

# LEGAL MAILBAG – FEBRUARY 15, 2024



By Julie P. Reznik, Associate, Shipman & Goodwin LLP – GUEST COLUMNIST

*The “Legal Mailbag Question of the Week” is a regular feature of the CAS Weekly NewsBlast. We invite readers to submit short, law-related questions of practical concern to school administrators. Each week, we will select a question and publish an answer. While these answers cannot be considered formal legal advice, they may be of help to you and your colleagues. We may edit your questions, and we will not identify the authors. Please submit your questions to: [legalmailbag@casciac.org](mailto:legalmailbag@casciac.org).*

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Dear Legal Mailbag,

A teacher in my school excitedly shared that she plans to surprise her middle school class with a pizza party next week as a reward for earning all As on their most recent test. I believe recognizing student success is very important, and I am a lover of pizza myself. But I remember something about a rule on healthy foods in schools, and I want to ensure that we do not run afoul of this rule.

Before I burst this teacher’s bubble and tell her that she cannot hold this party for her students, I thought it would be wise to consult Legal Mailbag. Can school officials reward students with pizza or other food items that may not be considered “healthy”? Perhaps it would be OK if the teacher orders vegetable pizza for her classroom party and the vegetables will balance out the dough? All joking aside, I am getting hungry, and I would appreciate any guidance Legal Mailbag can offer.

Signed,  
*Pizza Enthusiast*

Dear Enthusiast:

Legal Mailbag is relieved not to be the bearer of bad news, as having the classroom pizza party you have described presents no legal issue.

You recall correctly that there is a rule about healthy foods in schools. Conn. Gen. Stat. § 10-215e directs the Connecticut State Department of Education (CSDE) to annually “publish a set of nutrition standards for food items offered for sale to students at schools.” In turn, the CSDE developed the [Connecticut Nutrition Standards](#) (CNS), which are currently in effect for the 2023-24 and 2024-25 school years.

Under Conn. Gen. Stat. § 10-215f, public school districts that participate in the National School Lunch Program are required to certify in their annual application to the CSDE for school lunch funding that all non-exempt food items sold to students in their schools, including cafeteria a la carte sales, vending machines, school stores, fundraisers, culinary programs, and any other sources of food sales to students, comply with the CNS. Foods that do not meet the CNS cannot be sold to students on school premises unless the local board of education votes to allow exemptions and the sales meet the following exemption criteria: (1) the sale is in connection with an event occurring after the end of the regular school day or on the weekend; (2) the sale is at the location of the event; and (3) the foods are not sold from a vending machine or school store.

Happily, the CNS do not apply to the proposed party because presumably the pizza will not be “sold” to students, by the slice or otherwise.

Even if the healthy food rule were triggered in this case, the CNS do not provide for a blanket prohibition against the sale of all pizza to students. Instead, any pizza sold to students at school must meet specific food standards outlined in the CNS. One option, if you prefer to further the spirit of the healthy food rule, is to have your cafeteria staff prepare a pizza that meets these standards to serve at the pizza party, but Legal Mailbag leaves that to you.

In sum, whether we are talking Frank Pepe’s, Sally’s Apizza, Modern Apizza, or even pizza that meets the CSDE standards, having the pizza party will not violate your district’s obligations under the healthy food rule. If you have room for another, Legal Mailbag would be glad to join the classroom pizza party!