

# **CAPTIVE KIDS: \$ELLING OBESITY AT SCHOOLS**

An ACTION GUIDE to Stop the Marketing of Unhealthy Foods and Beverages in School



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# I. INTRODUCTION

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California youth, like their peers across the country, continue to face a serious nutrition and physical activity crisis. For the first time in two centuries, the current generation of children in America may have shorter life expectancies than their parents due to the rapid rise in childhood obesity.<sup>1</sup>

An increase in type 2 diabetes among children has paralleled the rising rates of obesity.<sup>2</sup> One in three children born in 2000 and half of all children of color are expected to develop type 2 diabetes during their lifetime.<sup>3</sup> Despite these statistics, food and beverage marketing geared to children and youth overwhelmingly promote unhealthy foods and beverages.

Due to increased public concern over the obesity epidemic and the role that marketing plays in establishing eating patterns, a growing number of health advocates are calling for restrictions on advertising of unhealthy foods and beverages to children and youth.

The recent Institute of Medicine report, *Food Marketing to Children and Youth: Threat or Opportunity*, billed as the most comprehensive review to date of the scientific studies, concludes that food and beverage marketing influences the diets and health prospects of children and youth. The report calls for sweeping changes in the way the food industry markets its products to children. Even Governor Arnold Schwarzenegger's *10-point Vision for a Healthy California* calls for marketing only healthy foods and beverages to children 12-years-old and under.

Health advocates like California Project LEAN (Leaders Encouraging Activity and Nutrition), a program of the California Department of Public Health and Public Health Institute, believe that schools should serve as safe havens from unhealthy food and beverage messages. Since 1987, California Project LEAN has worked with California school districts to develop and implement policies that support healthy eating and physical activity. While considerable strides have been made to provide California students with healthy foods and beverages that are convenient, appealing, and affordable, the marketing of unhealthy foods and beverages still exists on school campuses.

The *Captive Kids: Selling Obesity at Schools* tool kit addresses the issue of marketing unhealthy foods and beverages on California school campuses. While geared toward California health advocates, this tool kit may also be useful to health advocates outside of California. *Captive Kids* includes information on:

- Marketing to children and youth through schools.
- Key steps to develop policy that addresses marketing at schools.
- Talking points, case studies, fact sheets, additional resources, and more.

## II. SCHOOL MARKETING TO CHILDREN AND YOUTH

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The school environment has dramatically changed since the time when most parents attended school. Many parents and educators do not fully realize the subtle yet pervasive marketing and advertising practices that students are exposed to on a daily basis at school.

Schools have become a critical location for marketers to gain the undivided attention of children and youth. Marketing in schools can be increasingly harmful to students as they have repeated exposure to advertisements on school television and public announcement systems, in sponsored curriculum, and on school equipment and facilities, including on vending machines placed in high trafficked areas. All students are exposed to these types of advertisements in schools whether they are purchasing the advertised products or not.

### **IN-SCHOOL FOOD AND BEVERAGE MARKETING PRACTICES INCLUDE:**

**Product sales:** This includes foods such as soft drinks, fast food, and snack items sold out of vending machines, student stores, food carts, and snack bars, as well as exclusive soft drink and branded food contracts. This also includes fundraising activities conducted by student groups, parent-teacher organizations, and booster clubs. Many of these fundraisers involve the sale of unhealthy foods and beverages. Marketers offer fundraising ideas to schools in exchange for advertising their products to students.

One example is donut partnership cards. Schools buy the cards from the donut company for \$5 and sell them to the end users for \$10. The buyer gets a dozen free donuts with every dozen they buy.

**Direct advertising:** This includes advertisements placed around campus, on buses, scoreboards, billboards, posters, banners, and on book covers. These advertisements can also be found in school hallways, the gymnasium, football field, cafeteria, food carts, quad, classroom, locker rooms, and on school buses. Also common are electronic advertisements on the public announcement system or on classroom television broadcasts. For example, one for-profit enterprise provides electronic equipment to schools in exchange for schools showing students a daily 12-minute news program that includes two minutes of commercials. Corporations also give away free product samples to promote and encourage consumption of their products.

“Marketing to children in schools is especially problematic because in schools children are a captive audience and are asked to believe that what they are taught in school will be in their best interest.”

–Alex Molnar

**Professor and Director  
Education Policy Studies Laboratory  
Arizona State University**

**Indirect marketing:** Corporations market their product to students by sponsoring contests and by giving away coupons in schools. This includes corporate-sponsored curricula and contests in which students and schools receive products. Food companies have label programs where families collect labels from branded products and redeem them for school supplies, musical instruments or food service equipment.

For example, with one soup company, students' families have to buy about \$2,500 worth of soup to obtain enough labels to get a \$59 heavy-duty stapler.<sup>4</sup> Pizza companies also have programs that reward elementary students with a coupon for a free personal pizza for reading a certain number of required minutes per day.

A review of 77 corporate-sponsored classroom kits and materials found nearly 80 percent to be biased or incomplete, "promoting a viewpoint that favors consumption of the sponsor's product or service or a position that favors the company or its economic agenda."<sup>5</sup>

**Market research:** This includes student surveys or panels, product pilot or taste tests that expose students to a company's product.



## FACTS

- Overall, in the period 1994-2004, products high in total calories, sugar, or fat and low in nutrients dominated the profile of new foods and beverages targeted to children and youth.<sup>6</sup>
- Studies suggest that food advertising and marketing are associated with more favorable attitudes, preferences, and behaviors among children toward the advertised food product.<sup>7</sup>
- The food industry spends an estimated \$10 billion per year marketing foods and beverages to children and youth in America.<sup>8</sup>
- Studies have shown that labeling and signage on school campuses have an effect on students' food selections at school.<sup>9</sup>

"When the country's leading pediatrics association, a broad coalition of organizations concerned with child welfare...a leading nutrition watchdog group, and a top medical journal article conclude that advertising practices are deceptive, exploitative, and harmful to the health and well-being of our children, there is reason for the nation to take notice."

**Kelly Brownell, Ph.D., Author  
Food Fight**

## Presence of Advertising on School Campuses

Among schools in a national survey:<sup>10</sup>

- 23 percent allow promotion of candy, fast foods, and soft drinks through coupons.
- 14 percent allow promotion of candy, fast foods, and soft drinks through sponsorship of school events.

Among California high schools:<sup>11</sup>

- Nearly 72 percent allow advertising for fast food and beverages on campus, while only 13 percent prohibit such advertising.
- The most common fast food or beverage advertisements are on vending machines (48 percent), scoreboards or signs (31 percent), and posters (23 percent).

A recent California study by the Public Health Institute found:<sup>12</sup>

- More than half (60%) of the posters and signage for food and beverage products were for products such as candy, soda, and chips.
- 94 percent of marketing activities such as coupon distributions or product giveaways were conducted by companies associated with high fat, high sugar foods.
- 93 percent of school events were supported by companies selling unhealthy foods such as candy, fast food, and soda.
- 71 percent of the logos displayed on equipment were for sweetened beverages and sports drinks.
- 65 percent of vending machine advertisements were for sweetened beverages, soda, and sports drinks while water accounted for only 21 percent of all vending advertisements.



**See Appendix B: Fact Sheets**  
Food and Beverage Marketing on  
California High School Campuses  
Survey

### III. WHY DO CORPORATIONS WANT TO PROMOTE PRODUCTS IN SCHOOLS?

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Food and beverage marketing aimed at children and youth has become more sophisticated, infiltrating the lives of children and youth at school, in stores, through kids clubs, magazines, the Internet, coupons, toy products, and organized word-of-mouth campaigns. The most prevalent forms of marketing to children are through television and in-school marketing.<sup>13</sup>

Commercial activities in schools have expanded during the last decade as schools struggle with budgets. While businesses seek

**More and more companies see school-based marketing as “the most compelling, memorable and cost-effective way to build share of mind and market into the 21st Century.”<sup>14</sup>**

to appear to work with schools to help solve budget shortfalls, what these businesses are really doing is creating an opportunity to make direct sales and cultivate brand loyalty. Research shows that brand preference begins before purchase behavior does.<sup>15</sup>

A 2000 report from the federal government’s General Accounting Office called marketing in schools a “growth industry.”<sup>16</sup> America’s kids represent a large and growing market, with more than 48 million children attending

schools nationwide and more than 6.4 million in California schools. This number continues to increase across all age and ethnic groups, assuring corporate America an expanding market of youngsters well into the 21st Century.<sup>17</sup>

Marketers recognize that children and youth are a major market force because of their spending power. Depending on their ages, children and youth have the ability to both spend and influence parental spending of billions of dollars annually.

#### **The purchase influence of children increases as they age:<sup>18</sup>**

- \$15 billion for 3- to 5-year-olds.
- \$45 billion for 6- to 8-year olds.
- \$65 billion for 9- to 11-year-olds.
- \$80 billion for 12- to 14-year-olds.
- \$90 billion for 15- to 17-year-olds.

#### **FACTS**

- While all children and youth are subject to the persuasive influence of advertising, younger children, especially those under eight-years-old, do not understand advertising’s persuasive intent.<sup>19</sup>
- Marketers often use older children’s desire to fit in with their peers and a tendency to rebel against authority figures as selling points for their products.<sup>20</sup>
- Candy and snack food manufacturers, soft drink bottlers, and fast food restaurants are among the companies that market most heavily in schools.<sup>21</sup>

## IV. THE DEBATE ON MARKETING UNHEALTHY FOODS IN SCHOOLS

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As an advocate for a healthy school environment, one may run into people who argue for the continuation of the status quo—allowing unhealthy food and beverage messages in schools. Below are some examples of arguments for and against marketing unhealthy foods and beverages in schools. These arguments are brief and to the point and can be used as succinct speaking points.

### Start with the Organization’s Mission

The mission of a corporation is to make money. The mission of a school is to educate students. The mission of commercial junk food advertising is to sell products. Therefore, commercial messages in schools distract students from their primary focus of learning and have no business in schools.



#### Argument For:

Children are surrounded by advertisements outside of school. Why does it matter if they are exposed to advertising in school?



#### Argument Against:

Everywhere children go, they are bombarded with marketing messages designed to make them lifelong consumers. School should be safe havens from marketing influences—especially from junk food and beverage advertising. Studies show that youth are more apt to desire and actually consume an advertised food or beverage.

### Commercial Activities Often Promote Unhealthy Products

Effective advertising will cause students to desire things that are not necessarily good for them or may even be harmful to their well-being. Recent reports documenting the increase in childhood obesity have drawn attention to the types of foods and beverages marketed in schools, specifically “junk food” like soda and fast food.



#### Argument For:

What’s wrong with marketing soda or snacks to students? They need to learn to make choices on their own.



#### Argument Against:

Students receive mixed messages when they are taught about healthy eating in the classroom and find vending machines, snack bars, and student stores on their campus that market and sell junk food and sweetened beverages.

*“The purpose of public education is not to provide basic training for a consumer society, but to cultivate citizens capable of thinking critically about the consumer society they inhabit. Infusing the classroom with consumerism is at odds with this civic purpose.”*

**Michael J. Sandel**  
**Professor of Government**  
**Harvard University**

## Consider the Ethical Issues of Marketing in Schools

Education laws requiring children to attend school make them, in effect, a “captive audience” with little or no ability to shield themselves from school-based marketing. Many students, particularly those in elementary grades, have not yet developed the literacy skills necessary to understand the intent of commercial messages.



### Argument For:

Children and young people of today are too sophisticated to believe what advertisements try to sell them.



### Argument Against:

If advertising doesn't work, why do companies spend billions of dollars trying to entice children and youth to buy their products? Studies show that youth are more apt to desire and actually consume an advertised food product. And most of the food and beverage marketing that is geared toward kids can be characterized as junk food and sweetened beverages. Younger children, especially those under eight-years-old, do not understand advertising's persuasive intent.

## Commercial Activities Supplant Traditional Revenue Sources

Revenues generated from commercial activities supplant rather than supplement traditional revenue streams such as local taxes and state and federal aid. This can absolve local districts and states of their funding obligations.



### Argument For:

Addressing commercialism is not a priority. Our school has more pressing problems—like our current financial situation.



### Argument Against:

The school-funding crisis is how commercialism has crept into schools. While businesses may appear to be working with schools to help solve their budget crisis, what these businesses are really doing is creating an opportunity to make direct sales and cultivate brand loyalty. If businesses are that interested on helping then let them make a cash donation that has no strings attached requiring logos, product placement, or marketing materials promoting their products on school campuses.

### Information adapted from:

Brian, B.O. and Lunden, S. (2005, July/August). *Rethinking School Commercialism: Who or What Comes First?* School Business Affairs 11-14. Available at [www.asbointl.org](http://www.asbointl.org).

Citizens' Campaign for Commercial-Free Schools. Available at: [www.scn.org/cccs/soundbite-args.html](http://www.scn.org/cccs/soundbite-args.html).

Fege, A., and Hagelshaw, A. 2000. Beware of creeping corporatization. *Principal* 80(2): 52-56.

Sandel, Michael J. Are We Still a Commonwealth? Markets, Morals, and Civic Life. Available at: [www.mfh.org/newsandevents/newsletter/MassHumanities/Fall2004/sandel.html](http://www.mfh.org/newsandevents/newsletter/MassHumanities/Fall2004/sandel.html).

Salisbury, C.G. 2004. *Make an investment in our school children: Increase the nutritional value of school lunch programs.* Brigham Young University Education and Law Journal 2004 (2): 331-352.

US Department of Agriculture. 2001. *Foods sold in competition with USDA meal programs: A Report to Congress.* Available at: [www.fns.usda.gov/cnd/lunch/competitivefoods/report\\_congress.htm](http://www.fns.usda.gov/cnd/lunch/competitivefoods/report_congress.htm).

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## V. WHAT CAN SCHOOL DISTRICTS DO?

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School districts, with support from parents, health authorities, and other stakeholders, can promote healthful diets for children and youth by limiting commercial influences throughout the entire school environment, including through curriculum, commercial sponsorships, activities and events, and school meals and snacks.<sup>22</sup>

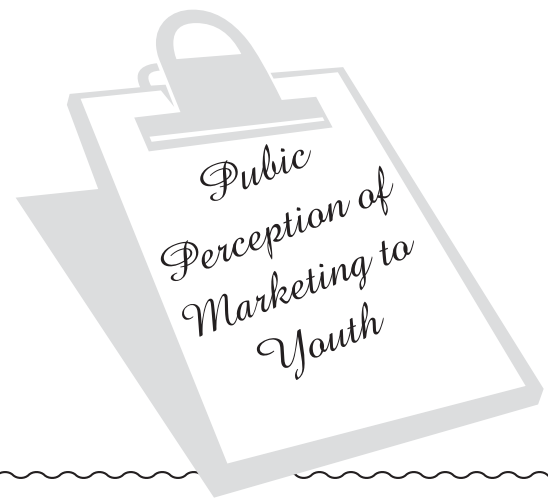
Given the intensity and pervasiveness of marketing to children and youth, parents alone cannot shield their children from the potentially harmful effects of a billion dollar food industry. Youth are a vulnerable group that should be protected from commercial influences that may adversely impact their health—especially while in the entrusted care of the school.

*"We have a \$15 billion industry that is undermining parents and targeting children with junk—junk food, junk values...Somebody's got to stand up and say it's wrong!"*

**–Susan Linn, Ed. D.**

**Co-Founder  
Campaign for a Commercial-Free  
Childhood**

A growing number of national and state organizations are calling for tighter restrictions on advertising unhealthy foods and beverages to children and youth. These organizations include the American Academy of Pediatrics; American Public Health Association; American Psychological Association; Center for Science in the Public Interest; Strategic Alliance for Healthy, Active Environments; and the Center for Public Health Advocacy. Others, such as the California State Parent-Teachers Association, are opposed to commercial advertising in the classroom.



A nationwide survey reported that a majority of the public (78 percent) believe youth are harmed by marketing directed toward them.<sup>23</sup>

- Eighty-five percent believe the current practices of the youth marketing industry are unethical.
- Ninety percent oppose marketing of junk food and soda in schools.
- Eighty-four percent oppose the placement of advertising on buses and school book covers.
- Eighty-one percent believe schools should be commercial free zones.
- Respondents were overwhelmingly in favor of prohibiting marketing that targets children eight years and under.

## VI. CASE STUDIES

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The following are two case studies highlighting positive outcomes for school districts that created policy to restrict advertising in schools.

### San Francisco Unified School District Creating Commercial-Free Schools

**Location:** San Francisco, California

**Demographics:**

- More than 57,100 students enrolled in grades K-12
- 41 percent of students qualify for free lunches and 13 percent for reduced-price meals
- Student ethnicity: 32 percent Chinese; 22 percent Latino; 14 percent African American; 11 percent Other Non White; 9 percent White; 6 percent Filipino; 3 percent Other; 1 percent Japanese; 1 percent Korean; 1 percent American Indian.

**Background:**

The San Francisco Unified School District Board of Education just said no to promoting commercial products when it passed a “Commercial-Free Schools Act” on June 22, 1999. (See Appendix A: Policies and Tools for a copy of this policy). Coauthored by two board members, the policy set strict limits on in-school advertising.

“Our responsibility is to uphold the educational mission for our students,” said Board of Education Commissioner, Jill Wynns. “By promoting commercial products, we give up on that mission.”

Two incidents led to the creation of this policy. The first event involved a group of students who wanted to create a better school environment. A class assignment required students to find ways they could improve their school and community. A group of students developed a six-page resolution calling for a ban on foods produced by companies that are tobacco company subsidiaries. The district had already banned tobacco paraphernalia on clothing that promoted tobacco products. Students presented their resolution to the school board and it was unanimously passed.

The second event, labeled by Wynns as an “outrageous situation,” involved a well-known clothing store. The store approached the district with an offer of donated school buses branded with their logo. The buses and drivers would be provided to the schools on a first-come first-served basis. However, there was one condition: The store requested that students wear their branded T-shirts on field trips.

“Marketers don’t see anything wrong with children being used as rolling advertisements,” said Commissioner Wynns. “Where is their responsibility? To the public or their bottom line?”

## **Challenges and Solutions**

The “Commercial-Free Schools Act” was a difficult policy to pass. The former superintendent and other administrators were concerned about the financial repercussions the policy could create. Teachers also were concerned because they were often solicited by companies that offered instructional materials and branded items such as mouse pads for their classrooms. Many of these concerns were addressed by the fact that the policy placed a greater emphasis on in-school marketing, particularly as pouring contracts across the country were being scrutinized. A paradigm shift began to take shape, making it more feasible to gain added support.

“We have an added responsibility to our children, not to soda companies,” said Commissioner Wynns.

## **Results**

The “Commercial-Free Schools Act” was supported by community members, parents, teachers, and students. The policy requires that all corporate sponsorships are subject to approval by the Board of Education. It also prohibits the district from purchasing curriculum materials that contain identifiable brand names, or using identifiable brand names in their instruction unless they are found to be necessary to the lesson being taught. Additionally, the policy forbids the district from entering into a district-wide exclusive contract with a soda or snack food company, and it prohibits the district from selling products from a tobacco subsidiary.

“Our students are not forced to wear a logo in order to participate in any activity,” said Commissioner Wynns.

## **For more information, contact:**

Jill Wynns, Board Member  
San Francisco Unified School District  
(415) 241-6427  
jwynns@muse.sfusd.edu

# Seattle Public Schools

## Restricting Commercial Advertising in Schools

**Location:** Seattle, Washington

### Demographics:

- More than 46,200 students enrolled in grades K-12
- 40 percent of students qualify for free- or reduced-price lunches
- Student ethnicity: 41 percent White; 22 percent African American; 12 percent Chicano/Latino; 6 percent Chinese; 6 percent Other Asian; 5 percent Vietnamese; 4 percent Filipino; 2 percent American Indian; 2 percent Japanese.

### Background

After years of grassroots organizing by community advocates, the Seattle School Board approved a policy to significantly restrict commercial advertising on or within district-operated property on a 6-1 vote in November 2001. The policy was weakened at the last minute by an amendment from a school board member to change the policy language from prohibiting commercialism to significantly restricting commercialism.

Despite the last minute change, passage of this policy was a victory for advocates who sought the reversal of a previous policy the district had passed five years earlier that actually sought corporate advertising and sponsorships to underwrite educational costs.

"Gatekeepers need to be alert and pay attention to their institution's mission," said Brita Butler-Wall, Executive Director of the Citizens' Campaign for Commercial-Free Schools, who was elected to the Seattle School Board. "Advertising to children while they are required by law to attend school is unethical, immoral, and exploitative. It is one-sided and is contradictory to the goals of education."

### Challenges and Solutions

In 1996, the Seattle School Board passed the "Advertising and Corporate Sponsorship Policy," which actively solicited corporate advertising and sponsorship. At that time, the school district faced a \$35 million budget shortfall. The school board hoped to generate 10 percent of the funds they needed through passage of that policy. The decision to allow more commercial presence in schools was made without any input from the public. As a result, outraged citizens held two public forums that led to the formation of the Citizens' Campaign for Commercial-Free Schools, a non-profit organization with over 1000 members focused on getting advertisements out of Seattle public schools.

After reading the Surgeon General's report on obesity three years later, the Citizens' Campaign for Commercial-Free Schools held a strategic planning session that focused on unhealthy foods in schools. "It was our 'wedge issue' and it worked," said Butler-Wall.

The Citizens' Campaign for Commercial-Free Schools used a variety of strategies to bring about awareness of commercialism in schools. Such strategies included sending emails to school board members and administrators; distributing fliers; and collecting endorsements from community leaders, parents, teachers, citizens, and students who opposed commercialism in schools. Members of the coalition encouraged the community to participate in public demonstrations against the policy that encouraged corporate sponsorships and publicly speak out against that policy at school board

meetings. Coalition members even picketed a Back-to-School rally because a company sponsored the professional stadium where the rally was held and handed out free logo items to students.

“Our district essentially was out of control,” said Butler-Wall. “Without a policy, marketers...had a way into the schools and had the opportunity to plaster their ads on the walls.”

## Results

Coalition members did not stop their work after the district adopted the policy that significantly restricted commercialism in schools. The coalition actively monitored the district to ensure the policy and the district’s accompanying procedures were implemented. Board-adopted procedures for this policy prohibited all but generic facades on all vending machines; required the removal of a for-profit in-school television broadcaster from all Seattle schools; and prohibited logos for advertising purposes and advertising on any district property, including playfields.

Fifteen months after the policy was adopted, the Citizens’ Campaign for Commercial-Free Schools conducted a follow-up review and reported back to the school board that many of the schools were not in compliance with the policy.

The coalition also made a mock citizens’ arrest of a soda corporation after finding them illegally advertising on school vending machines. Citizen ‘deputies’ with plastic ‘badges’ issued a ‘warrant’ for policy violations and presented posters that schools could use to cover advertising facades since such advertising on school vending machines was prohibited. The citizens’ arrest drew media coverage. Shortly after the media coverage, schools began to comply with the policy.

“It was a seven-year gig altogether,” said Butler-Wall, who, once elected to the School Board, pushed for passage of a strong policy banning junk food and soda contracts. “It takes years for culture to change, but there is a difference now. You can walk through the hallways and see student art instead of ads.”

Today, the Citizens’ Campaign for Commercial-Free Schools is a broad statewide coalition of education, labor, youth and community groups with over 2,400 supporters, including many local elected officials and community leaders. The coalition is currently working in 12 other communities to develop district policies that restrict commercialism in schools. The coalition has also been active in developing statewide legislation requiring all school districts to develop policies regarding food marketing and sales in schools.

### For more information, contact:

Brita Butler-Wall, School Board Member  
Seattle Public Schools  
(206) 729-3202

Citizens’ Campaign for Commercial-Free Schools  
EMail to: [CCCS@SCN.org](mailto:CCCS@SCN.org)  
Web: [www.scn.org/cccs/](http://www.scn.org/cccs/)

For additional case studies of strategies that have made it easier for youth to eat healthy food and/or be physically active while at school, visit California Project LEAN’s website at [www.CaliforniaProjectLEAN.org](http://www.CaliforniaProjectLEAN.org).



# VII. ADDRESSING MARKETING OF UNHEALTHY FOODS THROUGH A SCHOOL POLICY

The new requirement under Section 204 of the Federal Child Nutrition and WIC Reauthorization Act of 2004 that school boards establish local wellness policies by the beginning of 2006-2007 school year has heightened the urgency of adopting a policy to improve student health.

The legislation places the responsibility of developing a wellness policy at the local level, so that the individual needs of each district can be addressed. According to the requirements for the local wellness policy, school districts must set goals for nutrition education, physical activity, campus food, and other school-based activities designed to promote student wellness. Districts are to have a plan for monitoring policy implementation and to update the policy as needed.

California Project LEAN recommends that districts include guidelines for school-based food and beverage marketing and advertising within their local wellness policy. District-wide policies have the potential to influence the health of all the children in the school district by restricting the marketing of non-nutritious foods and beverages on school property by outside advertisers. It is well documented that advertising influences food choices. If your district has already drafted and/or adopted a local wellness policy, but it does not address marketing of unhealthy foods, then talk with the district local wellness policy committee to determine the

best way to add this component to your policy. One option would be to bring up the issue when the district is reviewing and evaluating policy implementation.

## Key Steps to Policy Development

As the ultimate decision-making body within a school district, the school board has the

opportunity to impact children's health. School boards adopt policies to ensure that actions taken by district staff support the district vision for student learning. The role and responsibilities of the school board are to ensure the school district is responsive to the values, beliefs, and priorities of the community. School boards fulfill this role by performing five major responsibilities: setting direction; establishing an effective and efficient structure; providing support; ensuring accountability; and providing community leadership as advocates for children. School boards examine problems or opportunities within a district, request information to understand possible solutions, debate potential solutions, adopt policies, and monitor the effectiveness of policy implementation.

Strategies for addressing food and beverage marketing on school campuses are increasingly gaining support. A national poll found that public opinion has increased by 16 percent from 2001 to 2004, with 73 percent in favor of restricting children's food advertising, up from 57 percent in 2001.<sup>24</sup>

The majority (80 percent) of California school board members responding to a survey, support limiting and monitoring food and soda advertisements in schools while 57 percent of respondents support an outright ban of such advertisements.<sup>25</sup>

With regards to marketing of unhealthy foods and beverages, school boards must determine whether the promotion of a product is inconsistent with the district's educational mission and nutrition education program.



**See Appendix A: Policies and Tools, "School-Based Marketing of Foods and Beverages: Policy Implications for School Boards."**

As a parent, community leader, school staff or administrator, you can help your school board fulfill its roles and responsibilities by working together on the district's local wellness policy. The process for developing and updating a school wellness policy varies from one district to another. The following are key steps to help school districts include guidelines within their wellness policy that address marketing to students on campus:

## **1 Coordinate with the District Local Wellness Policy Committee**

Contact your school district superintendent's office to determine whether a local wellness policy committee has been established. At least one person will be designated to oversee the activities and ensure that schools meet the policy. Anyone can initiate a process to adopt a policy. Districts are required to involve parents, students, school food service staff, school administrators, board representative(s), and members of the public in the development of the policy so your interest should be well received. School board members particularly look to health experts, superintendents, administrators, food service staff, parents and students for advice and information.

## **2 Educate Committee Members and Partners**

The concerns of marketing of unhealthy foods and beverages in schools and its impact on student health are not well understood by most parents, school staff and decision makers. As an advocate for student health, you can help key decision-makers learn about the issue. Offer to make a presentation to the Committee.

For help with this process, see sample presentation, *"The Perils of Marketing Unhealthy Foods and Beverages in Schools,"* downloadable from CPL's website at [www.CaliforniaProjectLEAN.org](http://www.CaliforniaProjectLEAN.org).



Paint a clear picture of the extent and types of advertising occurring on campus. Use the fact sheets in this tool kit to help educate the work group on the implications of in-school marketing and particularly its impact on student health and achievement. The California School Boards Association and California Project LEAN's guide, *Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide* contain fact sheets on Nutrition and Learning.

## **3 Conduct an Assessment to Determine Priorities**

Work with the local wellness policy committee to complete an assessment of the current marketing on your school campuses. After you paint a vivid picture of the marketing of unhealthy foods and beverages on campus, the committee can establish key policy priorities to include in the policy.



**See Appendix A: Policies and Tools, School Food and Beverage Marketing Assessment Tool.**

## **4 Draft a Policy**

Based on your needs assessment, work with the local wellness policy committee to draft your initial policy statements addressing marketing to students. The Institute of Medicine recommends that schools adopt policies and practices that promote the availability and marketing of healthy foods and beverages that support healthful diets. Others recommend that all food and beverage advertising be eliminated because schools should not be in the business of helping commercial marketers reap profits from students. California Project LEAN recommends the following policies for consideration:

### **4.1. Eliminate the marketing and advertising of unhealthy foods and beverages at school.**

- Assure that all school-based marketing is consistent with or more stringent than state and district level policies eliminating the sale of sweetened beverages and unhealthy foods on school campuses.

- New local wellness policies should include promotional activities that encourage students to consume fruits and vegetables, low-fat and non-fat milk, and water.

#### 4.2. **Eliminate commercial influences that promote unhealthy foods and beverages in district curriculum, classroom materials, and on campus.**

- Review resources provided by outside sources, including curriculum and broadcasts used in the classroom, to ensure they do not promote unhealthy foods and beverages.
- Prohibit any district curriculum from including identifiable brand names in the content of the curriculum. Require sponsored programs and materials to undergo the same review procedures and meet the same standards as other curriculum materials.
- Restrict teachers from using identifiable brand names in their instruction unless absolutely necessary to teaching the lesson.

#### 4.3. **Include consumer education as part of the curriculum.**

- Adopt school-based curricula that teach youth media literacy skills which teach them to be an informed consumer of the media.

#### 4.4. **Set guidelines for business partnerships that restrict marketing and advertising of unhealthy foods and beverages.**

- Encourage partnerships with businesses that do not include product advertising to students.
- For school staff with the responsibility of entering into business partnerships, conduct trainings on the perils of marketing unhealthy foods on campus.

Writing a policy is not easy. To save time, you may consider adapting another district's policy to meet the needs of your school district. To assist school districts in developing a policy, the California School Boards Association has developed a Sample Student Wellness Policy. See sample wellness policy at [www.csba.org](http://www.csba.org).




The goals you set must be developed with direction from the board. The local school board or superintendent will probably want to know ideas for promoting healthy foods and other ways to raise revenue than by the promotion and fundraising of unhealthy foods.



**See Appendix B: Fact Sheets, "Ideas for Healthy Fundraising Alternatives for Schools, Sports and Clubs"** in this tool kit.

For examples of success stories about schools that improved the nutritional quality of foods offered, marketed these foods, and maintained revenue, see CPL's website at [www.CaliforniaProjectLEAN.org](http://www.CaliforniaProjectLEAN.org), the United States Department of Agriculture and Centers for Disease Control and Prevention's joint publication *Making it Happen*, at [www.fns.usda.gov](http://www.fns.usda.gov), and California Department of Education's publication, *Nutrition By Design*, at [www.cde.ca.gov](http://www.cde.ca.gov).



 See sample presentation, "*The Perils of Marketing Unhealthy Foods and Beverages in Schools*," downloadable from CPL's website at [www.CaliforniaProjectLEAN.org](http://www.CaliforniaProjectLEAN.org)



## 5 Build Awareness and Support

It is important to obtain support from schools and your community in order for a policy to be smoothly adopted and widely implemented. Student involvement is also an important component of building awareness and support. Use the Fact Sheets and Resources in this tool kit to help educate various audiences about your policy initiative addressing marketing to students.

Enlist local media to spread awareness of the district's needs and community leaders to speak out in favor of the proposed solutions. Be prepared for challenges that may arise and ensure all spokespeople for the policy are providing a consistent message. When dealing with the education community, it is helpful to identify the potential benefits the policy can have on student learning and academic achievement. Write a letter to the editor in your local newspaper about why marketing of unhealthy foods in schools needs to be stopped or why you are in support of your district's policy addressing this issue.

For examples of success stories of school districts garnering support of health policy goals, see the case studies in this tool kit, [www.CaliforniaProjectLEAN.org](http://www.CaliforniaProjectLEAN.org), and *Making it Happen*, at [www.fns.usda.gov](http://www.fns.usda.gov)

## 6 Adopt the Policy

The school board must approve the wellness policy before it can be implemented. A public hearing or presentation might be necessary. Try to become a part of the team that educates the board on the problems with marketing unhealthy foods and beverages. The district superintendent's office or local wellness policy committee lead can describe the usual process and advise you on how matters are brought before the board. School board members appreciate short research-based handouts. Use the Fact Sheets in this tool kit to help present a persuasive and concise case in support of mitigating commercial influences on

students in the district. Share your assessment and planning results. Team members will have a better understanding of board procedures if they have attended board meetings prior to presenting the policy proposal. It is wise to invite and involve others that support the issue to attend the board meeting to voice their support and/or make a presentation on behalf of the proposed policy.

For help in conveying your message to school board members see *Reaching School Board Members, A Guide to Creating a Clear, Concise, and Compelling Nutrition Policy Campaign* and the sample presentation, "The Perils of Marketing Unhealthy Foods and Beverages in Schools,." Both are downloadable from CPL's website at [www.CaliforniaProjectLEAN.org](http://www.CaliforniaProjectLEAN.org)

## 7 Implement the Policy

Developing and adopting a sound policy is only the beginning. The adoption of a policy does not automatically mean that it will be implemented. Implementation requires good planning and management skills, the necessary resources, consistent oversight, and widespread buy-in by school staff and the local community. Leadership, commitment, communication and support are the keys to your success.

Implementation can occur all at once or may be phased-in over time. Your team is in the best position to determine which approach is likely to be most effective in your district. The attitude of all school personnel, especially those staff working with food companies to promote food products, including student athletic groups, parent-teacher organizations or booster clubs, can have a significant effect on policy implementation. A positive attitude toward the changes, by everyone in the school community can make a huge difference.

For assistance with developing an implementation plan and sample worksheets see *Policy in Action: A Guide to Implementing Your Local School Wellness Policy*. It is downloadable from CPL's website at [www.CaliforniaProjectLEAN.org](http://www.CaliforniaProjectLEAN.org).



## **8 Maintain, Measure, and Evaluate the Effort**

As required by law, each school district must establish a plan for measuring implementation of the local wellness policy. A sustained effort by each district is necessary to assure that new policies are faithfully implemented. Periodically assess how well the policy is being managed and enforced. Reinforce the policy goals with school staff, if necessary. Be prepared to update or amend the policy as the process moves on. Evaluation and feedback are very important in maintaining a wellness policy. It is also important to assess student, parent, teacher, and administration satisfaction with the new policies.

For guidance on reporting the monitoring and implementation of wellness policies, see CSBA's *Monitoring for Success: Student Wellness Policy Implementation Monitoring Guide* at [www.csba.org](http://www.csba.org).



*This section is partially adapted from the United States Department of Agriculture, *The Local Process: How to Create and Implement a Local Wellness Policy*. For further information on developing a local wellness policy, visit [www.fns.usda.gov](http://www.fns.usda.gov).*



## VIII. REFERENCES

1. Ludwig, D. *New England Journal of Medicine*. 2005.
2. Rosenbaum, AL, Joe, JR, and Winter, WR, "Emerging epidemic of type 2 diabetes in youth," *Diabetes Care*, 1999, 22(9): 345-354. See also American Diabetic Association, "Type 2 diabetes in children and adolescents," *Diabetes*, March 2000, 23(3): 381-389.
3. Venkat Narayan, KM, Boyle, JP, et al. *Journal of Medical Association*. 2003;290:1884-1890.
4. "Pestering Parents: How Food Companies Market Obesity to Children," November 2003; Center for Science in the Public Interest; [www.cspinet.net](http://www.cspinet.net).
5. Consumers Union. (1998), "Captive Kids: a report on commercial pressure on kids in school." Washington, DC: Consumers Union 3.
6. "Food Marketing to Children and Youth: Threat or Opportunity?" The National Academies Press, (Washington, DC), Institute of Medicine National Academies of Science, 2006.
7. American Public Health Association. (2003). "Food Marketing and Advertising Directed at Children and Adolescents: Implications for Overweight." Policy Statement. Association News. Available at <http://www.apha.org/legislative/policy/2003/2003-017.pdf>
8. "Food Marketing to Children and Youth: Threat or Opportunity?" The National Academies Press, (Washington, DC), Institute of Medicine National Academies of Science, 2006.
9. "Does Food Promotion Influence Children? A Systematic Review of the Evidence." 2004; G. Hastings; Food Standards Agency; University of Strathclyde Centre for Social Marketing.
10. Centers for Disease Control, School Health Policies Program Study 2000, *Journal of School Health*, 71, September 2001.
11. Craypo, L, Purcell, A, Samuels, S, and Agron, P, "Fast Food Sales on High School Campuses: Results from the 2000 California High School Fast Food Survey," *Journal of School Health*, 2002, 72(2): 78-82.
12. Craypo, L, Stone Francisco, S, Boyle, M, Samuels, S, "Food and Beverage Marketing on California High School Campuses Survey: Findings and Recommendations," Public Health Institute, 2006.
13. "Food Marketing and Advertising Directed at Children and Adolescents: Implications for Child Overweight." November 18, 2003; American Public Health Association Policy Statement; [www.apha.org](http://www.apha.org).
14. Fenton, Joseph. Molnar, Alex. "Giving Kids the Business: The Commercialism of American School Reform." Westview Press (Boulder, CO), 1995; Pre-Publication manuscript.
15. McNeal, J. "The Kids market: Myth and Realities." Ithaca, NY: Paramount Market Publishing, 1999.
16. General Accounting Office. Public Education: Commercial Activities in Schools: Report to Congressional Requesters. Washington, D.C.: United States General Accounting Office; 2000. p 26.
17. National Center for Education and Statistics. Common Core of Data, 2003-2004, [www.nces.ed.gov](http://www.nces.ed.gov).
18. Kraak, Vivica and Pelletier, David L. (1998). The Influence of Commercialism on the Food Purchasing Behavior of Children and Teenage Youth. *Family Economics and Nutrition Review*, 11(3): 15-24.
19. US Department of Health and Human Services. (2001). "Overweight and obesity: A major public health issue." *Prevention Report*, 16.
20. Campaign for a Commercial Free Childhood, "Marketing to Children: An Overview," [www.commercialfreechildhood.org](http://www.commercialfreechildhood.org).
21. Molnar, Alex. (2003, June) "School Commercialism, Student Health, and the Pressure To Do More With Less." Commercialism in Education Research Unit (CERU). Education Policy Studies Laboratory. College of Education. Division of Educational Leadership and Policy Studies. Arizona State University.
22. "Food Marketing to Children and Youth: Threat or Opportunity?" The National Academies Press, (Washington, DC), Institute of Medicine National Academies of Science, 2006.
23. Kasser, T., Linn, S, (2004) "Public attitudes towards the youth marketing industry and its impact on children," [www.jbcc.harvard.edu/publications/05\\_youthmarketingsurvey.pdf](http://www.jbcc.harvard.edu/publications/05_youthmarketingsurvey.pdf).
24. Composite polling data, Kelly Brownell, Yale University and San Jose Mercury News 2003; Kaiser Family Foundation 2003; Field Research Corporation 2003; Lake-Snell-Perry for Harvard Forum on Health 2003; ABC News 2004; Time Magazine 2004; Harris Interactive 2004.
25. McCormack Brown, K, Akintobi, TH, and Pitt, S, "School Board member and Superintendent Survey Results: Nutrition and Physical Activity for the Examination of Communication Factors Affecting Policymakers," California Project LEAN, August 2004.

## **IX. APPENDIX**

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### A. Policies and Tools

- Using School Wellness Policies to Improve Vending Contracts and Limit “Junk Food” Advertising: A Suggested Approach
- San Francisco Unified School District Commercial-Free Schools Act
- Seattle Public Schools Advertising and Commercial Activities Policy
- School Food and Beverage Marketing Assessment Tool
- School-Based Marketing of Foods and Beverages: Policy Implications for School Boards

### B. Fact Sheets

- In-School Marketing to Children and Youth
- Policy Brief: Food Advertising and Marketing to Children and Youth
- Food and Beverage Marketing on California High School Campuses Survey
- Ideas for Healthy Fundraising Alternatives for Schools, Sports and Clubs
- Limiting “Junk-Food” Advertising on School Campuses—A Legal Q & A
- Regulating “Junk Food” Marketing on Public School Property

### C. Resources

# APPENDIX A: POLICIES AND TOOLS

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# APPENDIX B: FACT SHEETS

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# APPENDIX C: RESOURCES

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