

## **Administration Regulations**

### **STUDENTS**

#### **Student Wellness**

##### **Comprehensive School Health/Nutrition Program**

Comprehensive School Wellness Program – School affiliated strategies, activities, and services designed to promote the optimal physical, emotional, social, and educational development of students.

**Quality and Effective Health Education** –helps students acquire knowledge, personal skills and attitudes to take increasing responsibility for their own health and practice healthful behaviors. The sequential health education curriculum includes instruction on physical activity topics that complement the instruction students receive in quality Physical Education programs. There is an inter-relationship of Health Concepts and Physical Education Standards.

Students need to learn to take responsibility for their own health and to adopt health-enhancing attitudes and behaviors:

- every school shall be a healthy place for students and employees to learn and work, with a climate that nurtures learning, achievement, and growth of character
- each school shall be organized to reinforce students’ adoption of health-enhancing behaviors, and school staff shall be encouraged to model healthy lifestyles

The schools will create a culture that supports all children and youth in building developmental assets.

- every school will create a caring school climate where every child feels valued and supports the development of boundaries and expectations, empowerment, constructive use of time, commitment to learning, positive values, positive identity, social competencies and support.
- Sites will use surveys to evaluate and plan appropriate programs related to the development of assets in children

**School Health Services** – promotes the health of students through prevention, health screenings (eye, ear, and scoliosis), early intervention and remediation of specific health programs, and direct services to students. School leaders shall ensure, with available resources, that the nutrition, health services, and social services students need in order to learn are provided either at the school site or in cooperation with the community agencies.

**Community Collaboration** – promotes a collaborative partnership with parents and community agencies to address the comprehensive health needs of students and their families. Integrated family and community involvement activities are designed to engage families as active participants in their student’s education, encourage the ability of families to support students’ school achievement, and foster collaboration with community resources and services to respond more effectively to the health-related cultural needs of students.

To achieve the student wellness policy goals, the regulations of the district's local wellness policy will focus on the following five areas:

1. Nutrition Education
2. Physical Activity
3. Other School-Based Wellness Activities
4. Nutritional Guidelines for Food Available at School
5. Periodic Assessment and Public Updates

### 1. **Nutrition Education**

- a) Nutrition education shall be provided as part of the health education program and as appropriate, integrated into core academic subjects. Content shall be based on current state curriculum frameworks and designed to build the skills and knowledge needed to adopt healthy eating behaviors and a positive self-image.
- b) Students shall receive consistent nutrition messages from their schools and throughout the district. Parents shall be encouraged to support nutrition education efforts by providing healthy, balanced meals and snacks for their children. Examples of these shall be included in outreach that will also explain the academic and emotional benefits of healthy eating for children.

### 2. **Physical Activity**

Physical education exposes students to the skills necessary to perform a variety of physical activities, ensures that students participate regularly in physical activities, teaches the benefits of involvement in physical activities, and emphasizes the value of physical activity and its contributions to a healthful lifestyle.

Physical Education is a multifaceted process that teaches a wide range of skills and activities with the aim of the students becoming physically educated, physically fit, able to enjoy a variety of physical activities and committed to lifelong health and physical wellbeing. It is a continuing process of articulated, sequential, developmental skills, talents, attitudes, and behaviors. (*Physical Education Framework, for California Public Schools Kindergarten through Grade Twelve.*)

- a) Physical activity shall be provided through physical education. Physical education content shall be based on state standards.
  - 1) ***The Physical Education Model Content Standards for California Public Schools, Kindergarten through Grade Twelve*** establish specific learning goals and objectives for physical education. These standards describe the essential skills and knowledge that all students need to maintain a physically active, healthy lifestyle. *Education Code* section 51210 requires 200 minutes of physical education every 10 school days for students in grades one through six, and *Education Code* section 51222 provides for 400 minutes of physical education every 10 school days for students in grades seven through twelve.
  - 2) The California Physical Fitness Test (PFT) will be administered to 5<sup>th</sup> and 7<sup>th</sup> grade students. The PFT is designed to assess six key fitness areas that represent three broad components of fitness: (1) aerobic capacity, (2) body composition, and (3) muscular strength, endurance and flexibility. Results of the PFT will be analyzed by teachers and used when designing instruction.

- b) The district shall also promote additional physical activity through school athletic programs, extracurricular programs, before-and after-school programs, programs encouraging students to walk or bicycle to and from school, and in-class physical activity breaks. Information and resources regarding these and other structured and unstructured activities shall be made available to parents/guardians.

### **3. Other School-Based Wellness Activities**

- a) The Superintendent or designee shall disseminate health information and/or the district's student wellness policy to parents/guardians, students, school district staff, and the community through newsletters, handouts, parent/guardian meetings, district and school websites, and other communications. Outreach shall emphasize the relationship between student health and academic performance.
- b) The district shall promote a safe, positive school environment as another means of supporting students' physical and mental health. Bullying and harassment of all students is therefore prohibited, as set forth by Berryessa USD Board Policy 5131.2.
- c) District staff shall serve as positive role models for healthy eating and physical fitness. The Superintendent or designee shall promote work-site wellness activities among employees.

### **4. Nutritional Guidelines for Foods Available at School**

Foods and beverages available to students during the school day shall meet or exceed state and federal nutrition standards. This includes all foods and beverages provided through the district's nutrition services department, student stores, vending machines, or other venues. Consistent nutrition messages shall be promoted in all marketing, celebrations, fundraising, and rewards.

The district shall follow the state and federal Food and Beverage Restrictions for Elementary School and Middle School that are presented in attached Exhibits A and B, respectively. These nutrition standards shall apply to all entities, including parent/student organizations, teachers, boosters, fundraisers, and the nutrition services department. These standards are in effect from any time before school through 1/2 hour after school, in accordance with the federal Smart Snacks for School and state regulations. Non-compliant foods may be sold from 1/2 hour after school through midnight. These standards will not supercede the law. If a law conflicts with the attached nutrition standards, the law will take the place of nutrition standards.

- a) Child Nutrition Services
- 1) The district shall participate in available federal school nutrition programs, including the National School Lunch and School Breakfast programs, to the extent possible.
  - 2) Child Nutrition Services shall be committed to:
    - Providing children with a wide variety of foods to choose from with a strong emphasis on fresh, healthful, and tasty foods.
    - Maintaining nutritional integrity and food safety.
    - Complying with state and federal regulations.
    - Monitoring student meal preferences on an on-going basis.
    - Providing Child Nutrition staff with training in food safety and preparation of healthy menu items.

- b) Schools
  - 1) To encourage students to spend more time eating, elementary schools shall schedule lunch periods to follow recess periods, where feasible; if recess is after lunch, schools shall prohibit students from leaving the cafeteria until the lunch period is over.
  - 2) To help protect against foodborne illness, students and staff shall be prohibited from taking school meals off campus to eat, unless it is during a district-approved field trip, as set forth by Berryessa USD Board Policy 3550.
- c) Fundraisers
  - 1) To support the district's nutrition promotion efforts, school fundraising activities held on campus during the school day will not involve food or will use only foods that meet state and federal child nutrition regulations. The Wellness Committee will disseminate a list of ideas for non-food related fundraising activities to schools.
  - 2) Students may receive *compliant* foods and/or beverages from order forms or when redeeming purchased vouchers. If the foods and/or beverages are *noncompliant*, students must collect the foods and/or beverages off school campus or ½ hour after the end of the school day if on school campus.
  - 3) All foods or beverages offered for sale at any school on any school day by any student or adult entity or organization must also be approved by the Governing Board, as set forth by Berryessa USD Board Policy 3554.
- d) Classroom Celebrations and Rewards
  - 1) Class parties or celebrations that involve food shall be held after the lunch period and shall be limited to no more than one party per class per month.
  - 2) Parents are encouraged to offer healthy food and beverage choices for celebrations. Foods should be commercially purchased and devoid of common allergens, e.g., peanuts, to minimize the risk of food-borne illness and allergic reactions. The Wellness Committee will disseminate a list of healthy party ideas to schools that may be shared with parents.
  - 3) Schools shall not use foods or beverages of minimal nutritive value as rewards.
- e) Sharing of Foods and Beverages
  - 1) Schools should discourage students from sharing their foods or beverages with one another, given the prevalence of food allergies and other dietary restrictions.
  - 2) Schools shall not establish "sharing tables" due to food allergy and food safety concerns.

## **5. Periodic Assessment and Public Updates**

- a) The Superintendent or designee shall inform and update the public about the contents and implementation of this policy and assessment results.
- b) The Superintendent shall designate one or more district or school officials, as appropriate, to ensure that each school site complies with this policy.
- c) The Superintendent or designee shall assess the implementation and effectiveness of this policy and update the Board at least once every two years.
- d) Each school shall post the district's policies and regulations on nutrition and physical activity in public view within all school cafeterias or in other central eating areas. (EC Section 49432).

## California Department of Education, Nutrition Services Division, EFFECTIVE 7/1/2014

**ELEMENTARY SCHOOL – FOOD RESTRICTIONS**

References: Education Code sections 49430, 49431, 49431.7; California Code of Regulations sections 15575, 15577, 15578; Code of Federal Regulations sections 210.11, 220.12

An **elementary school** contains no grade higher than grade 6. **Effective** from midnight to one-half hour after school. **Applies to ALL** foods sold to students by any entity. **Sold** means the exchange of food for money, coupons, vouchers, or order forms, when any part of the exchange occurs on a school campus.

**Compliant foods:**

1. Can ONLY be a:
    - a. Fruit
    - b. Non-fried vegetable
    - c. Dairy food
    - d. Nuts, Seeds, Legumes, Eggs, Cheese (allowable protein foods)
    - e. Whole grain item
- AND**
2. Must meet the following:
    - a. ≤ 35% calories from fat (except nuts, nut butters, seeds, reduced-fat cheese, dried fruit+nut/seed combo), **and**
    - b. < 10% calories from saturated fat (except reduced-fat cheese, dried fruit+nut/seed combo), **and**
    - c. ≤ 35% sugar by weight (except fruit\*, non-fried veggies, dried fruit+nut/seed combo), **and**
    - d. < 0.5 grams trans fat per serving (no exceptions), **and**
    - e. ≤ 230 milligrams sodium (no exceptions), **and**
    - f. ≤ 175 calories per item/container (no exceptions)

.....**OR**.....

1. Meet the nutrient standards in #2 above
- AND**
2. Be a full meal that meets the USDA school meal pattern
- AND**
3. Each food in the meal must:
    - a. Be a fruit, non-fried veggie, dairy, protein, or whole grain item, **or**
    - b. Contain ≥ 10% DV for calcium, potassium, Vit D, or dietary fiber, **or**
    - c. Be a combo food containing ¼ cup of fruit or non-fried vegetable

**ELEMENTARY SCHOOL – BEVERAGE RESTRICTIONS**

References: Education Code Section 49431.5, California Code of Regulations Section 15576, Code of Federal Regulations sections 210.10, 210.11, 220.8, 220.12

An **elementary school** contains no grade higher than grade 6. **Effective** from midnight to one-half hour after school. **Applies to ALL** beverages sold to students by any entity. **Sold** means the exchange of beverages for money, coupons, vouchers, or order forms, when any part of the exchange occurs on a school campus.

**Compliant beverages:**

1. Fruit or Vegetable juice:
  - a. ≥ 50% juice **and**
  - b. No added sweeteners
  - c. ≤ 8 fl. oz. serving size
2. Milk:
  - a. Cow's or goat's milk, **and**
  - b. 1% (unflavored), nonfat (flavored, unflavored), **and**
  - c. Contains Vitamins A & D, **and**
  - d. ≥ 25% of the calcium Daily Value per 8 fl. oz., **and**
  - e. ≤ 28 grams of total sugar per 8 fl. oz.
  - f. ≤ 8 fl. oz. serving size
3. Non-dairy milk:
  - a. Nutritionally equivalent to milk (see 7 CFR 210.10(d)(3), 220.8(i)(3)), must contain per 8 fl. oz.:
    - ≥ 276 mg calcium
    - ≥ 8 g protein
    - ≥ 500 IU Vit A
    - ≥ 100 IU Vit D
    - ≥ 24 mg magnesium
    - ≥ 222 mg phosphorus
    - ≥ 349 mg potassium
    - ≥ 0.44 mg riboflavin
    - ≥ 1.1 mcg Vit B12, **and**
  - b. ≤ 28 grams of total sugar per 8 fl. oz., **and**
  - c. ≤ 5 grams fat per 8 fl. oz.
  - d. ≤ 8 fl. oz. serving size
4. Water:
  - a. No added sweeteners
  - b. No serving size

**Non-compliant beverages may be sold from one-half hour after school through midnight.**

**ELEMENTARY SCHOOL – STUDENT ORGANIZATIONS**

Reference: *California Code of Regulations* Section 15500

**Effective** during school hours.

**Applies** to food and beverage sales by student organizations.

Student organization sales must meet **all** of the following:

1. Only **one food or beverage item** per sale.
2. The food or beverage item must be **pre-approved** by the **governing board** of the school district.
3. The sale must occur **after the lunch period** has ended.
4. The food or beverage item **cannot be prepared on campus**.
5. Each school is allowed **four sales** per year.
6. The food or beverage item cannot be the same item **sold in the food service program** at that school during the same school day.

## California Department of Education, Nutrition Services Division, EFFECTIVE 7/1/2014

**MIDDLE/HIGH SCHOOL – FOOD RESTRICTIONS**

References: Education Code sections 49430, 49431.2, 49431.7, California Code of Regulations sections 15575, 15577, 15578, Code of Federal Regulations sections 210.11, 220.12

A **middle/junior high** contains grades 7 or 8, 7 to 9, 7 to 10.

A **high school** contains any of grades 10 to 12.

**Effective** from midnight to one-half hour after school.

**Applies** to ALL foods sold to students by any entity.

**Sold** means the exchange of food for money, coupons, vouchers, or order forms, when any part of the exchange occurs on a school campus.

**Compliant foods:**

1. **“Snack”** food items must be:
  - a. ≤ 35% calories from fat (except nuts, nut butters, seeds, reduced-fat cheese, dried fruit+nut/seed combo), **and**
  - b. < 10% calories from saturated fat (except reduced-fat cheese, dried fruit+nut/seed combo), **and**
  - c. ≤ 35% sugar by weight (except fruit\*, non-fried veggies, dried fruit+nut/seed combo), **and**
  - d. < 0.5 grams trans fat per serving (no exceptions), **and**
  - e. ≤ 230 milligrams sodium (no exceptions), **and**
  - f. ≤ 200 calories per item/container (no exceptions), **and**
  - g. Have fruit, vegetable, dairy, protein, or whole grain as the first ingredient, **or**
  - h. Contain ≥ 10% DV for calcium or potassium or Vitamin D or dietary fiber (criteria applicable through 6/30/16), **or**
  - i. Be a combination food containing at least ¼ cup fruit or vegetable.
2. **“Entrée”** food items must be:
  - a. Meat/meat alternate and whole grain rich food; **or**
  - b. Meat/meat alternate and fruit or non-fried vegetable; **or**
  - c. Meat/meat alternate alone (cannot be yogurt, cheese, nuts, seeds, or meat snacks = these are considered a “snack”), **AND**

An entrée offered the day of or the day after on the reimbursable meal program menu and sold a la carte must be:

- a. ≤ 400 calories, **and**
- b. ≤ 4 grams of fat per 100 calories

An entrée sold by any other entity (PTA, student organization, etc.) must be:

- a. ≤ 35% calories from fat, **and**
- b. < 10% calories from saturated fat, **and**
- c. ≤ 35% sugar by weight, **and**
- d. < 0.5 grams trans fat per serving, **and**
- e. ≤ 480 milligrams sodium, **and**
- f. ≤ 350 calories, **and**
- g. Have fruit, vegetable, dairy, protein, or whole grain as the first ingredient, **or**
- h. Contain ≥ 10% DV for calcium or potassium or Vitamin D or dietary fiber (criteria applicable through 6/30/16), **or**
- i. Be a combination food containing at least ¼ cup fruit or vegetable

If exempt food(s) combine with nonexempt food(s) or added fat/sugar they must meet ALL nutrient standards above.

\*Dried blueberries cranberries, cherries, tropical fruit, chopped dates or figs that contain added sugar are exempt from fat and sugar standards. Canned fruit in 100% juice only.

**Non-compliant foods may be sold from one-half hour after school through midnight.**

**CHECK YOUR DISTRICT’S WELLNESS POLICY FOR STRICTER RULES.**

**Groups or individuals selling foods/beverages to students must keep their own records as proof of compliance.**

**MIDDLE/HIGH SCHOOL – BEVERAGE RESTRICTIONS**

References: Education Code Section 49431.5, California Code of Regulations Section 15576, Code of Federal Regulations sections 210.10, 210.11, 220.8, 220.12

A **middle/junior high** contains grades 7 or 8, 7 to 9, 7 to 10.

A **high school** contains any of grades 10 to 12.

**Effective** from midnight to one-half hour after school.

**Applies** to ALL beverages sold to students by any entity.

**Sold** means the exchange of food for money, coupons, vouchers, or order forms, when any part of the exchange occurs on a school campus.

**Compliant beverages:**

1. Fruit or Vegetable juice:
  - a. ≥ 50% juice **and**
  - b. No added sweeteners
  - c. ≤ 12 fl. oz. serving size
2. Milk:
  - a. Cow’s or goat’s milk, **and**
  - b. 1% (unflavored), nonfat (flavored, unflavored), **and**
  - c. Contains Vitamins A & D, **and**
  - d. ≥ 25% of the calcium Daily Value per 8 fl. oz., **and**
  - e. ≤ 28 grams of total sugar per 8 fl. oz.
  - f. ≤ 12 fl. oz. serving size
3. Non-dairy milk:
  - a. Nutritionally equivalent to milk (see 7 CFR 210.10(d)(3), 220.8(i)(3)), **and**
  - b. ≤ 28 grams of total sugar per 8 fl. oz., **and**
  - c. ≤ 5 grams fat per 8 fl. oz.
  - d. ≤ 12 fl. oz. serving size
4. Water:
  - a. No added sweeteners
  - b. No serving size limit
5. No-calorie Electrolyte Replacement Beverages (**NOT ALLOWED IN MIDDLE SCHOOLS**)
  - a. Water as first ingredient
  - b. ≤ 16.8 grams added sweetener/8 fl. oz.
  - c. ≤ 5 calories/8 fl. oz. (or ≤ 10 cal/20 fl. oz.)
  - d. 10-150 mg Na+/8 fl. oz.
  - e. 10-90 mg K+/8 fl. oz.
  - f. No added caffeine
  - g. ≤ 20 fl. oz. serving size
6. Low-calorie Electrolyte Replacement Beverages (**NOT ALLOWED IN MIDDLE SCHOOLS**)
  - a. Water as first ingredient
  - b. ≤ 16.8 grams added sweetener/8 fl. oz.
  - c. ≤ 40 calories/8 fl. oz.
  - d. 10-150 mg Na+/8 fl. oz.
  - e. 10-90 mg K+/8 fl. oz.
  - f. No added caffeine
  - g. ≤ 12 fl. oz. serving size

**Non-compliant foods may be sold from one-half hour after school through midnight.**

**MIDDLE/HIGH SCHOOLS – STUDENT ORGANIZATIONS**

Reference: California Code of Regulations Section 15501

**Effective** during or after school hours.

**Applies ONLY** to food and beverage sales by student organizations.

Up to **three categories** of foods or beverages *may* be sold each day (e.g., chips, sandwiches, juices, etc.).

Food or beverage item(s) must be **pre-approved** by governing board of school district.

Only **one student organization** *may* be allowed to sell each day.

Food(s) or beverage(s) **cannot** be **prepared on the campus**.

The food or beverage categories sold **cannot** be the same as the categories **sold in the food service program** at that school during the same school day.

In addition to one student organization sale each day, any and **all student organizations** may sell on the **same four designated days** per year. School administration may set these dates.

Legal Reference:      California Education Code  
33350-33354 CDE responsibilities re: physical education  
49430-49436 Pupil Nutrition, Health, and Achievement Act of 2001  
49490-49494 School breakfast and lunch programs  
49500-49505 School meals  
49510-49520 Nutrition  
49530-49536 Child Nutrition Act  
49547-49548.3 Comprehensive nutrition services  
49550-49561 Meals for needy students  
49570 National School Lunch Act  
51210 Course of study, grades 1-6  
51220 Course of study, grades 7-12  
51222 Physical education  
51223 Physical education, elementary schools  
51795-51796.5 School instructional gardens  
51880-51921 Comprehensive health education

California Code of Regulations Title 5  
15500-15501 Food sales by student organizations  
15510 Mandatory meals for needy students  
15530-15535 Nutrition education  
15550-15565 School lunch and breakfast programs

United States Code: Title 42  
1751-1769 National School Lunch Program, especially:  
1758b Local wellness policy  
1771-1791 Child Nutrition Act, especially:  
1773 School Breakfast Program  
1779 Rules and regulations, Child Nutrition Act

Code of Federal Regulations, Title 7  
210.1-210.31 National School Lunch Program  
220.1-220.23 National School Breakfast Program

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