



INDIANA STATE BOARD OF EDUCATION

To: Indiana State Board of Education
From: Timothy Schultz, General Counsel—Indiana State Board of Education
Date: January 15, 2020
RE: Indiana Nutritional Services Summary

Indiana Code sets forth a number of requirements concerning the implementation and supervision of student nutrition services, such as mandating that the State Superintendent/Indiana Department of Education (“IDOE”) administer and offer technical assistance to school corporations in the operation of such programs.¹ Examples include as the “school breakfast” and “school lunch” programs.² Further, IDOE is required to establish guidelines for these programs, with the Indiana State Board of Education (“Board”) having discretionary rulemaking authority.³ Moreover, IDOE is tasked with monitoring, conducting audits, inspections, and administrative reviews of nutrition programs to ensure compliance with all state and federal requirements.⁴ In addition to implementation and monitoring requirements, IDOE may 1) conduct studies of methods of improving and expending school lunch programs and promoting nutritional education in the schools, 2) conduct appraisals of the nutritive benefits of school lunch programs, and 3) report the findings and recommendations periodically to the Governor.⁵

Furthermore, there are a number of administrative regulations concerning school accreditation and graduation requirements that relate to student wellness and nutrition. Specifically, 511 IAC 6-7.1-4 mandates that students participate in a “health and wellness” course in order to graduate. Additionally, 511 IAC 6.1-5-.06 requires that for public schools and non-public schools that are accredited by the state, such schools must develop a curriculum that provides students with an opportunity to “[a]pply knowledge about health, nutrition, and physical activity.”

Stemming from the statutory directives, IDOE operates the Office of School Community and Nutrition (“SCN”).⁶ The SCN is the administering agency for the U.S. Department of Agriculture’s (“USDA”) Child Nutrition Programs. SCN works closely with food service professionals in a variety of settings, including public and private schools, day care organizations, and other nonprofit organizations to improve the health and well-being of Indiana’s citizens, especially children. SCN distributes a variety of USDA developed educational resources, and provides a variety of technical assistance and training opportunities for food service, education, and health care professionals with the aim of helping the state’s children choose healthy life styles for successful living.

¹ IC 20-19-1-3; IC 20-26-9-8; IC 20-26-9-15.

² IC 20-26-9-5; IC 20-26-9-6.

³ IC 20-26-9-17.

⁴ IC 20-26-9-10; IC 20-26-9-16.

⁵ IC 20-26-9-11.

⁶ <https://www.doe.in.gov/nutrition>; <https://www.doe.in.gov/nutrition/scn-purpose-mission-vision>