

**~~210:10-3-111. Restricting access to foods of minimal nutritional value~~**

~~This section contains rules related to the limiting of student access to foods of minimal nutritional value, as provided in 70 O.S. § 5-147.~~

~~(1) Each district board of education shall ensure that students in elementary school facilities are not provided foods of minimal nutritional value except on special occasions. (70 O.S. § 5-147)~~

~~(2) Each district board of education shall ensure that students in middle and junior high school facilities are not provided foods of minimal nutritional value except after school, at events which take place in the evening, and on special occasions. An exception to the minimal nutritional value standard will be diet soda with less than ten (10) calories per bottle or can.~~

~~(3) Each district board of education shall ensure that students in high school facilities are provided healthy food options in addition to any foods of minimal nutritional value to which they may have access at school. Each district shall provide incentives, such as lower prices or other incentives, to encourage healthy food choice for high school students.~~

~~(4) For purpose of this section, "foods of minimal nutritional value" means any food so defined in 7 CFR 210.11 and listed in Appendix B of the regulations for the National School Lunch Program.~~

~~(5) There may be exceptions to the above named rules in certain instances. For example, foods of minimal nutritional value may be allowed when used as part of an instructional program, when prescribed by a physical or as part of a student's individualized education program (IEP), when part of a lunch brought from home, or when used as an ingredient in a special recipe, e.g., cupeakes with jellybeans, sweet potatoes with marshmallow topping, etc.~~