

**STUDENT AND STAFF WELLNESS**

The Governing Board recognizing the link between student and staff wellness and learning shall build, promote, and integrate a comprehensive school health system. A comprehensive school health system consists of the following nine components:

- Safe and Healthy School Environment
- Health Education
- Physical Education and Physical Activity Opportunities
- Student Nutrition Services
- Health Services
- Psychological, Counseling, and Social Services
- Health Promotion for Staff
- Parent & Community Involvement
- Academic Opportunities

*(cf. 0000 - Vision)*

*(cf. 0200 - Goals for the School District)*

*(cf. 3513.3 - Tobacco-Free Schools)*

*(cf. 3514 - Environmental Safety)*

*(cf. 5131.6 - Alcohol and Other Drugs)*

*(cf. 5131.61 - Drug Testing)*

*(cf. 5131.62 - Tobacco)*

*(cf. 5131.63 - Steroids)*

*(cf. 5141 - Health Care and Emergencies)*

*(cf. 5141.23 - Infectious Disease Prevention)*

*(cf. 5141.3 - Health Examinations)*

*(cf. 5141.31 - Immunizations)*

*(cf. 5141.32 - Health Screening for School Entry)*

*(cf. 5141.6 - Student Health and Social Services)*

*(cf. 5142 - Safety)*

*(cf. 5146 - Married/Pregnant/Parenting Students)*

*(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Education)*

*(cf. 6164.2 - Guidance/Counseling Services)*

*(cf. 6142.7 - Physical Education)*

*(cf. 6142.8 - Comprehensive Health Education)*

*(cf. 3550 - Student Nutrition Program)*

*(cf. 6020 - Parent Involvement)*

*(cf. 6164.2 - Guidance/Counseling Services)*

## **STUDENT AND STAFF WELLNESS (continued)**

### **Coordinated School Health Council**

The Board's policy related to student and staff wellness shall be developed with the involvement of parents/guardians, students, school food service professionals, school administrators, Board representatives, district staff as appropriate, and members of the public interested in school health issues.

The Superintendent or designee shall appoint members to a coordinated school health council.

*(cf. 1220 - Citizen Advisory Committees)*

*(cf. 9140 - Board Representatives)*

The Coordinated School Health Council shall assist with policy development and advise the district on health-related issues, activities, policies, and programs. At the discretion of the Superintendent or designee, the council's charges may include planning and implementing activities to promote health within the school or community. The site principals shall designate a team of staff, parents, community members, and middle/high students as appropriate to improve student and staff wellness including compliance and evaluation at the site level. This team may be called the School Health Leadership Teams but may also be combined or included with another existing committee or council.

### **Nutrition Advisory Committee**

The district shall establish and sustain a Nutrition Advisory Committee as a subcommittee of the Coordinated School Health Council to discuss nutrition related topics of concern to the school community, and to develop school district nutrition and wellness policies for recommendation to and approval by the Board (Ed Code 49433). The Nutrition Advisory Committee will be known as the Shaping Health as Partners in Education (SHAPE) Committee (see: [www.cde.gov/shape](http://www.cde.gov/shape)).

### **Nutrition Education, Physical Education and Physical Activity Goals**

The Board shall adopt goals for nutrition promotion and education, physical activity, and other school-based activities that are designed to promote student wellness in a manner that the district determines appropriate. (42USC 1758b)

*(cf. 0000 - Vision)*

The district's nutrition education and physical education programs shall be based on research, consistent with the expectations established in the state's curriculum frameworks, and designed to build the skills and knowledge that all students need to maintain a healthy lifestyle.

## **STUDENT AND STAFF WELLNESS (continued)**

*(cf. 6010 - Goals and Objectives)*

*(cf. 6011 - Academic Standards)*

*(cf. 6143 - Courses of Study)*

All students in grades PreK-12 shall be provided opportunities to be physically active on a regular basis. Opportunities for moderate to vigorous physical activity shall be provided through physical education, recess, school athletic programs, extracurricular programs, before-and after-school programs, and other structured and unstructured activities.

*(cf. 6142.7 - Physical Education)*

*(cf. 6145 - Extracurricular and Co-curricular Activities)*

*(cf. 6145.2 - Athletic Competition)*

The Superintendent or designee shall encourage staff to serve as positive role models. He/she shall promote and may provide opportunities for regular physical activity among employees.

### **Marketing and Advertising**

The Board prohibits the marketing and advertising of non-nutritious foods and beverages through signage, vending machine fronts, logos, scoreboards, school supplies, advertisements in school publications, coupon or incentive programs, or other means.

*(cf. 1325 - Advertising and Promotion)*

### **Nutrition Guidelines for Foods Available During the Day**

The Board shall adopt nutrition guidelines selected by the district for all foods available on each campus during the school day, including one hour before and one hour after school with the objectives of promoting student health and reducing childhood obesity. (42 USC 1758b)

The Board believes that foods and beverages available to students at district schools should support the health curriculum and promote optimal health. Nutrition standards adopted by the district for all foods and beverages sold to students, including foods and beverages provided through the district's food service program, student stores, school organizations, vending machines, fundraisers, or other venues, shall meet or exceed state and federal nutrition standards.

*(cf. 3312 - Contracts)*

*(cf. 3550 - Food Service/Child Nutrition Program)*

*(cf. 3554 - Other Food Sales)*

*(cf. 5148 - Child Care and Development)*

*(cf. 6300 - Preschool/Early Childhood Education)*

**STUDENT AND STAFF WELLNESS** (continued)

The Superintendent or designee shall set standards for school organizations to use healthy food items or non-food items for fundraising purposes as outlined in AR 3554. All district contracted after school programs are required to follow the district's nutritional guidelines. Home-prepared and home-baked goods are not permitted at any time on school campuses for students, except for individual consumption. (Health and Safety Code 113700-114437)

*(cf. 1230 - School-Connected Organizations)*

**Guidelines for Reimbursable Meals**

Foods and beverages provided through federally reimbursable school meal programs shall meet or exceed federal regulations and guidance issued pursuant to 42 USC 1758(f)(1), 1766(a), and 1779(a) and (b), as they apply to schools. In order to maximize the district's ability to provide nutritious meals and snacks, all district schools shall participate in available federal school nutrition programs, including the National School Lunch, School Breakfast Programs, and After School Snack Programs to the extent possible.

*(cf. 3553 - Free and Reduced Price Meals)*

**Program Implementation and Evaluation**

The Board shall establish a plan for measuring implementation and periodic review of the policy. The Superintendent shall designate at least one person within the district and at each school who is charged with operational responsibility for ensuring that the school sites implement the district's wellness policy. The Superintendent or designee shall recommend for Board approval specific quality indicators that will be used to measure the implementation of the policy district-wide and at each district school. (42 USC 1758b)

*(cf. 0500 - Accountability)*

The Superintendent or designee shall report to the Board and the public at least every two years on the implementation and compliance of this policy and any other Board policies related to student and staff wellness.

**Posting Requirements**

Each school shall post the district's Student and Staff Wellness Policy and supporting documents in public view within all school cafeterias or in other central eating areas. (Education Code 49432) The Wellness Policy will also be made available in each school's main office and through each School Health Leadership Team.

*Legal Reference: (see next page)*

## STUDENT AND STAFF WELLNESS (continued)

### *Legal Reference:*

#### 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*  
49540-49546 *Child care food program*  
49547-49548.3 *Comprehensive nutrition services*  
49550-49561 *Meals for needy students*  
49565-49565.8 *California Fresh Start pilot program*  
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*

#### 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, including:*  
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*  
220.1-220.21 *National School Breakfast Program*

#### COURT DECISIONS

*Frazer v. Dixon Unified School District, (1993) 18 Cal.App.4th 781*

### *Management Resources:*

#### CSBA PUBLICATIONS

*Building Healthy Communities: A School Leader's Guide to Collaboration and Community Engagement, 2009*

*Safe Routes to School: Program and Policy Strategies for School Districts, Policy Brief, 2009*

*Monitoring for Success: Student Wellness Policy Implementation Monitoring Report and Guide, 2007*

*Nutrition Standards for Schools: Implications for Student Wellness, Policy Brief, rev. October 2007*

*Physical Education and California Schools, Policy Brief, rev. October 2007*

*Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, rev. April 2006*

*School-Based Marketing of Foods and Beverages: Policy Implications for School Boards, Policy Brief, March 2006*

*Management Resources continued: (see next page)*

**STUDENT AND STAFF WELLNESS (continued)***Management Resources: (continued)*CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONSPhysical Education Framework for California Public Schools, Kindergarten Through Grade Twelve, 2009Healthy Children Ready to Learn: A White Paper on Health, Nutrition, and Physical Education, January 2005Health Framework for California Public Schools, Kindergarten Through Grade Twelve, 2003CALIFORNIA PROJECT LEAN PUBLICATIONSPolicy in Action: A Guide to Implementing Your Local School Wellness Policy, October 2006CENTER FOR COLLABORATIVE SOLUTIONSChanging Lives, Saving Lives: A Step-by-Step Guide to Developing Exemplary Practices in Healthy Eating, Physical Activity and Food Security in Afterschool Programs, March 2010CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONSSchool Health Index for Physical Activity and Healthy Eating: A Self-Assessment and Planning Guide, 2005NATIONAL ASSOCIATION OF STATE BOARDS OF EDUCATION PUBLICATIONSFit, Healthy and Ready to Learn, 2000U.S. DEPARTMENT OF AGRICULTURE PUBLICATIONSDietary Guidelines for Americans, 2005Changing the Scene, Improving the School Nutrition Environment: A Guide to Local Action, 2000WEB SITESCSBA: <http://www.csba.org>Action for Healthy Kids: <http://www.actionforhealthykids.org>California Department of Education, Nutrition Services Division: <http://www.cde.ca.gov/ls/nu>California Department of Public Health: <http://www.cdph.ca.gov>California Healthy Kids Resource Center: <http://www.californiahealthykids.org>

California Project LEAN (Leaders Encouraging Activity and Nutrition):

<http://www.californiaprojectlean.org>California School Nutrition Association: <http://www.calsna.org>Center for Collaborative Solutions: <http://www.cscscenter.org>Centers for Disease Control and Prevention: <http://www.cdc.gov>Dairy Council of California: <http://www.dairycouncilofca.org>National Alliance for Nutrition and Activity: <http://www.cspinet.org/nutritionpolicy/nana.html>National Association of State Boards of Education: <http://www.nasbe.org>National School Boards Association: <http://www.nsba.org>School Nutrition Association: <http://www.schoolnutrition.org>Society for Nutrition Education: <http://www.sne.org>

U.S. Department of Agriculture, Food Nutrition Service, wellness policy:

<http://www.fns.usda.gov/tn/Healthy/wellnesspolicy.html>

Policy  
 adopted: June 20, 2006  
 revised: September 4, 2008  
 revised: September 1, 2011

**SAN JOSE UNIFIED SCHOOL DISTRICT**  
 San Jose, California

**Comprehensive School Health System (Coordinated School Health)**

Safe and Healthy School Environment:

The District administration and school personnel shall build, promote, and integrate the Safe and Healthy Environment component through the following strategies/actions:

1. Communicate consistently with staff, parents, and students to enforce formal and informal policies and procedures related to student and staff health, safety, and conduct including the physical space and psychosocial environment.
2. Plan and develop the school environment that enables students, parents/guardians and staff to be free to learn and teach within an environment that is trusting and positive, without the threat of physical or emotional harm.
3. Communicate expectations, rules, and consequences in a clear manner and be consistent in implementation of the rules and consequences.
4. Reinforce positive behaviors and positive environments that enhance health, i.e., stress reduction.
5. Provide a clean, healthy school environment with proper lighting, ventilation, clean water, proper waste disposal, school safety program, adherence to building codes, sanitary food services, etc. for staff and students.
6. Disseminate health information to parents/guardians through district or school newsletters, handouts, parent/guardian meetings, the district or school web site, and other communications to encourage consistent health messages between the home and school environment. Outreach to parents/guardians shall emphasize the relationship between student health and academic performance.
7. To protect the health and safety of students no home-prepared and home-baked goods are permitted on school campuses at any time for students, except for individual consumption. (Health & Safety Code 113700, 114015).
8. All food prepared on campus for student consumption must be prepared by a person possessing a current food safety certification. This includes but is not limited to fundraising, multicultural days, classroom activities, celebrations or events.

Health Education:

The District administration and school personnel shall build, promote, and integrate the Health Education component through the following strategies/actions:

**STUDENT AND STAFF WELLNESS (continued)**

1. Provide a comprehensive and sequential health education curriculum for PreK-12 students in order to develop health literate youth who will be able to promote and enhance their own health.
2. Professional development for teachers shall include instructional strategies that assess health knowledge and skills and promote healthy behaviors for students.
3. Nutrition education shall be provided as part of the health education program in grades PreK-12 and, as appropriate, shall be integrated into core academic subjects such as; math, science, language arts, social sciences, and elective subjects, and may be offered through before- and after-school programs.
4. Health education will cover essential topics on physical activity, healthy eating, preventing tobacco and drug use, unintentional injuries, violence, suicide, and healthy living.
5. Health education programs should include the family and may include significant others in the process of health education.
6. Ongoing quantitative and qualitative evaluations of all health programs offered to students, staff and parents/guardians.

**Physical Education and Physical Activity Opportunities:**

The District administration and school personnel shall build, promote, and integrate the Physical Education and Physical Activity Opportunities component through the following strategies/actions:

1. Staff will provide a minimum of 200 PE minutes every 10 school days for students in Grades 1-6 and a minimum of 400 PE minutes every 10 school days for students in Grades 7-12 will include moderate to vigorous activity 50% of the time. (Education Code 51222, 51223)
2. Encourage teachers to attend staff development trainings for PE curriculum.
3. Emphasize noncompetitive class and extracurricular physical activity programs that develop individual life-long health habits promoting overall health and well being.
4. The District shall provide high-quality and developmentally appropriate physical education programs to increase physical competence, fitness, and responsibility, encouraging students to value lifelong physical activity for PreK-12 grades.
5. Promote organized physical activities during recess or after school for students.



**STUDENT AND STAFF WELLNESS (continued)**

Student Nutrition Services:

The District administration and school personnel shall build, promote, and integrate the Nutrition Services component through the following strategies/actions:

1. Provide nutritionally balanced school meals that will follow U.S. dietary guidelines and will be appealing to students and staff. (Refer to BP 3554 for exact guidelines.)
2. Student Nutrition Services will provide support in providing nutrition education to the school sites.
3. Schools will collaborate with Student Nutrition Services in order to reinforce what students learn in health classes, encouraging students to make healthier food choices to live a healthy lifestyle.

Health Services:

The District administration and school personnel shall build, promote, and integrate the Health Services component through the following strategies/actions:

1. Health Services will provide equitable services to every school and to every student in the district.
2. Services provided for students will appraise, protect, promote health and manage acute and chronic health conditions.
3. Ensure access or referral to primary health care services.
4. Foster appropriate use of primary health care services, prevent and control communicable disease.
5. Develop partnerships with community agencies and professionals to provide more comprehensive services.

Psychological, Counseling, Social Services:

The District administration and school personnel shall build, promote, and integrate the Psychological, Counseling, and Social Services component through the following strategies/actions:

1. Establish a system for early identification, assessment, and referral of students needing assistance.

**STUDENT AND STAFF WELLNESS (continued)**

2. Provide additional support to students at risk of academic failure as a result of emotional challenges brought about by situations in or out of school.
3. Collaborate and build partnerships with community-based education, prevention and intervention programs, and services for students needing psychological or counseling support.
4. Develop solutions to address academic achievement issues and other educational and motivational issues in the areas of health.

Health Promotion for Staff:

The District administration and school personnel shall build, promote, and integrate the Health Promotion for Staff component through the following strategies/actions:

1. The district highly values the health and well being of every employee. Staff wellness programs should support employees' efforts to improve their personal health and fitness so they can serve as role models and promote the health of others, including students.
2. The district strongly encourages staff to adhere to the nutrition standards described above for their well-being and for the purpose of serving as role models for the students we serve.

Parent and Community Involvement:

The District administration and school personnel shall build, promote, and integrate the Parent and Community Involvement component through the following strategies/actions:

1. The district recognizes the diversity of students and families and therefore will assist schools in developing an open and inclusive school environment to encourage and engage parent and community involvement.
2. Parents will be encouraged through education to assist the district in modeling and promoting good health, proper nutrition, and physical fitness to strengthen the link between health and education.
3. Schools should coordinate and integrate health and wellness activities and initiatives both inside and outside the school. This partnership should be two-way and should include advisory groups and coalitions, advocacy campaigns, family and community outreach programs, and adult mentor programs.

**STUDENT AND STAFF WELLNESS (continued)**

4. The district and/or schools will disseminate health information to parents/guardians through district newsletters, handouts, parent/guardian meetings, the district or school web site, and other communications.

**Academic Opportunities:**

The District administration and school personnel shall build, promote, and integrate the Academic Opportunities component through the following strategies/actions:

1. The district shall implement programs to promote students well being through a Coordinated School Health approach in order to foster and nurture every student to achieve their full potential. Programs may include but are not limited to: after school programs, enrichment programs, extra academic support, programs designed to improve the school culture, young mother programs, alternative education, early identification and interventions and services for students who need support.

**District Coordinated School Health Council (DCSHC)**

1. The Superintendent or designee shall build a coordinated school health system that supports and reinforces health literacy through health education, physical education, health services, nutrition services, psychological and counseling services, health promotion for staff, safe and healthy school environment, and parent/guardian and community involvement.
2. The DCSHC shall assist with policy development and advise the district on health-related issues, activities, policies, and programs.
3. At the discretion of the Superintendent or designee, the council's charges may include planning and implementing activities to promote health within the school or community.
4. The Superintendent shall designate at least one person within the district and at each school who is charged with operational responsibility for ensuring that the school sites implement the district's wellness policy.
5. The DCSHC shall assist the coordinator with collaborative efforts, chairing working subcommittees, helping to identify resources, strategic planning, and facilitating communications between the school health teams and community.
6. The DCSHC will meet on a monthly basis.
7. The DCSHC will consist of members representative of the nine components of coordinated school health system and are appointed by the superintendent's cabinet.

**STUDENT AND STAFF WELLNESS (continued)**

8. The DCSHC will be responsible for evaluating the student wellness policy every two years. Measurements may include the CDC's School Health Index at all school sites, and/or other appropriate tools determined by the council.

**School Health Leadership Teams (SHLT)**

1. A School Health Leadership Team shall be formed at every school site. The principal is responsible for designating the team members as well as the facilitator. The facilitator is to be a credentialed staff. The SHLT shall be composed of 6-8 members representing each of the nine components of coordinated school health. At the very minimum the team shall include: administrator, teachers from a variety of levels, school nurse, counselor, and parents. Other potential members include: students, food service staff, aides, and/or community people involved at the school site.
2. Responsibilities of the School Health Leadership Teams include:
  - a. Assessing student, family, and staff needs;
  - b. Mapping existing school and community resources that could contribute to a CSH program;
  - c. Identifying gaps and duplications;
  - d. Developing action plans;
  - e. Monitoring implementation;
  - f. Support identified goals of the District Coordinated School Health Council;
  - g. Coordinate and complete School Health Index/evaluation or other assessment tools determined by the Council; and
  - h. Compliance to wellness policy
3. School Health Leadership Teams will meet monthly or as necessary to meet the team's identified goals and objectives.
4. The Site Principal may decide to operate a School Health Leadership Team under the existing School Site Council.
  - a. If the School Site Council decides to also be the School Health Leadership Team the Council must have a monthly standing item on the agenda to discuss all student and staff wellness.

## **STUDENT AND STAFF WELLNESS (continued)**

### **Nutrition Advisory Committee**

The Shaping Health and Physical Activity in Education committee (SHAPE) will:

1. Meet at least four times annually and be chaired by the Director of Student Nutrition.
2. Develop and oversee a communication plan that may include newsletters to school principals, PTA and/or Home and School Clubs, Parent Education and posting of information on the District's web site.
3. Work with the Student Board Representatives and/or parents to conduct an annual student satisfaction survey, at a minimum of two elementary, two middle, and two schools.
4. In collaboration with the Coordinated School Health Council, evaluate the District's compliance with policy and suggest ways to improve the nutrition and health of students by conducting and/or reviewing assessments every two years to determine compliance and progress toward implementation of the adopted nutrition policy and set priorities.
5. Invite new members as needed.
6. In collaboration with the Coordinated School Health Council submit a bi-annual to the Governing Board on the District's compliance with policy.

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

An individual snack sold, served or distributed shall have:

1. No more than 35% of total calories from fat (not including fruits, vegetables, and 100% juices) excluding legumes, nuts, nut butters, seeds, eggs, vegetables that have not been deep fried and cheese packaged for individual sale.
2. No more than 10% of total calories, from saturated fat and no trans fat (excluding eggs and cheese packaged for individual sale).
3. No more than 35% added sugar by weight (excluding fruits, vegetables, and 100% fruit juices.)
4. No more than 150 calories (elementary).
5. No more than 180 calories (middle).

**STUDENT AND STAFF WELLNESS (continued)**

6. No more than 200 calories (high).
7. No more than 280 mg sodium.
8. Will have at least one of the following: 2 g fiber; 5 g protein/ or 10% Daily Vitamins A, C, E, Folate, Calcium, Magnesium, Potassium, or iron; or ½ serving (1/4 cup) fruit or vegetables.

**Program Implementation and Evaluation**

To determine whether the policy is being effectively implemented districtwide and at each school, the following indicators shall be used:

1. Descriptions of the district's nutrition, education, physical education, and health education curricula.
2. Number of minutes of physical education instruction offered at each grade
3. Number and type of exemptions granted from physical education
4. Results of the state's physical fitness test (Fitnessgram)
5. An analysis of the nutritional content of meals served based on a sample of menus
6. Student participation rates in school meal programs.
7. Any sales of non-nutritious foods and beverages in fundraiser or other venues outside of the district's meal programs.
8. Feedback from food service personnel, school administrators, school health teams, District Council, parents/guardians, students, and other appropriate persons.
9. Climate Survey
10. California Healthy Kids Survey
11. Absences
12. Truancy
13. Suspensions
14. Staff absences

**STUDENT AND STAFF WELLNESS (continued)**

15. Test scores of students with chronic conditions
16. Number of workman compensations
17. Number of staff and student accidents
18. Kaiser employee health data summary of chronic disease

*(cf. 0000 - Vision)*  
*(cf. 0200 - Goals for the School District)*  
*(cf. 3513.3 - Tobacco-Free Schools)*  
*(cf. 3514 - Environmental Safety)*  
*(cf. 5131.6 - Alcohol and Other Drugs)*  
*(cf. 5131.61 - Drug Testing)*  
*(cf. 5131.62 - Tobacco)*  
*(cf. 5131.63 - Steroids)*  
*(cf. 5141 - Health Care and Emergencies)*  
*(cf. 5141.23 - Infectious Disease Prevention)*  
*(cf. 5141.3 - Health Examinations)*  
*(cf. 5141.31 - Immunizations)*  
*(cf. 5141.32 - Health Screening for School Entry)*  
*(cf. 5141.6 - Student Health and Social Services)*  
*(cf. 5142 - Safety)*  
*(cf. 5146 - Married/Pregnant/Parenting Students)*  
*(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Education)*  
*(cf. 6164.2 - Guidance/Counseling Services)*  
*(cf. 6142.7 - Physical Education)*  
*(cf. 6145 - Extracurricular and Co-curricular Activities)*  
*(cf. 6145.2 - Athletic Competition)*  
*(cf. 6142.8 - Comprehensive Health Education)*  
*cf. 6010 - Goals and Objectives)*  
*(cf. 6011 - Academic Standards)*  
*(cf. 6143 - Courses of Study)*  
*(cf. 4131- Staff Development)*  
*(cf. 4331- Staff Development)*  
*(cf. 1220 - Citizen Advisory Committees)*  
*(cf. 9140 - Board Representatives)*  
*(cf. 1325 - Advertising and Promotion)*  
*(cf. 3312 - Contracts)*  
*(cf. 3550 - Food Service/Child Nutrition Program)*  
*(cf. 3554 - Other Food Sales)*  
*(cf. 5148 - Child Care and Development)*  
*(cf. 6300 - Preschool/Early Childhood Education)*  
*(cf. 1230 - School-Connected Organizations)*  
*(cf. 3553 - Free and Reduced Price Meals)*  
*(cf. 0500 - Accountability)*  
*(cf. 5030-Wellness)*

Regulation  
approved: September 8, 2008  
revised: September 1, 2011

**SAN JOSE UNIFIED SCHOOL DISTRICT**  
San Jose, California  
San Jose, California

**STUDENT NUTRITION SERVICES PROGRAM**

The Governing Board recognizes that students need adequate, nourishing food in order to grow, learn and maintain good health. The Board also acknowledges that schools play a vital role in childhood nutrition and fitness, and as part of the larger community, they have a responsibility to promote family health and provide a strong foundation for children's future health and well being. To reinforce the District's nutrition education program, foods available on school premises shall be:

1. Carefully selected so as to contribute to students' nutritional well-being and the prevention of disease.
2. Prepared in ways which will appeal to students, retain nutritive quality and foster healthful eating habits.
3. Served in age-appropriate quantities and at reasonable prices.

*(cf. 3551- Student Nutrition Services Operations/Cafeteria Fund)*

*(cf. 3553 - Free and Reduced Price Meals)*

*(cf. 3554 - Other Food Sales)*

*(cf. 5141.32 - Child Health and Disability Prevention Program)*

*(cf. 6142.8 - Comprehensive Health Education)*

The Superintendent or designee shall ensure that the meals offered by the District's Student Nutrition Services Program meet all legal requirements (e.g. nutritional standards) required for participation in the National School Lunch Program, School Breakfast Program and After School Snack Program.

To the extent permitted under the National School Lunch and School Breakfasts Programs, students in all grades shall be allowed to decline parts of their meals which they do not intend to consume, while still allowing the meal to qualify for reimbursement under the National School Lunch and School Breakfast Programs pursuant to 7CFR210.10 and 220.8.

The Superintendent or designee shall establish procedures whereby students and parents/guardians may participate in the selection of foods of good nutritional quality for school menus and ensure that all food and beverages meet the nutritional standards required by the State of California.

Catering/food offerings through Student Nutrition Services should be utilized whenever possible.

*Legal Reference: (see next page)*



**STUDENT NUTRITION SERVICES PROGRAM (continued)**

*Legal Reference:*

EDUCATION CODE

35182.5 *Contracts, non-nutritious beverages*  
38080-38103 *Cafeteria, establishment and use*  
45103.5 *Contracts for management consulting services; restrictions*  
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*  
49540-49546 *Child care food program*  
49547-49548.3 *Comprehensive nutrition services*  
49550-49562 *Meals for needy students*  
49570 *National School Lunch Act*  
51795-51797 *School gardens*

HEALTH AND SAFETY CODE

113700-114437 *California Retail Food Code*

CODE OF REGULATIONS, TITLE 5

15510 *Mandatory meals for needy students*  
15530-15535 *Nutrition education*  
15550-15565 *School lunch and breakfast programs*  
15575-15578 *Requirements for foods and beverages outside federal meal programs*

UNITED STATES CODE, TITLE 42

1751-1769j *National School Lunch Program, including:*  
1758b *Local wellness policy*  
1761 *Summer Food Service Program and Seamless Summer Feeding Option*  
1769a *Fresh Fruit and Vegetable Program*  
1771-1793 *Child nutrition, especially:*  
1772 *Special Milk Program*  
1773 *National School Breakfast Program*

CODE OF FEDERAL REGULATIONS, TITLE 7

210.1-210.31 *National School Lunch Program*  
215.1-215.18 *Special Milk Program*  
220.1-220.21 *National School Breakfast Program*  
245.1-245.13 *Eligibility for free and reduced-price meals and free milk*

*Management Resources: (see next page)*

## STUDENT NUTRITION SERVICES PROGRAM (continued)

### *Management Resources:*

#### CSBA PUBLICATIONS

*Building Healthy Communities: A School Leader's Guide to Collaboration and Community Engagement*, 2009

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#### U.S. DEPARTMENT OF AGRICULTURE PUBLICATIONS

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#### WEB SITES

CSBA: <http://www.csba.org>

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California Department of Public Health: <http://www.cdph.ca.gov>

California Farm Bureau Federation: <http://www.cfbf.com>

California Food Policy Advocates: <http://www.cfpa.net>

California Healthy Kids Resource Center: <http://www.californiahealthykids.org>

California Project LEAN (Leaders Encouraging Activity and Nutrition):

<http://www.californiaprojectlean.org>

California School Nutrition Association: <http://www.calsna.org>

Centers for Disease Control and Prevention: <http://www.cdc.gov>

National Alliance for Nutrition and Activity: <http://www.cspinet.org/nutritionpolicy/nana.html>

U.S. Department of Agriculture, Food and Nutrition Service: <http://www.fns.usda.gov/fns>

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**SAN JOSE UNIFIED SCHOOL DISTRICT**  
San Jose, California

**STUDENT NUTRITION SERVICES PROGRAM**

The Superintendent or designee shall ensure that all food and beverages meet the nutritional standards established by the Governing Board and/or at a minimum required by the State of California.

Nutrition Standards for food and beverages served outside the federal meal programs:

1. The Principal will ensure that all foods and beverages served, sold or distributed on all elementary, middle and high school campuses from one hour before the morning opening of school until one hour after the last period, have been approved by Student Nutrition Services and are compliant with State laws and regulations.
2. An individual snack sold, served, or distributed shall have:
  - No more than 35% of total calories from fat (not including fruits, vegetables, and 100% juices) excluding legumes, nuts, nut butters, seeds, eggs, vegetables that have not been deep fried and cheese packaged for individual sale
  - No more than 10% of total calories from saturated fat and no trans fat (excluding eggs and cheese packaged for individual sale)
  - No more than 35% added sugar by weight (excluding fruits, vegetables, and 100% juices)
  - No More than 150 Calories (elementary schools)
  - No More than 180 Calories (middle schools)
  - No More than 200 Calories (high schools)
  - No more than 230 mg Sodium
  - Will have at least one of the following: 2g fiber; 5g protein; or 10% (DV) Daily Vitamin A, C, E, Folate, Calcium, Magnesium, Potassium, or iron; or ½ serving (1/4 cup) fruit or vegetables
3. An individual entrée sold, served or distributed shall have no more than:
  - 4 grams of fat per 100 calories with zero trans fats
  - 400 calories
  - No more than 35% of total calories from fat (not including fruits, vegetables, and 100% juices) excluding legumes, nuts, nut butters, seeds, eggs, vegetables that have not been deep fried and cheese packaged for individual sale

**STUDENT NUTRITION SERVICES PROGRAM** (continued)

- No more than 10% of total calories from saturated fat and no trans fat (excluding eggs and cheese packaged for individual sale)
  - No more than 35% added sugar by weight (excluding fruits, vegetables, and 100% juices)
4. An individual beverage sold, served or distributed shall meet criteria from the list below:
- Water, any size with no artificial sweeteners, added sugars or sodium.
  - Plain or Flavored Fat Free or Low Fat Milk:
    - Up to 8 ounces and no more than 150 calories (elementary schools)
    - Up to 10 ounces and no more than 188 calories (middle schools)
    - Up to 12 ounces and no more than 225 calories (high schools)
  - 100% juice (or 100% juice plus water) up to 120 calories per 8 ounces plus 10% Daily Value for at least 3 vitamins and nutrients:
    - Up to 8 ounces and no more than 120 calories (elementary schools)
    - Up to 10 ounces and no more than 150 calories (middle schools)
    - Up to 12 ounces and no more than 180 calories (high schools)
  - No or low calorie beverages up to 10 calories per 8 ounces (high school only)
  - Other drinks not to exceed 12 ounces or 99 calories (high school only)
  - An electrolyte replacement beverage with no more than 25.2 grams of added sweetener per 12 ounce serving

Nutrition Standards For Foods Served Within Federal Meal Programs

1. The Student Nutrition Services Department shall:
- Meet, at a minimum, nutrition requirements established by local, state, and federal statutes and regulations
  - Meet the nutrition recommendations of the current United States Dietary Guidelines for Americans

**STUDENT NUTRITION SERVICES PROGRAM** (continued)

- Offer a variety of fruits and vegetables
  - Will not purchase foods containing artificial trans fats
  - Purchase local and organic fruits and vegetables whenever possible
  - Provide the healthiest possible foods
  - Have nutritional information on all food and beverage items served available to all parents, students, and staff.
2. The Student Nutrition Services Department shall offer the opportunity to enter into partnership agreements with student groups to raise funds for student activities and share the profits from such events.

**Drinking Water**

The district shall provide access to free potable drinking water during meal times in food service areas at all district schools, including but not limited to, areas where reimbursable meals under the National School Lunch or Breakfast Program are served or consumed.

State of California Law

SB 12  
SB 965

Federal Law

Healthy Hunger-Free Kids Act (S. 3307/ P.L. 111-296)

References

Alliance for a Healthier Generation  
Healthiergeneration.org

*(cf. 5030 - Wellness)*

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**SAN JOSE UNIFIED SCHOOL DISTRICT**  
San Jose, California

**OTHER FOOD SALES**

With the approval of the Superintendent or designee, food and beverage sales may be held by school-related groups, including but not limited to students, teachers, parents/guardians and booster groups, provided that these sales are in compliance with state and federal regulations, and district policy. Such food and beverage sales shall not impair student participation in the District's Student Nutrition Services programs.

- (cf. 1230 - School-Connected Organizations)*
- (cf. 3550 - Student Nutrition Services)*
- (cf. 3551 - Food Service Operation/Cafeteria Fund)*
- (cf. 5030 - Student Wellness)*
- (cf. 5141.27 - Food Allergies/Special Dietary Needs)*
- (cf. 3553 - Free and Reduced Price Meals)*
- (cf. 3554 - Other Food Sales)*

**Fundraisers**

Every effort will be made to encourage fundraisers that reflect our commitment to student health and well-being. Fundraisers that encourage the sale of non-food items and physical activity events are strongly encouraged.

Sanitation and safety procedures shall comply with the requirements of the California Uniform Retail Food Facilities Law as set forth in Health and Safety Code 113700-114437.

**Advertising of Non-Nutritious Food Items**

The District acknowledges that student's health-related choices are influenced by many factors and that advertising plays a key role in their decision-making. The District's efforts to teach students how to make informed choices about nutrition, physical activity and health can be impeded if students are exposed to advertising on District property that contains messages that are contrary to, or different from, the health information contained in the District's curriculum.

Therefore in order to ensure that students receive a consistent message about nutrition, health, and physical activity and also in order to support students and families in their efforts towards putting the District's health and nutrition teachings into practice, the District shall maintain exclusive authority and control over all advertising on District property. Such control extends to advertising about foods, beverages, health related issues, or physical activity, and applies regardless of the point of view expressed in the advertising or the medium used to disseminate the advertising.

- (cf. 3551- Student Nutrition Services Operations/Cafeteria Fund)*
- (cf. 1325 - Advertising and Promotion)*

## OTHER FOOD SALES (continued)

### Legal Reference:

#### EDUCATION CODE

35182.5 Contracts, non-nutritious beverages

48931 Authorization and sale of food

49430-49436 Pupil Nutrition, Health, and Achievement Act of 2001

51520 School premises; prohibited solicitations

#### CODE OF REGULATIONS, TITLE 5

15500 Food sales in elementary schools

15501 Sales in high schools and junior high schools

15575-15578 Requirements for foods and beverages outside federal meals program

#### HEALTH AND SAFETY CODE

113700-114437 California Retail Food Code

#### UNITED STATES CODE, TITLE 42

1751-1769h National School Lunch Act, including:

1751 Note Local wellness policy

1771-1791 Child nutrition, School Breakfast Program

#### CODE OF FEDERAL REGULATIONS, TITLE 7

210.1-210.31 National School Lunch Program

220.1-220.21 National School Breakfast Program

### Management Resources:

#### CSBA PUBLICATIONS

Nutrition Standards for Schools: Implications for Student Wellness, Policy Brief, rev. October 2007

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#### CALIFORNIA DEPARTMENT OF EDUCATION MANAGEMENT BULLETINS

06-110 Restrictions on Food and Beverage Sales Outside of the School Meal Program, August 2006

#### FISCAL CRISIS AND MANAGEMENT ASSISTANCE TEAM PUBLICATIONS

Associated Student Body Accounting Manual and Desk Reference, 2002

#### NATIONAL ASSOCIATION OF STATE BOARDS OF EDUCATION PUBLICATIONS

Fit, Healthy and Ready to Learn, 2000

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California Department of Public Health: <http://www.cdph.ca.gov>

California Healthy Kids Resource Center: <http://www.californiahealthykids.org>

California Project LEAN (Leaders Encouraging Activity and Nutrition):

<http://www.californiaprojectlean.org>

Centers for Disease Control and Prevention: <http://www.cdc.gov>

Fiscal Crisis and Management Assistance Team: <http://www.fcmat.org>

National Association of State Boards of Education (NASBE): <http://www.nasbe.org>

U.S. Dept. of Agriculture, Food and Nutrition Information Center: <http://www.nal.usda.gov/fnic>

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**SAN JOSE UNIFIED SCHOOL DISTRICT**  
San Jose, California

**OTHER FOOD SALES**

Food and beverage sales outside the district’s food service program shall comply with applicable nutritional standards specified in Education Code 49431, 49431.2, 49431.5, and 49431.7 and 5 CCR 15575-15578.

*(cf. 3550 – Food Service/Child Nutrition Program)*  
*(cf. 5030 – Student Wellness)*  
*(cf. 5141.27 – Food Allergies/Special Dietary Needs)*

No foods of minimal nutritional value, as listed in 7 CFR 210, Appendix B, and 7 CFR 220, Appendix B, shall be sold in food service areas during breakfast and lunch periods (7 CFR 210.11, 220.12)

All profits from fund-raisers and competitive sales shall benefit the school or student groups sponsoring the sale. (7 CFR 210.11, 220.12)

Student organizations and adult groups may sell nutritious food and beverage items only if such sales are conducted in compliance with board policy, local, state & federal regulations. Nutrition standards may be found in AR 3550. The sales during the regular school day or commencing one hour before or one hour after school must be commercially prepared food and not prepared on the premises. “Prepared on the premises” refers to the preparation, heating or reheating and service of hot food and/or beverage items such as; instant soup, hot chocolate, microwave popcorn, or pizza.

In order to be eligible to conduct food and beverage sales during school hours and within the one hour before and one hour after school hours, a parent/guardian group or outside group must be legally organized for charitable and nonpartisan purposes. (Education Code 51520)

All food related fundraisers and competitive food sales one hour before, during the school day or one hour after school shall be planned and approved with a Student Nutrition Service representative. The Principal or designee shall be responsible for individual school compliance. Fundraising forms are available on the district website, in the Wellness Resource Guide at each school site, or from the School Health Leadership Team.

*(cf. 3550 – Food Service/Child Nutrition Program)*  
*(cf. 5030 - Student Wellness)*  
*(cf. 5141.27 – Food Allergies/Special Dietary Needs)*  
*(cf. 1321 - Solicitations of Funds from and by Students)*

**Competitive Food Sales**

All Schools

1. Only one student organization conducts a food sale on a given school day and the organization sells no more than three types of food or beverages items, except that up



**OTHER FOOD SALES** (continued)

to four days during the school year may be designated on which any number of organizations may conduct the sale of any food items meeting the nutrition guidelines in AR 3550. "Types of food or beverage items" refer to categories of food groupings. For example, if the food service program offers fruit juice for sale, a student organization shall not sell any type of fruit juice.

2. Student stores are not allowed to sell the same types of food or beverages as Student Nutrition Service unless purchased through Student Nutrition Services and sold at equal pricing as Student Nutrition. All food and beverage sold in student stores must meet the nutrition guidelines as listed in AR 3550.
3. The sale of foods during meal periods in Student Nutrition Services areas shall be allowed only if all net income from the sale, including the sale of approved foods or beverages from vending machines, accrues to the benefit of the school, the school Student Nutrition Services Program, or the student organization(s) sponsoring the sale. (7 CFR 210.11, 220.12)
4. Home-baked or prepared food is not allowed on campus at any time, except for individual consumption. (Health and Safety Code 113785, 113825)

**Outside Vendors**

Outside vendors offering food and beverage items to be sold through student and parent groups or the student store must provide the nutritional analysis for each item being offered. The Student Nutrition Services Department will review this information. Any food item that does not meet the District's nutritional standards is not permitted to be sold to district students.

Student Nutrition Services will inspect all outside food vendors to insure that they meet all required sanitation and safety requirements of the California Uniform Retail Food Facility Law. This may include, inspection of their production facilities and any food or beverages they provide to any district middle or high school campus.

**Vending Machines**

In the interest of supporting a healthy environment for students and staff, the District shall strive for consistency in its nutritional standards of foods and beverages sold in all vending machines. To achieve that goal, the control and supervision of all machines on district property shall be centralized so that the District's nutrition guidelines and the guidelines embodied in this Wellness Policy can inform how these machines are stocked and operated. In addition, all images or advertising present or visible to students must carry messages that promote the consumption of nutritious foods and beverages.

**OTHER FOOD SALES (continued)**

The District shall implement the following specific vending machine policies:

1. With regard to foods and beverages sold on District property through vending machines, the District shall implement a districtwide Vending Machine Program (“the Vending Program”) that places exclusive authority over all vending activities under the control of District administrators. The purposes of the districtwide Vending Program include (1) ensuring that the Wellness Policy is implemented uniformly throughout the district; (2) creating economies of scale in order to increase revenues to the District; (3) improving process efficiencies; (4) improving communication and customer service; and (5) ensuring that revenues generated from vending sales are properly accounted for and applied to student enrichment.
2. The District shall ensure that its Vending Program is implemented and conducted in accordance with all federal, state, and local laws including California Education Code Section 35182.5. This law controls how school districts can enter into contracts that grant advertising rights, including such advertising as may occur on vending machine fronts.
3. The District shall monitor vending machines on its property. Only vending machines from pre-approved vendors may be placed on District property. Approved vendors have agreed to comply with California Education Code sections 49431 through 49431.7 and the Alliance for a Healthier Generation Guidelines as described in AR3550. Any future laws, regulations and guidelines shall also be followed. Contracts with vending machine companies shall permit advertising of food or drink as approved by the district.
4. The District’s exclusive authority over the Vending Program means that at a minimum the District shall:
  - Identify vendors through a competitive procurement process;
  - Negotiate and enter into only those vending contracts that help achieve Wellness Policy objectives and ensure that all vending contracts contain language that permits the District to enforce the Wellness Policy objectives contained in the contract to the maximum extent permitted by law;
  - Enter into only those vending contracts that maximize revenues to the District, provide for accurate and timely revenue reports, permit District auditing rights, permit contract renegotiation in the event that the Wellness Policy or California law is amended during the term of the contract, and have a duration of no greater than three to five years;

**OTHER FOOD SALES** (continued)

- Consult on a regular basis with school site administrators to ensure open and continuous communication about the Vending Program;
  - Establish the maximum number of machines to be allowed per site;
  - Pre-identify all vending machine locations;
  - Student Nutrition Services shall approve all products to be vended;
  - Ensure that students do not have access to vending machines that sell foods or beverages not in compliance with the Wellness Policy (i.e. Staff Lounges);
  - Establish the hours that vending machines can be operated; and
  - Establish and maintain a system of financial accountability that safeguards public funds, applies all Vending Program revenues towards public education purposes, and, to the greatest extent possible, shares revenues across District lines.
- 5 Nothing in the Vending Program shall be construed to require or allow a school site, staff members or private citizens to place vending machines on their school site without approval of the District administration. A principal may accept or deny district approved vending machines.

**Advertising**

In furtherance of its goals to provide high quality educational services and promote student's health and welfare, the District shall create and maintain a learning environment free from commercial distractions.

In exercising its exclusive control over advertising, the District shall, at a minimum:

1. Only permit third parties to advertise products that meet the standards set forth in the AR 3550 or those that are included in the list of items that can be served or sold on campus or on school grounds, as that list may be updated from time to time by District administrators.
2. Only enter into or renew a contract in which the District grants advertising rights if such contract has been developed in compliance with California Education Code Section 35182.5. This law controls how school districts may enter into contracts that grant advertising rights by establishing, among other things, public hearing and competitive procurement requirements. §35182.5 applies to any contract that

**OTHER FOOD SALES (continued)**

involves advertising rights including but not limited to advertising on vending machine fronts, score boards, billboards, posters, book covers, classroom oriented programs, internet ads, corporate sponsored educational materials, and corporate sponsored contests or incentive programs that carry brand names and logos into the school environment.

3. Include in any contract that grants advertising rights language that:

- Prevents the vendor from challenging any portion of the contract, including the advertising restrictions;
- Creates a deterrent for the vendor to fund or otherwise encourage a third party to challenge any portion of the contract, including the advertising restrictions; and motivates the vendor to comply with the contract by defining the vendor's failure to comply with advertising restrictions as a material breach of the contract and thus subject to liquidated damages.

*(cf. 3551- Student Nutrition Services Operations/Cafeteria Fund)*

*(cf 3553 - Free and Reduced Price Meals)*

*(cf 3554 - Other Food Sales)*

*(cf 5141.32 – Child Health and Disability Prevention Program)*

*(cf 6142.8 - Comprehensive Health Education)*

*(Health and Safety Code 113785, 113825)*

*(EC 48931 - Other food sales)*

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**SAN JOSE UNIFIED SCHOOL DISTRICT**

San Jose, California