

MODESTO CITY SCHOOLS

Administrative Regulation

AR 5030

STUDENTS

Student Wellness

WELLNESS PROGRAM

Marketing, Healthy Food Promotion and Fundraising

The Board requires marketing to promote health food and beverage options and prohibits the marketing and advertising of non-nutritious foods and beverages. Marketing to promote health food and beverage options will be done through signage, vending machine fronts, logos, scoreboards, school supplies, advertisements in school publications, coupon or incentive programs, or other means.

The Board requires healthy food and water promotion, pricing structures that promote healthy options in a-la-carte lines or vending machines, sales of fruit for fundraisers, and coupons for discount gym memberships. Schools shall label or mark healthy food items available so students know which are healthy items and healthiest choices, like fruits and vegetables. Every attempt will be made to prominently display healthy foods in the cafeteria to encourage students to make healthy choices.

During the school day and up to 30 minutes after school, the Superintendent or designee requires school organizations to use healthy food items or non-food items that comply with USDA, federal and state regulations. The Superintendent or designee shall encourage physical activity (i.e. fun run, walk-a-thon, bike derby) or community service (car wash, parking at events) for fundraising options.

Community Access

The Board may enter into a joint use agreement to make District facilities or grounds available for recreational or sports activities outside the school day and/or to use community facilities to expand students' access to opportunities for physical activity.

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Body Size or Shape Stigma and Bullying

The Board requires body size or shape stigma, teasing and bullying to be included in the District's anti-bullying policies. The policy includes a universal bullying prevention program that addresses weight discrimination, teasing and bullying based on weight and body size. The Superintendent or designee will ensure all students are encouraged to participate in physical activities, avoid practices that single out students on the basis of body size or shape, and avoid games that limit opportunities for all students to participate and succeed as medically appropriate. Additionally, Superintendent or designee encourages visual materials that feature a diverse combination of students being active and eating healthy.

School Gardens

The District's schools are encouraged to establish school gardens and/or farm-to-school projects to increase the availability of safe, fresh, seasonal fruits and vegetables for school meals and to support the District's nutritional education program.

Physical Education

Sequential Physical Education Curriculum

The District's physical education curricula(s) will be comprehensive, sequential and research-based, consistent with the expectations established in the state's curriculum frameworks and content standards, and designed to build the skills and knowledge that all students need to maintain a healthy lifestyle and behaviors.

Adequate and Safe Facilities

The physical education program shall be provided with adequate space and equipment and conform to all applicable safety standards.

Limited Waivers

All students in grades K-12, including students with disabilities, special healthcare needs, and in alternative education settings, will receive the required physical education in compliance with current state guidelines.

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Health Education

The District's health education curricula(s) shall be sequential, comprehensive and based on research, consistent with expectations established in the state's curriculum frameworks and content standards, and designed to build the skills and knowledge that all students need to maintain a healthy lifestyle and behaviors.

The District's health education program shall teach personal responsibility for one's own lifelong health, respect for and promotion of the health of others, the process of growth and development, and informed use of health-related information, products and services.

It will include instruction on the following topics:

- Alcohol, Drug and Smoking Prevention
 - K-2 Instruction includes information about healthy habits, tobacco products and tools, positive self-image, learning about drugs, and saying no to drugs.
 - 3-6 Instruction emphasizes healthy living, tobacco and its effects on the body, including the respiratory system, saying no to tobacco, alcohol and drugs, and the effects of drugs.
- HIV/AIDS, STI (Sexually Transmitted Infection), STD (Sexually Transmitted Disease) Prevention (including causes, stages, transmission, care of the infected, diseases related to AIDS, and statistics).
 - Required once in middle school and once in high school (Education Code 51931 (d)).
- Family Life and Sex Education
 - 4th - 6th Grades: Sex Can Wait Program
 - 7th - 8th Grades: Postponing Sexual Involvement Program
 - 9th - 12th Grades: Comprehensive Sex Education (25 days during one semester)

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- The high school health course is usually taken in the 9th grade, but it may be taken in summer school or subsequent grades.
- The health course is available with Specially Designed Academic Instruction in English (SDAIE) for English Learners.
- The sex education portion of the health class must be medically accurate and objective as well as appropriate for use with pupils of all races, genders, sexual orientations, ethnic and cultural backgrounds, as well as pupils with disabilities.
- The course may not teach or promote religious doctrine or promote bias against any person.
- All supplementary materials, videos and speakers must be on the Board-approved course outline.
- Teach respect for marriage and committed relationships.
- Teach abstinence from sexual activity.

➤ Pregnancy and Parenting

➤ Violence Prevention and Safety

➤ Bodily Systems

Physical Activity

Regular Physical Activity Breaks

All students in grades K-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/or after-school programs, and other structured or unstructured activities.

Recess for Elementary Students

All students in grades K-8 will receive the required amount of physical activity as per state guidelines, preferably outdoors, during which schools will encourage moderate to vigorous physical activity.

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Physical Activity Before and After School

The District will provide information about physical education and other school-based physical activity opportunities before, during, and after the school day; and support parents' efforts to provide their children with opportunities to be physically active outside of schools.

Safe Routes to School – Walking and Biking

The District will encourage students to walk or bike to school when appropriate. Schools shall provide bike racks for students. When possible, schools will work with parent groups to establish *walking school bus* and *bicycle train* programs.

The District will assess and, if necessary and to the extent possible, make needed improvements to make it safer and easier for students to walk and bike to school.

When appropriate, the District will work together with local public health, public works, public safety, and/or police departments in Safe Routes to School efforts.

No Physical Activity Restrictions as Punishment

Teachers and other school/community personnel are encouraged to not use physical activity as punishment.

Tobacco Prevention

Tobacco-free Schools, Ban Tobacco Advertising and Promotion, Tobacco Prevention in Health Curriculum

The District will maintain a tobacco-free school policy, which at minimum bans:

- tobacco advertising on school property, at school events, and in written educational materials and publications; and
- tobacco promotions, promotional offers, and prizes on school property, at school events, and in written educational materials and publications.

Tobacco-use prevention will be included in all health education curriculums.

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Staff Education, Training, and Wellness

The Superintendent or designee shall encourage staff to serve as positive role models. They shall promote and may provide opportunities for healthy eating and regular physical activity among employees. This may include District and/or site wellness information or programs as well as opportunities for staff to engage in physical activity.

Physical Education

To the extent possible, a properly credentialed teacher will teach all physical education. The District shall provide physical education staff with professional development, including classroom management and instructional strategies designed to keep students engaged and active and to enhance the quality of physical education instruction and assessment.

Health Education

To the extent possible, a properly credentialed teacher will teach all health education. The District shall provide health education staff with professional development, including nutrition education and promotion.

Other Wellness Staff

Professional development will be provided to other staff as applicable.

Food Service Staff

Qualified professionals will administer all District school meal programs. Food service staff will be encouraged to participate in related professional development in accordance with their levels and responsibilities.

FOOD SERVICE AND NUTRITION GUIDELINES

Nutrition Standards for USDA School Meals

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Program Access and Promotion

In order to maximize the District's ability to provide nutritious meals and snacks, all 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. When necessary and to the extent possible the District may provide a summer meal program.

The Board shall adopt nutritional guidelines for all foods available on each campus during the school day, with the objectives of promoting student health and reducing childhood obesity.

Nutrition Standards

Nutritional standards adopted by the District for all foods and beverages sold to students, including foods and beverages provided through the District's federally reimbursable school meal programs, student stores, vending machines, fundraisers, or other venues, shall meet or exceed state, federal, and USDA nutritional standards.

School Meal Participation

To promote participation in the USDA School Meal Program, District schools will utilize methods to serve school meals that encourage participation. The District encourages schools to allow for student and/or parent input on menus and taste tests.

Meal Environment

Appropriate supervision will be provided in the cafeteria and rules for safe behavior will be consistently enforced. Students will be provided with a clean, safe and pleasant meal environment and be given adequate time to eat their meal.

Healthy Food Preparation

Healthy food preparation methods, including steaming and baking, shall always be used in the school cafeteria and food services, when appropriate. Low-sodium, reduced-fat and low-sugar options are incorporated into the menu regularly.

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Healthy Food Preparation

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Nutritional Information

Students and parents will be provided information about the nutritional content of meals through posted menus, school website, etc.

Nutrition Standards and Restrictions for Competitive/Other Foods and Beverages

To ensure all students are provided with healthy foods at all times and unhealthy foods are removed from school offerings, the District encourages each school to provide nutritional content (calories, saturated fat, sugar, sodium) and portion size requirements.

In addition, competitive food regulations provide guidance for nutritional content standards. Alternatively or additionally, the District can consider providing a more specific and restricted list of food items allowed (e.g., limiting to water, fruits, vegetables, whole grains, lean proteins, low-fat or non-fat dairy, and nuts) and/or provide a comprehensive list of prohibited foods (e.g., baked goods, candy, ice cream, sugar sweetened beverages, flavored milk, less than 100% juice drinks, and artificially sweetened beverages) and limited portion sizes.

Elementary Schools

The school food service program will approve and provide all food and beverage sales to students in elementary schools. Given young children's limited nutrition skills, food in elementary schools should be sold as balanced meals or, if sold individually, must comply with competitive food and beverage sale regulations.

Middle/Junior High and High Schools

In middle/junior high and high schools, all foods and beverages sold individually outside the reimbursable school meal programs (including those sold through a-la-carte [snack] lines, vending machines, student stores, or fundraising activities)

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during the school day, or through programs for students after the school day, shall meet or exceed state, federal and USDA portion size standards.

Foods and Beverages (food/beverage item sold individually)

All food and beverage items sold individually or a-la-carte outside of reimbursable school meals (foods known as competitive food sales, e.g. vending machines, cafeteria snack lines, student/school stores and fundraisers) shall meet or exceed minimum state, federal and USDA requirements, unless sold off school grounds, sold more than 30 minutes after the school day or are exempted by policies established by the USDA.

Students and staff will have access to free, safe, and fresh drinking water throughout the school day, including during physical education and recess.

Fruit and Vegetable Availability

A choice of at least two fruits and/or non-fried vegetables will be offered for sale at any location on the school site where reimbursable school meals are sold. Such items could include, but are not limited to, fresh fruits and vegetables; 100% fruit or vegetable juice; cooked, dried, or canned fruits (canned in fruit juice, water or light syrup); and cooked, dried, or canned vegetables.

Portion Sizes Limit

All food and beverage items sold individually or a-la-carte outside of reimbursable school meals, such as vending machines, cafeteria snack lines, student/school stores and fundraisers shall meet or exceed state, federal, and USDA portion size standards.

Celebrations and School-Connected Organizations

School staff shall encourage parents/guardians or other volunteers to support the District's nutrition education program by considering nutritional quality when selecting any snacks which they may donate for occasional class parties and by limiting foods or beverages that do not meet nutritional standards to no more than one such food or beverage per party. Class parties or celebrations shall be held after the lunch period when possible.

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STAKEHOLDER PARTICIPATION AND COMMUNITY ENGAGEMENT

District Wellness Committee

The Superintendent or designee may appoint a District health council or other committee consisting of parents/guardians, students, food service employees, District and school site administrators, Board representatives, health professionals, school nurses, health educators, physical education teachers, counselors, members of the public, and/or others interested in school health issues.

The District health council or committee shall advise the District on health-related issues, activities, policies, and programs. At the discretion of the Superintendent or designee, the council's charge(s) may include the planning, development and implementation of activities to promote health within the school or community. The school health council or committee shall conduct periodic review and updates of the District's Student Wellness Policy. The District health council or committee shall meet no less than 2 times per year.

School/Student Wellness Sub-Committees

To the extent possible, the District encourages each school site to establish a separate wellness sub-committee consisting of parents/guardians, students, school site food service employees, school site administrators, health professionals, school nurses, health educators, physical education teachers, counselors, members of the public, and/or others interested in school health issues. The school wellness sub-committee's charge(s) may include the planning and implementation of health and wellness activities for the school site.

Community Coalition and Policy Process

To the extent possible, the District encourages staff and/or volunteers to participate in community coalitions and partnerships to stay informed, participate in the public policy process and to highlight the need for community changes to address chronic disease and related risk factors.

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PUBLIC NOTIFICATION

To encourage consistent health messages between the home and school environment, the Superintendent or designee may disseminate health information to parents/guardians through District or school newsletters, handouts, parent/guardian meetings, the District or school web site, and other communications. Outreach to parents/guardians shall emphasize the relationship between student health and academic performance.

ACCOUNTABILITY, IMPLEMENTATION, AND EVALUATION

Implementation Plan and Support

Coordination, Accountability and Compliance

The Board shall establish a periodic compliance assessment and evaluation for measuring successful compliance and implementation of the Student Wellness Policy. The Superintendent shall designate at least one person within the District who will coordinate with the school sites regarding the operational responsibility for ensuring that each school site complies with this policy.

Training Support

To the extent possible, the District will provide training for teachers and other staff and/or volunteers to ensure knowledge and understanding of the Student Wellness Policy and the District's overall commitment to student wellness.

Budget Support

To the extent possible, the District will ensure budget support needed for development, implementation and evaluation of the District's Student Wellness Policy.

Implementation

The Board shall establish a plan for compliance of this policy. The Superintendent shall designate at least one person within the District who coordinates with the school sites and is charged with operational responsibility for ensuring that each school site implements this policy.

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Evaluation Plan, Reporting and Revision Procedures

Evaluation Plan

To determine whether the policy is being effectively implemented Districtwide and at each District 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 span.
3. Number and type of exemptions granted from physical education.
4. Results of the state's physical fitness test.
5. An analysis of the nutritional content of meals served based on a sample of menus.
6. Any sales of non-nutritious foods and beverages in fundraisers or other venues outside of the District's meal programs.
7. Feedback from food service personnel, school administrators, the school wellness committee, parents/guardians, students, and other appropriate persons.
8. Any other indicators recommended by the Superintendent and approved by the Board.

Reporting

The Superintendent or designee shall report to the Board at least every two years on compliance and implementation of the Student Wellness Policy and any other Board policies related to nutrition and physical activity.

Revising and Updating

The District will inform and update the public, including parents/guardians, students, and others in the community, about the development, content, updates, implementation and evaluation of the Student Wellness Policy.

Legal References:

EDUCATION CODE

33350-33354 CDE Responsibilities re: physical education

38086 Free fresh drinking water

49430-49434 Pupil Nutrition, Health, and Achievement Act of 2001

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Legal Reference (cont.):s:

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 49562 Meals for needy students

49565-49565.8 California Fresh Start pilot program

49570 National School Lunch Act

51210 Course of study for grades 1-6

51210.1-51210.2 Physical education, grades 1-6

51210.4 Nutrition education

51220 Course of study for grades 7-12

51222 Physical education

51223 Physical education, elementary schools

51795-51796.5 51798 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

1751-1769J National School Lunch Program

1758b Local wellness policy

1771-1791 1793 Child Nutrition Act

1773 School Breakfast Program

1779 rules and Regulations, Child Nutrition Act

CODE OF FEDERAL REGULATIONS, TITLE 7

210.1-210.33 National School Lunch Program

210.1-210.31 National School Lunch Program

210.31 Wellness policy

220.1-220.22 220.23 National School Breakfast Program

Management References:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATION

Physical Education Framework for California Public Schools, Kindergarten Through Grade 12, 2009

Health Framework for California Public Schools: Kindergarten through Grade 12, 2003

CALIFORNIA PROJECT LEAN PUBLICATION

Policy in Action: A Guide to Implementing Your Local School Wellness Policy, October 2006

CENTER FOR COLLABORATIVE SOLUTIONS

Changing Lives, Saving Lives: A Step-by Step Guide to Developing Exemplary Practices in Healthy Eating, Physical Activity and Food Security, Jan 2015

CENTERS FOR DISEASE CONTROL & PREVENTION PUBLICATION

School Health Index for Physical Activity and Healthy Eating: A Self-Assessment and planning Guide, rev. 2012

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Management References (cont.):

CSBA PUBLICATION

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

Increasing Access to Drinking Water in Schools, Policy Brief, April 2013

Integrating Physical Activity into the School Day, governance Brief, April 2016

Monitoring for Success: A Guide for Assessing and Strengthening Student Wellness Policies, 2012

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

Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, 2012

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

Nutrition Standards for Schools: Implications for Student Wellness, Policy Brief, rev. April 2012

Physical Activity and Physical Education in California Schools, Research Brief, April 2010

Physical Education and California Schools, Policy Brief, October 2007

FEDERAL REGISTER

Rules and Regulations, July 29, 2016, Vol. 81, Number 146, pages 50151-50170

NATIONAL ASSOC. OF STATE BOARDS OF EDUCATION PUBLICATION

Fit, Healthy and Ready to Learn, rev. 2012

U.S. DEPARTMENT OF AGRICULTURE PUBLICATION

Dietary Guidelines for American, 2016

COURT DECISIONS

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

WEBSITES

California Project LEAN (Leaders Encouraging Activity and Nutrition):

<http://californiaprojectlean.org/>

California School Nutrition Association: <https://calsna.org/>

Center for Collaborative Solutions: <https://www.ccscenter.org/>

Dairy Council of California: <https://www.usdairy.com/about-us/national-dairy-council/local-California>

National Alliance for Nutrition and Activity: <https://www.cspinet.org/protecting-our-health/nutrition/national-alliance-nutrition-and-activity>

National Association of State Boards of Education: <https://www.nasbe.org/>

School Nutrition Association: <https://schoolnutrition.org/>

Society for Nutrition Education: <https://www.sneb.org/>

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

<https://www.fns.usda.gov/tn/local-school-wellness-policy>

U.S. Department of Agriculture, Healthy Meals Resource System:

<https://www.fns.usda.gov/healthy-meals-resource-system-hmrs>

Action for Healthy Kids: <https://www.actionforhealthykids.org/>

Alliance for a Healthier Generation: <https://www.healthiergeneration.org/>

California Department of Education, Nutrition Services Division:

<https://www.cde.ca.gov/re/di/or/nsd.asp>

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

California Healthy Kids Resource Center: <https://www.californiahealthykids.net/home>

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

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

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Cross References:

0200 – Goals For The School District (N/A)
0460 – Local Control And Accountability Plan (N/A)
1220 – Citizen Advisory Committees
1230 – School-Connected Organizations
1260 – Educational Foundation (N/A)
1325 – Advertising and Promotion
1330.1 – Joint Use Agreements (N/A)
1400 – Relations Between Other Governmental Agencies And The Schools (N/A)
1700 – Relations Between Private Industry and The Schools (N/A)
3000 – Concepts And Roles (N/A)
3290 – Gifts, Grants, And Bequests
3312 – Contracts
3452 – Student Activity Funds
3513.3 – Tobacco-Free Schools
3513.4 – Drug And Alcohol Free Schools (N/A)
3513.4 – Liability Issues and Parent Groups Organizing Grad Night
3550 – Food Service/Child Nutrition Program
3551 – Food Service Operations, Cafeteria Fund
3552 – Summer Meal Program
3553 – Free And Reduced Price Meals
3554 – Other Food Sales
3555 – Nutrition Program Compliance
4131/4231 – Staff Development
5113.1 – Chronic Absence And Truancy (N/A)
5113.1 – Truancy
5113.12 – District School Attendance Review Board
5131.2 – Bullying
5131.6 – Alcohol And Other Drugs
5131.61 – Drug Testing (N/A)
5131.62 – Tobacco (N/A)
5131.63 – Steroids (N/A)
5137 – Positive School Climate
5141 – Health Care And Emergencies
5141.22 – Infectious Diseases
5141.23 – Asthma Management
5141.27 – Food Allergies/Special Dietary Needs
5141.3 – Health Examinations
5141.31 – Immunizations
5141.32 – Health Screening For School Entry
5142.2 – Safe Routes To School Program (N/A)
5144 – Discipline (N/A)
5144 – Subpoena Power, Expulsion Proceedings
5145.3 – Nondiscrimination/Harassment
5145.6 – Parental Notifications
5145.71 – Title IX Sexual Harassment Complaint Procedures
5146 – Married/Pregnant/Parenting Students
5147 – Dropout Prevention (N/A)

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Cross References (cont.):

5148 – Child Care And Development

5148.2 – Before/After School Programs (N/A)

5148.3 – Preschool/Early Childhood Education

6020 – Parent Involvement

6112 – School Day

6142.1 – Sexual Health And HIV/AIDS Prevention Instruction (N/A)

6142.5 – Environmental Education

6142.7 – Physical Education And Activity

6142.8 – Comprehensive Health Education (N/A)

6145.2 – Athletic Competition

6176 – Weekend/Saturday Classes (N/A)

6177 – Summer Learning Programs (N/A)

6184 – Continuation Education

7110 – Facilities Master Plan

REVIEWED: June 12, 2006
 November 17, 2014
 August 26, 2023