutt, Ed.D.
Superintendent
August 15, 2004

Judge Karesch  
Superior Court of San Mateo County  
Hall of Justice and Records  
400 County Center  
Redwood City, Ca 94063-1655

Dear Judge Karesch:

Here are the responses to the Grand Jury filed on nutrition in San Mateo County Schools from San Carlos School District.

1. We agree with this finding that all school districts should develop plans to implement SB677. We will be implementing it throughout the 2004-05 school year.

2. We agree will all aspects of 2.1-2.9 and will implement them this year 2004-05.

3. If schools need the revenue, we will investigate alternative sources of income. We have implemented this.

4. We agree that by December 1, 2004, school districts will have policies that control food and beverages sold. We haven’t the policy yet, but will by 12/1/04.

5. We agree that all vending machines will be checked twice a year. This will be implemented during 2004/05.

6. The SCSD agrees that the pricing of food should encourage purchase of healthier choices. We will implement this during 2004/05.

7. We do agree that we should implement education programs in nutrition and will implement this during 2004-05.

Sincerely,

Patricia Wool, Ed.D.  
Superintendent  
San Carlos School District
August 10, 2004

The Honorable Jonathan E. Karesh
Superior Court of San Mateo County
Hall of Justice
400 County Center; 2nd Floor
Redwood City, CA 94063-1655

Re: Nutrition in San Mateo County Schools

Dear Judge Karesh:

The San Mateo-Foster City School District has received the report of the Grand Jury entitled “Nutrition in San Mateo County Schools.” This letter constitutes the official response of the San Mateo-Foster City School District.

The San Mateo-Foster City School District (SMFCSD) accepts the findings of the Grand Jury with regard to school districts in general. However, as stated in our response of March 9, 2004, to the Grand Jury Education Committee, our school district is in full compliance with all regulations governing food service on our campuses.

Our response to the Grand Jury recommendations is as follows:

1. All school districts in the County should develop plans to comply with the provision of SB677 and the potential legislation of SB1566. The SMFCSD is in full compliance.
2. School districts should immediately:
   a. Reduce the sizes of beverages offered from 20 oz. To 12 oz. We do not offer beverages over 12 ounces.
   b. Remove all “king size” snack items from schools. We do not sell “king size” snack items.
   c. Require vendors to stock waters and 100% juices in vending machines and snack bars. There are very few vending machines on our campuses; all offer only water and 100% juice.
   d. Offer low fat milk in vending machines. SMFCSD has few vending machines; as described above, they offer only water and juice.
   e. Offer menu options that are high in protein and low in fat. These are offered, and include high-protein vegetarian options.
   f. Offer baked snacks rather than fried snacks. A few “small size” fried snacks are still being offered along with baked snacks. We are investigating additional baked options.
   g. Stop sales of all candy from snack bars and vending machines. Very little candy is sold from snack bars; it is being eliminated.
h. Restrict sales of candy from school stores, fundraisers and classrooms at least to after school hours. To our knowledge, candy is not being sold in these venues. We are in the process of updating district policies to prohibit such sales.

i. Use fresh fruit, vegetables and 100% fruit juices to provide vitamins instead of candy and soda “fortified” with vitamins. Fresh fruit and vegetables are offered daily, as well as salad options.

3. School districts should immediately investigate alternative sources of income to replace revenue temporarily lost to changes in menus. SMFCSD Food Services is investigating new food items that comply with regulations for sale at the middle school level. This finding applies only at the middle schools, as a la carte and snack items are not included in elementary food services.

4. By December 1, 2004, school districts should develop and implement policies that control food and beverages offered by student stores, vending machines, classrooms and other venues, so that these offerings do not undermine or conflict with efforts of food services departments to provide healthy choices. Although the SMFCSD is in full compliance with all regulations affecting food service on school campuses, policies are being updated and will be in place by December 1, 2004.

5. School districts should check vending machine offerings at least twice a year to ensure that they comply with all policies and vendor agreements. This is already being done by Food Services.

6. School districts should price food and beverage offerings to encourage purchase of healthier choices. Food Services is doing its best to offer a variety of nutritious choices at affordable prices.

7. School district should develop and implement more education programs for students K-12 to increase student awareness of nutrition, including the need for a balanced diet and appropriate caloric intake. Good nutrition is currently taught according to the recommendations of the California Department of Education’s Health Framework (2003). Materials expected to be approved at the state level in January 2005, will further support implementation of this curriculum.

Sincerely,

Pendery A. Clark, Ed.D.
Superintendent
August 20, 2004

Honorable Jonathan E. Karesh, Judge of the Superior Court
Hall of Justice
400 County Center; Second Floor
Redwood City, CA 94063-1655


Grand Jury Recommendation
1. All school districts in the County should develop plans to comply with the provisions of SB677 and the potential legislation of SB1566 even though they may not currently be required by law to do so.

District response
The San Mateo Union High School District agrees with this recommendation and is developing a District policy to promote balanced and healthy choices and educate students on the importance of good nutrition. The District’s intent is to develop a program to comply with SB677 and SB1566.

Grand Jury recommendation
2. School districts should immediately:
2.1 Reduce the sizes of beverages offered from 20 oz. to 12 oz.

District response
The San Mateo Union High School District has reduced the size of its carbonated soft drinks offered to a maximum of 12 ounces, effective the beginning of the 2004 school year.

Grand Jury recommendation
2.2 Remove all “king size” snack items from schools.

District response
The San Mateo Union High School District has removed all king size snacks items from the school lunch program, effective the beginning of the 2004 school year.

Grand Jury recommendation
2.3 Require vendors to stock waters and 100 percent juices in vending machines and snack bars.

District response
The San Mateo Union High School District requires soft drink vendors to stock 60 percent of all vended products as water or juice.
Grand Jury recommendation

2.4 Offer low-fat milk in vending machines.

District response
The San Mateo Union High School District does not vend milk, but non-fat milk and low-fat milk are offered at all Food Services points of sales during breakfast, brunch and lunch.

Grand Jury recommendation

2.5 Offer menu options that are high in protein and low in fat.

District response
The San Mateo Union High School District’s Food Services program offers numerous menu options that are high protein, low fat and low sodium, such as:
   a. chicken nuggets
   b. beef, rice and vegetable eggroll
   c. chef salad shaker
   d. fruit cup salad shaker
   e. teriyaki dunker rice bowl
   f. low-fat and non-fat yogurt
See attached sample menu for Healthy Choices A la Carte Menu offerings.

Grand Jury recommendation

2.6 Offer baked snacks rather than fried snacks.

District response
The San Mateo Union High School District’s current practice is to offer an option of baked snacks, such as baked Frito-Lay products, in addition to fried snacks.

Grand Jury recommendation

2.7 Stop sales of all candy from snack bars and vending machines.

District response
The San Mateo Union High School District has stopped all sales of candy from snack bars and Food Services points of sales. Limited candy sales are available in vending machines.

Grand Jury recommendation

2.8 Restrict sales of candy from school stores, fundraisers and classrooms at least to after school hours.

District response
The San Mateo Union High School District will develop and implement policy by December 1, 2004, to restrict sales of candy in student stores and to limit candy sales from fundraisers to non-school hours.

Grand Jury recommendation

2.9 Use fresh fruit, vegetables and 100 percent fruit juices to provide vitamins instead of candy and soda “fortified” with vitamins.

District response
The San Mateo Union High School District will maximize the use of fresh fruit, vegetables and 100 percent fruit juices to replace candy and soda “fortified” with vitamins.
Grand Jury recommendation
3. School districts should immediately investigate alternative sources of income to replace revenue temporarily lost to changes in menus.

District response
The San Mateo Union High School District agrees with this recommendation and will investigate all viable alternates to replace revenue loss due to the change in venue and menus.

Grand Jury recommendation
4. By December 1, 2004, school districts should develop and implement policies that control food and beverages offered by student stores, vending machines, classrooms and other venues, so that these offerings do not undermine or conflict with efforts of food service departments to provide healthy choices.

District response
The San Mateo Union High School District agrees with this recommendation and will develop and implement updated policies by December 1, 2004, that address competitive food sales and vending machines and adopt nutritional policies to ensure that offerings do not conflict with the healthSchool districts should check vending machines at least twice a year to ensure that they comply with all policies and vendor agreements.

District response
The San Mateo Union High School District agrees with this recommendation and will incorporate it into the revised policies.

Grand Jury recommendation
5. School districts should price food and beverage offering to encourage purchase of healthier choices.

District response
The San Mateo Union High School District agrees with this recommendation and has structured its pricing for the 2004/2005 school year to encourage the purchase of healthier choices by offering a lower price for those items.

Grand Jury recommendation
6. School districts should develop and implement more education programs for students K-12 to increase student awareness of nutrition, including the need for a balanced diet and appropriate caloric intake.

District response
The San Mateo Union High School District agrees with this recommendation. The Food Services Department is developing programs to increase student awareness of the affects of a healthy, balanced diet and will be distributing information to the school sites beginning with the 2004 school year. Ongoing education programs will include:

a. development and distribution of nutritional brochures
b. identification of healthy food items on school menus
c. meetings with the associated student groups once a semester for continued dialogue regarding nutritional concerns
d. continuation of healthy food options exploration
e. promotion of non-meat and vegetarian choices

Sincerely,

Samuel Johnson, Jr., Superintendent and Secretary to the Board
September 8, 2004

Refer to: PRG 511

Honorable Jonathan E. Karesh
Judge of the Superior Court
Hall of Justice
400 County Center, 2nd Floor
Redwood City, CA  94063-1655


The following is the Sequoia Union High School District’s response to information requested by the 2003-04 San Mateo County Grand Jury.

1. All school districts in the County should develop plans to comply with the provisions of SB 677 and the potential legislation of SB 1566 even though they may not currently be required by law to do so.

   The Sequoia Union High School District agrees with this finding. The District is planning to comply with all legislation regarding healthy food choices and practices. A Nutrition Committee will be formed Fall 2004 to study the sales of food items by student stores, athletic departments, and student clubs.

2. School districts should immediately:

   2.1 reduce the sizes of beverages offered from 20 oz. to 12 oz.

   The District presently offers a choice of both and will be in compliance by December 1, 2004.

   2.2 remove all “king size” snack items from schools.

   All snack items offered are smaller sizes and are 35 percent fat or less.

   2.3 require vendors to stock waters and 100% juices in vending machines and snack bars.

   We will require that all vending machines offer 100 percent juice and water.

   2.4 offer low fat milk in vending machines.

   This will be completed in September 2004.
2.5 offer menu options that are high in protein and low in fat.

The Sequoia District will offer menu options that are high in protein and low in fat. NutriKids software will be used to analyze offerings.

2.6 offer baked snacks rather than fried.

All snacks offered in the Food Services Department are baked and consist of 35 percent or less of fat.

2.7 stop sales of all candy from snack bars and vending machines.

No candy is sold from the Food Services Department.

2.8 restrict sales of candy from school stores, fundraisers and classrooms at least to after-school hours.

The Nutrition Committee, including students, will develop a policy for all student sales with parameters for candy sales.

2.9 use fresh fruit, vegetables, and 100% fruit juices to provide vitamins instead of candy and soda “fortified” with vitamins.

The District currently uses fresh fruit, vegetables, and 100 percent fruit juices to provide vitamins.

3. School districts should immediately investigate alternative sources of income to replace revenue temporarily lost to changes in menus.

The Food Service Department is presently increasing food prices, reducing labor, changing marketing strategies, and expanding complete meals to increase state and federal reimbursements.

4. By December 1, 2004, school districts should develop and implement policies that control food and beverages offered by student stores, vending machines, classrooms, and other venues, so that these offerings do not undermine or conflict with efforts of food services departments to provide healthy choices.

District staff will develop guidelines for food and beverage sales outside the Food Service Department.

5. School districts should check vending machine offerings to encourage purchase of healthier choices.

This practice is presently being performed by the Food Services Department.

6. School districts should price food and beverage offerings to encourage purchase of healthier choices.

The Food Service Department currently serves breakfast as a complete meal to encourage balanced choices, and healthy meals with fresh sides, full salad meals are offered as economical yet nutritious meals. Fresh fruit and vegetable selections are offered as appealing and very low cost snack choices.
7. School districts should develop and implement more education programs.

The Sequoia Union High School District Food Service Department is eager to work with the schools to develop healthy fundraising options for students.

Possible partnership opportunities between the Food Service Department and schools might be:

- Student club members could man food sales carts at brunch and/or lunch for 20% of gross revenue.
- Student club members could work in the cafeteria. Wages would be donated to the club.
- Food Services could sponsor events to help students raise money, i.e., barbecues, dinners, luncheons. Food Services will supply the food to the clubs; the clubs would provide the student help and determine charges and potential profit.

Thank you for this opportunity to highlight what is being done in the Sequoia Union High School District by our Food Service Department to improve healthy food options for our students.

(original signature via U.S. Mail)

Patrick R. Gemma, Ed.D.
District Superintendent
dmr
cc: Board of Trustees
July 7, 2004

Honorable Jonathan Karesh  
Judge of Superior Court  
Hall of Justice  
400 County Center, 2nd Floor  
Redwood City, CA 94063-1655

Dear Judge Karesh

In response to the recommendations in the Civil Grand Jury’s report on Nutrition in San Mateo County Schools, the South San Francisco Unified School District respectfully submits the following:

The Nutrition Services Department of the South San Francisco Unified School District has already implemented many of the recommendations set forth in the report. Specifically, the department:

- is now in compliance with the provisions set forth by SB677. We are working towards compliance with SB1566 in the event that it passes and will comply with the provisions completely upon passage.
- will be reducing all caloric beverage offerings to no greater than 12 oz. beginning the next school year.
- includes water and 100 percent fruit juices in the vending machines.
- offers low fat milk in the vending machines.
- offers menu options that are low in fat and high in protein.
- includes baked snacks and menu items rather than fried foods.
- has discontinued the sale of all candy items at the elementary and middle schools.
- offers fresh fruit and vegetable on a daily basis.

The District has made a significant effort to offer a healthy menu to students. We continue to have several fundraising food sales by student groups and our PTAs. We depend on the income generated by these sales to provide programs that could otherwise be eliminated. We recognize that some of the products offered by these groups are not on the recommended list of products.

This fall, we will establish a committee of principals, student leaders, nutrition service personnel, PTA representatives and District Office personnel to study the entire fundraising programs implemented by our schools and establish guidelines that are consistent with the recommendations of the Grand Jury.

As the State continues to cut public education funding, school districts are being asked to be creative in finding alternative sources of income to provide programming. It is our hope that the State will provide the funds to the districts to replace the lost revenue.

Sincerely

Barbara Olds  
Superintendent
June 28, 2004

Honorable Jonathan E. Karesh  
Judge of the Superior Court  
Hall of Justice  
400 County Center; 2nd Floor  
Redwood City, CA 94063-1655

Re: Nutrition in San Mateo County Schools

Dear Judge Karesh,


Woodside is a K-8 school that currently has no vending machines on campus. We are instituting a lunch program by “Food for Thought, Inc.” for the upcoming 2004-05 school year. We changed lunch providers primarily out of a concern regarding nutrition. We have also taken steps to reduce the amount of cakes and sugar foods used in birthday celebrations and school parties.

Sincerely,

John R. Harter  
Superintendent
August 18, 2004

Honorable Jonathan E. Karesh  
Judge of the Superior Court  
Hall of Justice  
400 County Center; 2nd Floor  
Redwood City, CA  94063-1655

Re:    Grand Jury Recommendations 2003-04

Dear Judge Karesh,


Sincerely,

Daniel A. Vinson  
Superintendent
## Attachment A

**SAN MATEO COUNTY SCHOOLS**  
**FOOD AND BEVERAGE SALES**

*A sample of items currently for sale that do NOT meet SB677 and SB1566 guidelines*

### Beverages

<table>
<thead>
<tr>
<th>Product</th>
<th>% Fruit Juice</th>
<th>Sugar (in grams)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fruitopia- 20 oz.</td>
<td>5-10</td>
<td>54</td>
</tr>
<tr>
<td>Tropicana Twister 8oz.</td>
<td>10</td>
<td>30</td>
</tr>
<tr>
<td>Sunny Delight 8oz.</td>
<td>5</td>
<td>27</td>
</tr>
<tr>
<td>Snapple- 16 oz.</td>
<td>10 or less</td>
<td>50</td>
</tr>
<tr>
<td>Pepsi 20 oz.</td>
<td>0</td>
<td>60</td>
</tr>
<tr>
<td>Coke 20 oz.</td>
<td>0</td>
<td>60</td>
</tr>
<tr>
<td>Fanta 20 oz.</td>
<td>0</td>
<td>75</td>
</tr>
<tr>
<td>Sprite 20 oz.</td>
<td>0</td>
<td>60</td>
</tr>
<tr>
<td>Country Time Lemonade 12 oz.</td>
<td>0</td>
<td>23</td>
</tr>
</tbody>
</table>

### Food Items

<table>
<thead>
<tr>
<th>Product</th>
<th>Size</th>
<th>Fat (in grams)</th>
<th>Calories from Fat</th>
<th>% calories from fat</th>
<th>% sugar</th>
<th>Sugar (in grams)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hot Pocket (pepperoni)</td>
<td>1</td>
<td>256 g</td>
<td>35</td>
<td>318</td>
<td>43</td>
<td>0</td>
</tr>
<tr>
<td>Pop Tarts</td>
<td>1 pastry</td>
<td>52 g</td>
<td>5</td>
<td>45</td>
<td>24</td>
<td>37</td>
</tr>
<tr>
<td>Chips (fried)</td>
<td>1 bag</td>
<td>2 3/4 oz</td>
<td>30</td>
<td>270</td>
<td>57</td>
<td>0</td>
</tr>
<tr>
<td>Starbursts</td>
<td>1 pkg.</td>
<td>59 g</td>
<td>5</td>
<td>45</td>
<td>19</td>
<td>66</td>
</tr>
<tr>
<td>Snickers</td>
<td>1 bar</td>
<td>57 g</td>
<td>14</td>
<td>126</td>
<td>46</td>
<td>49</td>
</tr>
<tr>
<td>3 Musketeers</td>
<td>1 bar</td>
<td>51 g</td>
<td>7</td>
<td>57</td>
<td>27</td>
<td>67</td>
</tr>
<tr>
<td>Milky Way</td>
<td>1 bar</td>
<td>54 g</td>
<td>9</td>
<td>76</td>
<td>33</td>
<td>61</td>
</tr>
<tr>
<td>Skittles</td>
<td>1 pkg.</td>
<td>57 g</td>
<td>2</td>
<td>22</td>
<td>9.5</td>
<td>75</td>
</tr>
<tr>
<td>Trolli Gummi Candy</td>
<td>1 pkg.</td>
<td>142 g</td>
<td>0</td>
<td>0</td>
<td>62</td>
<td>88</td>
</tr>
<tr>
<td>Chicken corn dog</td>
<td>1</td>
<td>10</td>
<td>90</td>
<td>50</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Individual cheese pizza</td>
<td>1 pizza</td>
<td>28</td>
<td>28</td>
<td>250</td>
<td>40</td>
<td>0</td>
</tr>
<tr>
<td>Chocolate Doughnut</td>
<td>1</td>
<td>28 g</td>
<td>6</td>
<td>49</td>
<td>32</td>
<td>2</td>
</tr>
<tr>
<td>Glazed Doughnut</td>
<td>1</td>
<td>28 g</td>
<td>6</td>
<td>57</td>
<td>50</td>
<td>25</td>
</tr>
</tbody>
</table>

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Nutrition in San Mateo County Schools  
2003-2004 San Mateo County Civil Grand Jury
Attachment B

Healthy Snacks List
Meets CA SB1566 Standards

Barbara’s Granola Bars, Cinnamon Raisin, Oats and Honey, Carob Chip & Peanut Butter
Barbara’s Multigrain Cherry, Strawberry & Apple Cinnamon Cereal Bars
Barbara’s Snackimals, Oatmeal, Carob Chip, & Vanilla
Basil's Animal Crackers
Blue Diamond Plain Almond
Blue Diamond Smokehouse Almonds
Bodhi Jungle Nut Crunch Bar
Cal-Tropic Ameri-Mix Fruit & Nut Snack Mix
Cal-Tropic Totally California Trail Mix
Cliff Bars:Choc Chip Peanut Crunch, Chocolate Almond Fudge, Cookies/ Crème, Choc Brownie
Dakota Gourmet Honey Roasted Sunflower Kernel
Dakota Gourmet Lightly Salted Sunflower Kernel
David Pumpkin Seeds
David Sunflower Seeds
Envirokidz Crispy Rice Bar
Famous Amos Oatmeal Raisin Cookies
Fig Newmans
Fresh Fruit
Fresh Veggies
Frito Lay Baked Doritos
Frito Lay Baked Lays
Frito Lay Rold Gold Pretzels
Frunola Energy Bars
General Mills Chex Mix
General Mills Morning Mix
Genisoy Soy Crisps
Glad Corn Original A-Maizing Gorn Snack
Golden Nut Chile Y Limon Garbanzos
Golden Nut Chile Y Limon Havas
Health Valley Apple Cobbler
Health Valley Granola Bars
Health Valley Solar Bars, Berry, Peanut Butter & Chocolate
Health Valley Strawberry Cobbler
Kellogg’s Nutrigrain Bars
Kellogg’s Pop Tarts
Kettle Krisps, BBQ & Low Salt
Kettle Valley Fruit Bars
Kirkland’s Trail Mix
Kudos Milk Chocolate Granola Bars, Chocolate Chip & M & M's Flavor
Luna Bars
Mr. Krispers Rice Chips
Mr. Nature Unsalted Trail Mix
Nabisco Corn Nuts, Original, BBQ, Chili Picante Con Limon, Red Hot, Taco
Natural Value Fruit Leathers, Apricot, Peach, Raspberry, Strawberry
Nature Valley Bars
Newman’s Own Salted Rounds Pretzels
Pita Cheddar Cheese Snax
Pita Cinnamon Snax
Planter’s “Heat” Hot Spicy Peanuts
Planter’s Peanuts
Robert’s American Gourmet Buds
Robert’s American Gourmet Fruity Booty
Robert’s American Gourmet Pirate Booty
Robert’s American Gourmet Potato Flyers
Snyder’s Pretzels
Soy Nut Butter Pretzel Sticks
Tumaro’s Krispy Crunchy Puffs, Tangy BBQ, Natural Corn, Ranch and Cheddar