

Food and nutrition at school

Administrative framework, roles and responsibilities

Catherina Jansen, Anette Buyken, Julia Depa, Anja Kroke

Abstract

Scientific discussion about “food and nutrition at school” is typically very results-oriented. Studies tend to focus on the quality of the food and drink provided or on how often nutrition education measures are put in place and the extent of these measures. By contrast, there is rarely a focus on contextual framework conditions in terms of education policy and the legislation governing schools—the very conditions that make the implementation of nutrition concepts in schools possible. If research is to yield insights from which concrete recommendations for action and effective interventional measures that go beyond descriptions of the situation can be derived, there will need to be a much stronger focus on precisely these framework conditions than there has been in the past. The structural model presented in this article is intended to clarify which stakeholders (including those beyond the local school setting) are involved in the development of nutritional concepts and to show the powers and responsibilities that they have.

Keywords: Food and nutrition at school, school catering, nutrition education, structural model

Background

Time and again, scientific recommendations and guidebooks on “food and nutrition at school” have pointed out that acceptance and success of nutritional concepts in schools depends largely on the commitment of the people involved [1, 2]. So far, however, academic discourse has paid little attention to what room for maneuver individual stakeholders have within the school system and what administrative responsibilities (what powers and areas of responsibility), they have in general. If “food and nutrition at school” is to be integrated into holistic approaches as demanded by society and the scientific community alike [3], then these contextual conditions must be taken into account. Starting from a public health nutrition perspective, this article assumes that taking account of educational policy structures and the structures surrounding the laws governing schools is essential for both status analyses and effective development and improvement of concepts and measures aimed at establishing health-promoting, sustainable eating as part of everyday life in schools.

This article takes a structural model (an example of a typical model for the German federal states of Hesse and North Rhine-Westphalia) as its basis for illustrating which stakeholders within the school system are involved in the development of nutritional concepts, along with the contextual conditions necessary for this to occur. It also shows what the obligations and responsibilities of each of the stakeholders mentioned are. It should be noted here that division of responsibilities is not rigidly regulated by law, and it has been the subject of a continuous and substantial restructuring process since the beginning of the 2000s.

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Methods

In order to analyze the structural framework behind food and nutrition in schools, the first step was to identify all of the key institutions

and organizations involved in the school system at a federal, regional (federal state / “Land”), and local authority level. These institutions and organizations were identified based on database-supported literature searches with a focus on specialist literature on educational science. Building on this foundation, targeted online research was carried out and the websites of the respective institutions were analyzed. The German federal states of Hesse and North Rhine-Westphalia (NRW) were researched as illustrative examples. The research involved identifying the respective functions and tasks of the institutions or organizations in the field of school organization and catering as well as identifying interfaces between the stakeholders. Relevant legal texts and decrees were consulted in order to gain a better understanding of obligations and responsibilities. The insights gained from this research were then represented by a structural model.

Relevant experts were interviewed in order to validate the results. Those interviewed included representatives of the regional (federal state) administrations of Hesse and North Rhine-Westphalia as well as independent consultants in the field of nutrition in schools. These interviews resulted in some additions to the list of institutions involved as well as some minor modifications with regard to the relationships between the respective institutions.

Results


Structural model of the contextual framework conditions in the German school system based on the German federal states of Hesse and NRW as an example

The understanding of “food and nutrition at school” on which this paper is based comprises both the food provided throughout the school day and the nutrition education concept that may be associated with that provision [4]¹. This alone presents some fundamental issues with regard to defining the division of responsibilities. Here, there is an overlap between internal and external school matters in terms of the laws governing schools, and different stakeholders are responsible for these overlapping matters. While the regions (federal states) are responsible for internal school matters, which is to say all pedagogical tasks (e.g. teacher training, setting curricula), the local school authorities are responsible for external school matters, i.e. school maintenance, provision of equipment and school catering [5]. Therefore, in this article, the respective tasks and powers of all of the major stakeholders in the education system will be defined and differentiated from each other once again before the structural model of the contextual framework conditions of food and nutrition in schools is presented.

Federal (national) level

Since Germany is a federally organized country, responsibility for schools falls with the cultural sovereignty of the federal states. This means that legally binding regulations regarding food and nutrition in schools can only be made at the federal state level. The result of this is that the contextual framework conditions surrounding food and nutrition in schools vary widely throughout Germany [6]. The “ban of cooperation” [5] that resulted from

the reform of federalism in 2006 and that is anchored in the German constitution, makes it difficult for the federal government to exert political influence over school matters. Even though the ban of cooperation has been the subject of criticism again and again, and has even been relaxed somewhat as part of the “Digital Pact”, at present, the federal government only has very limited powers to control how food and nutrition is dealt with in schools. This situation seems to be impeding financial involvement of the federal government in school catering and the implementation of the German Nutrition Society (DGE) standard for school catering as a nationally binding standard [7]—measures that are being called for repeatedly. The federal government can contribute to the costs of school meals indirectly, e.g. within the framework of the “education package” (Bildungs- und Teilhabepaket), but in terms of influencing how nutrition is practiced in schools, it can only make recommendations and conduct public relations work, for instance through information campaigns. In addition, the federal government can establish supportive measures in indirect ways, such as the initial co-financing of networking centers for school catering (Vernetzungsstellen Schulverpflegung) or the National Quality Centre for Nutrition in Daycare Centres and Schools, which was established in 2016. Measures in the context of food and nutrition in schools are initiated primarily by the Federal Ministry of Food and Agriculture (BMEL). However, the Federal Ministry of Education and Research (BMBWF) is acting cautiously due to the federal states’ cultural sovereignty over school policy. Nevertheless, the federal states are voluntarily working together within the framework of the Standing Conference of the Ministers of Education and Cultural Affairs (KMK) in an effort to harmonize educational matters, which include equal educational opportunities, throughout Germany. The goal is for the various ministries of education and cultural affairs to agree on a common approach to fundamental issues surrounding education and educational development. However, the resolutions of the Standing Conference of the Ministers of Education and Cultural Affairs are only recommendations. They can only be made legally binding by the individual federal states [5].

¹  Article by Kroke et al. in *Ernaehrungs Umschau* 01/2020 from p. M32

Overview 1: Information on the organization of nutrition at school under the legislation governing schools for Hesse and North Rhine-Westphalia

According to the **Hessian Schools Act (Hessisches Schulgesetz)**, responsibility for regulations regarding the range of goods offered at the school kiosk lies with the school council, which is made up of teachers, parents and pupils. The Hessian Schools Act does not contain any specifications regarding the composition of lunches [13].

The **North Rhine-Westphalia Schools Act (Schulgesetz des Landes NRW)** states that part of the school's educational responsibilities is to help pupils learn to eat a healthy diet. Furthermore, the NRW Schools Act states that "the type and scope of the food and drink on offer and the manner of distribution of food and drink [...] are determined in agreement with the school authority in consultation with the school council" [14]. Like the Hessian Schools Act, the NRW Schools Act does not contain any specifications for the composition of lunches.

Overview 2: Guidelines / directives regarding the composition of lunches from the federal state governments of Hesse and North Rhine-Westphalia

As an example, the **Hessian federal state government** has specified in its guidelines for all-day schools that a "hot, balanced" lunch must be provided in all-day schools [15]. A quality framework formulated for this purpose defines the different minimum requirements that apply to the composition of lunches in schools that fall into the all-day school profile category. General requirements for applying to establish an all-day school include a planning concept for the provision of lunches that has been developed in cooperation with the school authorities, as well as a pedagogically-adapted lunch break concept. Profile I schools (open, partial all-day schooling offered) must ensure that a "healthy, balanced" lunch is available. In addition to the above, profile II schools (extended all-day schooling offered) must ensure quality through regular quality assurance evaluations. Profile III schools (full, obligatory all-day schooling) must ensure that a concept for a balanced and healthy diet is implemented throughout the school day [16].

In a ministerial circular on all-day schooling, the **NRW Ministry for Schools and Further Education** stipulated only that the school authority must guarantee the provision of lunch or a lunchtime snack, that it must provide the necessary rooms and cover material and personnel costs and that it must also bear the material operating costs. It also states that the actual implementation of these requirements can be delegated to third parties in consultation with the school. The directive makes no mention of qualitative requirements [17].

Relevant developments in connection with food and nutrition at school include the devising of an orientational framework for the learning area of global development [8] and the formulation of joint resolutions on consumer education or health promotion [9, 10]. The latter type of resolutions, for example, define as their goal the integration of nutrition education and consumer education (including on school catering) into classes and everyday school life as areas of action for the promotion of health and prevention of illness. Another relevant development is the resolution of the Standing Conference of the Ministers of Education and Cultural Affairs, which obliges all-day schools to provide lunch based on their definition as all-day schools [11]. However, in this context, no regulations or agreements were made regarding the quality or design of catering services, or their integration into educational concepts.

Regional (federal state) level

In line with their responsibility for internal school matters, the federal states set the overall pedagogical framework for the federal state and are responsible for financing it. The federal states are responsible for both school legislation and school supervision [12]. The individual federal State parliament (Landtag) is responsible for school legislation. The expert committees of the individual state parliaments can adopt recommendations regarding this and can also arrange for consultations and public expert panels. However, in their *legislation governing schools*, Hesse and NRW do not specify requirements for how food and nutrition must be provided in schools, or do so only vaguely (♦ Overview 1).

On the ministerial level, federal states are able to influence the nutritional situation in schools through *directives and recommendations* (♦ Overview 2).

It must be noted here that the federal states' influence on the organization of school catering is limited by the school authorities' right of local self-government. In practice, this means that the local authorities are essentially free to decide "how" they implement the tasks assigned to them. If the federal states were to oblige the local authorities to implement certain standards, the federal states would be responsible for compensating for the additional burdens that would result from this (in line with the „*Konnexitätsprinzip*“ ["principle of

connectivity”) [18]. This explains the federal states’ reluctance to define concrete requirements [19].

In practical terms, this means that the influence of the federal states in terms of nutrition is focused on educational content. The federal states can therefore set requirements for the type, scope and content of nutrition education measures. In addition, they provide the requisite teaching staff, material resources and financial resources, and they are responsible for the content of teacher training and CPD for teachers. Therefore, even though they have no direct influence on catering concepts or provision, the federal states can support schools in anchoring catering concepts in everyday pedagogical practice, or they can encourage schools to influence catering concepts themselves.

Alongside the ministries of education and cultural affairs, there are usually other federal state ministries involved in devising nutritional concepts. For example, other ministries cooperate with the ministries of education and cultural affairs in the development of teaching materials, they promote and fund nutrition-related projects, and they contribute to the basic funding of the networking centers for school catering.

Local authority level

Legally, school catering is designated as an external school matter [20]. For this reason, in the case of all-day schools, the school authorities (these are usually cities, rural districts or municipalities) are obliged to ensure that lunch catering is provided. In particular, they must provide the requisite infrastructure and (non-teaching) staff. However, in the majority of cases, school authorities do not provide the meals themselves, but rather outsource them to catering service providers [21].

At this level, similar to the federal state level, a distinction must be made between political and administrative responsibilities. Fundamental questions of funding, for instance questions regarding subsidies for school meals, investments in new cafeteria buildings, or whether meals are to be provided by the school itself or by third parties, are decided at the political level, for example by the district or city council. The division of responsibilities within the local authority administration varies from one school authority to another. Often, there are various bodies working together. For example, the building management office may be responsible for the construction and furnishing of a cafeteria, while the school administration office may be responsible for outsourcing to a catering service provider, settling catering bills, and communicating with the school [6].

School level

Public schools are non-independent public institutions without legal capacity [22]. As a rule, they cannot employ their own staff or make major purchases. The schools also generally do not enter into a contract with a catering service provider themselves. However, schools increasingly have expanded decision-making powers. For example, in Hesse, such expanded powers were granted with the “self-governing school” program, and in NRW, they were granted with amendments to the law and directives on “self-governing schools”. As a result, schools increasingly have power over their own budgets and have some limited responsibility over hiring staff. In addition, they have greater

room for maneuver in terms of designing the content of school concepts and teaching concepts. Schools are bound by framework requirements for teaching content and teaching goals, but it is increasingly up to the schools themselves to decide how they organize teaching and what areas they focus on [23].

In this context, the various school committees, for example the school councils, take on particular importance. Federal state legislation on schools is what governs the composition and tasks of the school councils. A school council is generally made up of representatives from the school management team, teachers, pupils and parents. School councils are to be involved in fundamental decisions affecting school life [12]. According to current school legislation, in North Rhine-Westphalia and Hesse, this also applies to catering provided at break times, for example [13, 14].

However, with regard to lunch catering, the schools’ scope for decision-making is limited by the school authorities’ right of self-government. Schools therefore cannot dictate to the school authorities how lunch catering is to be organized. Nevertheless, experience has shown that the majority of schools in Germany have some influence over the selection of a catering concept [21] and they are often able to assert their interests to the school authorities as long as these interests are within the financial ambit of the local authorities [6].

Other stakeholders

In the course of educational and administrative policy reforms, not only have responsibilities and powers shifted within the hierarchy of the school system, but new institutions have also been established with the aim of influencing quality development in education. One of the major contributing factors behind this is the assumption—prevalent in educational policy—that quality development in schools must be far more the responsibility of the individual school than it has been in the past: in other words, it is assumed that quality development should be dealt with in bottom-up rather than top-down manner [22].

Institutes for quality development in schools

These institutes have been established in many German federal states, where they are intended to function as an advisory service providing an interface between scientific and political spheres and between science and practice. They provide advice and support to the ministries of education and cultural affairs

based on current findings from educational science, for instance with regard to the development of curricula, plus they advise on and provide support for teacher training and CPD and they help schools to independently improve as schools and develop their lessons. Concept development for and implementation of school evaluations is also the responsibility of the quality development institutes of the individual federal states.

- In Hesse, the body responsible for this is the Hessian Teachers' Academy (Hessische Lehrkräfteakademie), which is a subordinate authority under the Ministry of Education.
- In North Rhine-Westphalia, the responsible body is the Quality and Support Agency – Federal State Institute for Schools (Qualitäts- und Unterstützungsagentur – Landesinstitut für Schule), known as “Qua-Lis”.

Therefore, with regard to the implementation of school-specific nutrition education concepts, these institutions may also take on a significant level of importance, for example in the context of further training courses for teachers.

Networking centers for school catering (Vernetzungsstellen Schulverpflegung—VNS)

These bodies, which have been established across Germany, perform the function of a central interface dedicated to the issue of nutrition in schools.

- In Hesse, the VNS is directly linked to the Hessian Teachers' Academy.
- In North Rhine-Westphalia it falls under the responsibility of the consumer centers. Here, the VNS is also responsible for catering at day-care centers.

One of the tasks of the VNS is to advise and coach schools on the development of their own catering and nutrition education concepts, thus bridging the gap between internal and external school matters. Their other task is, as their name suggests, to facilitate networking between stakeholders with regard to school catering, the organization of events and the provision of informational materials and recommendations for action. However, due to the various authorities that come into play and the various funding models used, the tasks of the VNS vary from federal state to federal state.

Structural model

The stakeholders listed in the results section, along with their tasks, responsibilities and relationships with one another, as well as the two areas of internal and external school affairs (to which school catering and education respectively belong) formed the basis for the development of the structural model “Framework conditions in the school system for the areas of nutrition education and catering” shown in ♦ Figure 1.

The model shows the complex framework conditions surrounding food and nutrition at school Germany, i.e. educational concepts combined with catering services.

In addition to several hierarchical levels, there are also numerous stakeholders that come into play and are involved in the implementation of legislation on schools and regulations. Various interfaces between internal and external school matters can also be observed.

In terms of limitations, it should be noted that no claims are made with regard to the completeness of this structural model. This is a simplified illustration of formal responsibilities and dependencies which will always differ from federal state to federal state in reality due to the federal nature of the German education system. Even though the basic concept of the model presented here is similar at least among the “area states” (“Flächenländer”—federal states based on a specific area as opposed to “city states”) of Germany, the structure used by two specific area states has been presented here as an example to allow the allocation of concrete tasks to be shown.

Discussion

The article by Kroke et al. [4] has already pointed out that the scientific discussion around “Food and nutrition at school” needs to be approached more strongly from the Public Health Nutrition (PHN) perspective than it has been in the past. The PHN perspective aims to take a more holistic approach to nutrition-related health promotion measures, taking not only a holistic approach to health itself, but also to health within the overarching societal context by viewing it within that context, i.e. focusing on the surrounding economic, social and political conditions that affect the nutrition-related health of a population group. Under the PHN perspective, it is assumed that nutrition-related health promotion can only be effectively established in the long-term through organized and coordinated cooperation between the various relevant bodies [24]. The structural model presented in this article makes it clear that the interplay between stakeholders and institutions in the context of “Food and nutrition at school” is highly complex, with many different points of interface. An additional factor that needs to be taken into account here is the fact that the German school system is undergoing a significant process of change—both in terms of the move towards all-day schools and in terms of the increasing delegation of responsibilities to schools themselves. For schools, but also for

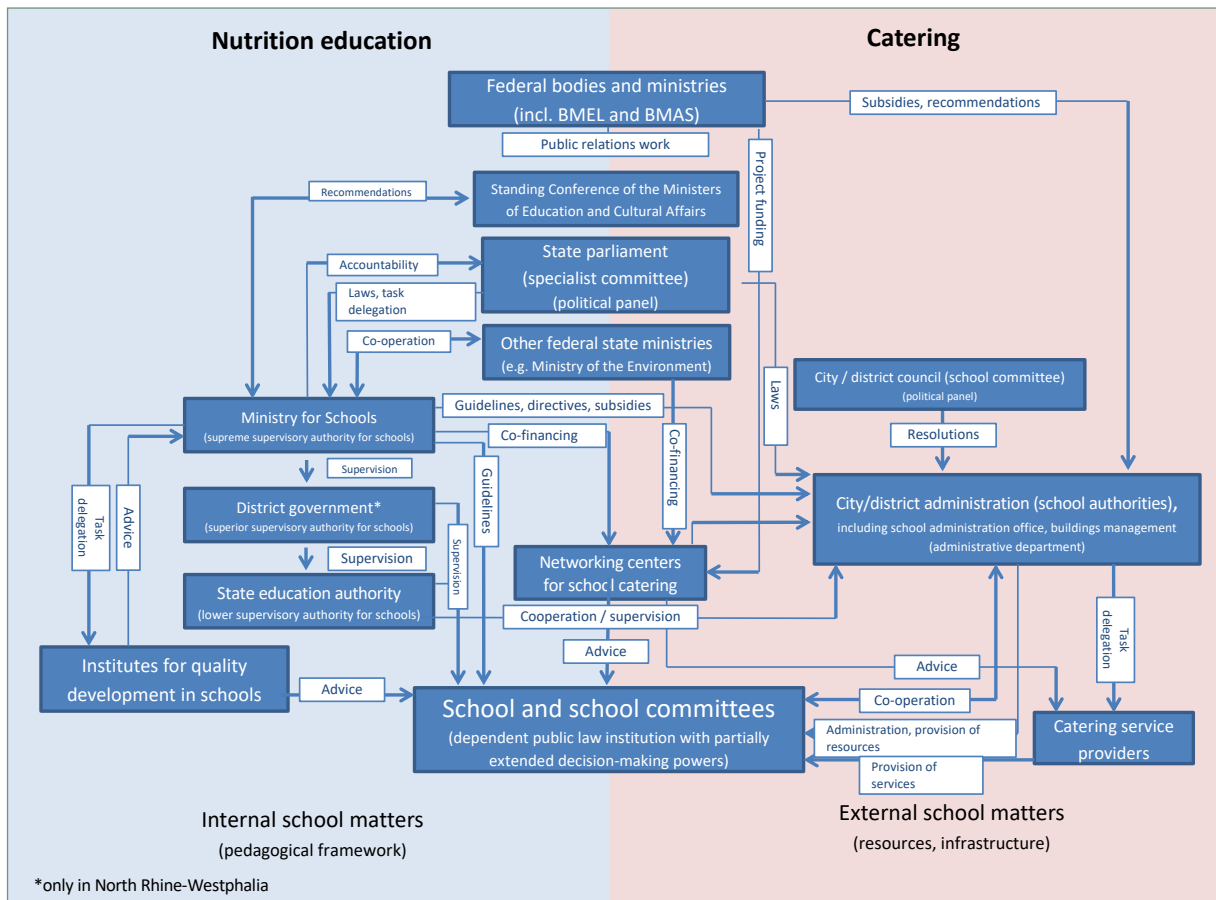


Fig. 1: Structural model of the framework conditions in the school system for the areas of nutrition education catering
 BMAS = Bundesministerium für Arbeit und Soziales (German Federal Ministry of Labour and Social Affairs); BMEL = Bundesministerium für Ernährung und Landwirtschaft (German Federal Ministry of Food and Agriculture)

school administrations, these developments mean not only opportunities but also enormous challenges. In context of these challenges, nutrition is considered important (at least by those responsible), but it is also an issue that is rarely treated as a priority or is an issue that those responsible cannot afford to prioritize [6].

Research on “food and nutrition at school” in recent years has described the deficits, and more rarely the progress that is evident in the nutritional concepts in place in schools. What these studies have in common is a strong focus on questions of outcome quality, which is to say the quality of the food and drink offered or the presence of nutrition education measures². To date, however, there has been too little focus on the operationalization of structural, political and administrative conditions—and especially the association between structural characteristics and outcome variables. Although more recent studies, such as the study on cost and price structures in school catering [25], focus more on structural aspects, it is still unclear which contextual

framework conditions facilitate or hinder health-promoting and sustainable nutrition concepts in schools. So far, the introduction of nutritional recommendations, such as the German Nutrition Society (DGE) Standard for School Meals, has been touted as one of the essential measures for improving the nutritional situation in schools [26]. However, there is a lack of reliable findings on how the introduction of such standards (alone) actually affects everyday nutrition in schools. Furthermore, very little information has been published regarding the reason why standards and recommendations are implemented to such varying (and overall very small) degrees.

Setting aside formal responsibilities, there is very little clarity about how the individual stakeholders within the education system use their powers in the field of nutrition and how they interact within the interfaces that have been identified. It is, however, clear that regulation of the issue of “food and nutrition at school” at the federal state level in Germany is only vague and largely non-binding. Instead, a far-reaching process of delegation of responsibility to individual schools and school authorities is taking

² See the article by Sladkova et al. “Studies and projects in the field of school catering in Germany—a literature analysis focused on the dimensions of sustainable nutrition”, *Ernährungs Umschau* [in review]

place. This undoubtedly opens up room for maneuver in terms of developing concepts that are appropriate to the situation and that meet needs on the ground, and it will likely result in high level of participation. However, this does not do away with the need for coordinated and competent cooperation between the relevant authorities. Furthermore, it cannot be assumed that the necessary resources, such as professional competence, financial means and staff are always available on the ground.

Conclusion and future outlook

Based on the above, in order to be able to make statements regarding the quality of concepts and regarding the causes of deficits in the area of “food and nutrition at school”, it is necessary to answer a number of questions, each of which can be assigned to different levels in the structural model provided here.

Therefore, for instance, it is necessary to carry out a comparative discussion of the way in which resolutions of the Standing Conference of the Ministers of Education and Cultural Affairs are actually implemented in the individual federal states and what effects can be traced back to this. The recently published final report on the project “Nutrition-related educational work in day-care centers and schools” [27] provides some important first indications regarding this. In addition, a critical examination should be undertaken regarding the level of effectiveness the networking centers for school catering can achieve, given how they are equipped. Furthermore, it is still unclear what professional competence and expertise the school authorities have to enable them to fulfill the newly acquired responsibilities that have come to them through the shift towards all-day schools. Last but not least, it is also unclear what financial room for maneuver they have in this regard. The same applies to stakeholders within the schools. Here, too, relevant studies have too often failed to take account of schools’ resources in terms of time and staff, and the priorities schools set and why. Studies have also failed to take account of which subjective nutritional concepts—and therefore also which competencies—shape the everyday nutrition in schools.

The National Quality Centre for Nutrition in Daycare Centres and Schools has defined systematic monitoring of catering provided in schools and day care centers, along with monitoring of nutrition-related educational measures, as a key objective for action. “Multidimensional relationships within the framework of social responsibility” are explicitly taken into consideration here [28]. In light of the results presented here, such monitoring would be most useful as an opportunity to examine and optimize the effectiveness of measures aimed at nutrition-related health promotion in schools if the German education system and its complex overall structure were taken into account in the analysis.

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Conflict of Interest

The authors declare no conflict of interest.

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