

**SUBJECT: WELLNESS POLICY ON NUTRITION AND PHYSICAL ACTIVITY****Preamble**

The Sullivan County BOCES Wellness Policy is based on the following beliefs:

- a) Children need access to healthful foods and opportunities to be physically active in order to grow, learn, and thrive.
- b) Good health fosters student attendance and education.
- c) Obesity rates have doubled in children and tripled in adolescents over the last two decades, and physical inactivity and excessive calorie intake are the predominant causes of obesity.
- d) Heart disease, cancer, stroke, and diabetes are responsible for two-thirds of deaths in the United States, and major risk factors for those diseases, including unhealthy eating habits, physical inactivity, and obesity, often are established in childhood.
- e) Therefore, Sullivan County BOCES is committed to providing school environments that promote and protect children's health, well-being, and ability to learn by supporting healthy eating and physical activity.

**Wellness Policy Goals**

Based on the beliefs outlined in the preamble, it is the policy of this BOCES that:

- a) We will engage students, parents, teachers, food service professionals, health professionals, and other interested community members in developing, implementing, monitoring, and reviewing BOCES-wide nutrition and physical activity policies.
- b) All students, ages 5 through 21, will have opportunities, support, and encouragement to be physically active on a regular basis.
- c) Foods and beverages sold or served at school will meet the nutrition recommendations of the *U.S. Dietary Guidelines for Americans*.
- d) BOCES staff will provide students with access to a variety of affordable, nutritious, and appealing foods that meet the health and nutrition needs of students; will accommodate the religious, ethnic, and cultural diversity of the student body in meal planning, and will provide clean, safe, and pleasant settings and adequate time for students to eat.
- e) To the maximum extent practicable, all BOCES programs will participate in available federal school meal programs such as the School Breakfast Program and National School Lunch Program.

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- f) The BOCES will provide nutrition education and physical education to foster lifelong habits of healthy eating and physical activity, and will establish linkages between health education and school meal programs, and with related community services.

The regulation that accompanies this policy outlines the procedures for accomplishing these wellness goals.

Child Nutrition and WIC Reauthorization Act of 2004, Public Law 108-265 Section 204  
Richard B. Russell National School Lunch Act, 42 United States Code (USC) Section 1751 et seq.  
Child Nutrition Act of 1966, 42 United States Code (USC) Section 1771 et seq.  
7 Code of Federal Regulations (CFR) Section 210.10

## **SUBJECT: SCHOOL FOOD SERVICE PROGRAM (LUNCH AND BREAKFAST)**

### **School Food Service Program (Lunch and Breakfast)**

The Board has entered into an agreement with the New York State Education Department to participate in the National School Lunch Program, School Breakfast Program and/or Special Milk Program to receive commodities donated by the Department of Agriculture and to accept responsibility for providing free and reduced price meals to elementary and secondary students in the schools of the BOCES.

The District Superintendent or his/her designee shall have the responsibility to carry out the rules of the School Lunch and Breakfast Programs. The determination of which students are eligible is the responsibility of the Reviewing Official and Verification Official. Appeals regarding eligibility should be submitted to the Hearing Official of the BOCES.

Free or reduced price meals may be allowed for qualifying students attending BOCES schools upon receipt of a written application from the student's parent or guardian or a "Direct Certification" letter from the New York State Office of Temporary and Disability Assistance (OTDA). Applications will be provided by the BOCES to all families.

School officials must also determine eligibility for free/reduced meals and milk by using the Direct Certification Matching Process, a dataset supplied by the Office of Temporary and Disability Assistance, and made available by the State Education Department. Any student receiving federal assistance through Supplemental Nutrition Assistance Program (SNAP) or Temporary Assistance to Needy Families (TANF) is automatically eligible for free meals and milk. There is no need for families to complete further applications. School Districts shall notify parents or guardians of such eligibility, giving them the opportunity to decline free meals and milk if they so choose.

Procedures for the administration of the free and reduced price meal program of this BOCES District will be the same as those prescribed in current state and federal laws and regulations.

### Child Nutrition Program/Charging Meals

Although not required by law, because of the BOCES' participation in the Child Nutrition Program, the Board of Education approves the establishment of a system to allow a student to charge a meal. The Board authorizes the District Superintendent to develop rules which address:

- a) What can be charged; **Meals only**
- b) The limit on the number of charges per student; **5 meals, followed by cold sandwich only**
- c) The system used for identifying and recording charged meals; **POS System**
- d) The system used for collection of repayments; and **system of bi-weekly communication**

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- e) Ongoing communication of the policy to parents and students.

Restriction of Sweetened Foods in School

The sale of sweetened foods will be prohibited from the beginning of the school day until the end of the last scheduled meal period.

Sweetened foods consist of sweetened soda water, chewing gum, candy, including hard candy, jellies, gum, marshmallow candies, fondant, licorice, spun candy, candy coated popcorn, and water ices except those which contain fruit or fruit juices.

Restrictions on Sale of Milk Prohibited

Schools that participate in the National School Lunch Program may not directly or indirectly restrict the sale or marketing of fluid milk products at any time or in any place on school premises or at school-sponsored events.

Food Substitutions for Children with Disabilities

Federal regulations governing the operation of Child Nutrition Programs, Part B of the Individuals with Disabilities Education Act, and Section 504 of the Rehabilitation Act of 1973 require that children with disabilities be offered the opportunity to participate in all academic and nonacademic activities including the school nutrition programs. The District will make reasonable accommodations to those children with disabilities whose disabilities restrict their diets, such as providing substitutions and/or modifications in the regular meal patterns. Such meal substitutions for students with disabilities will be offered at no extra charge. A student with a disability must be provided substitutions in food when that need is supported by a statement signed by a physician attesting to the need for the substitutions and recommending alternate foods.

However, the school food service is not required to provide meal services (for example, School Breakfast Program) to students with disabilities when the meal service is not normally available to the general student body, unless a meal service is required under the student's individualized education program (IEP) or Section 504 Accommodation Plan as mandated by a physician's written instructions.

Food Substitutions for Nondisabled Children

Though not required, the BOCES will also allow substitutions for non-disabled children who are unable to consume the regular meal because of medical or other special dietary needs if the request is supported by a statement signed by a recognized medical authority.

The BOCES may also allow substitutions for fluid milk with a non-dairy beverage that is nutritionally equivalent (as established by the Secretary of Agriculture) to fluid milk and meets nutritional standards for students who are unable to consume fluid milk because of medical or other

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special dietary needs if the request is supported by a statement signed by a recognized medical authority or by the student's parent/legal guardian.

**Prohibition Against Adults Charging Meals**

Adults should pay for their meals at the time of service or set up pre-paid accounts.

**HACCP-Based Food Safety Program**

Schools participating in the National School Lunch and/or School Breakfast programs are required to implement a food safety program based on Hazard Analysis and Critical Control Point (HACCP) principles. The BOCES must develop a written food safety program for each of its food preparation and service facilities that is based on *either* traditional HACCP principles *or* the "Process Approach" to HACCP. (The "Process Approach" simplifies traditional HACCP by grouping foods according to preparation process and applying the same control measures to all menu items within the group, rather than developing an HACCP plan for each item.) Regardless of the implementation option that is selected, the BOCES' written food safety program must also include: critical control points and critical limits; monitoring procedures; corrective actions; verification procedures; recordkeeping requirements; and periodic review and food safety program revision.

Child Nutrition and WIC Reauthorization Act of 2004, PL 108-265

Child Nutrition Act 1966, 42 USC Section 1771 et seq.

Richard B. Russell National School Lunch Act 1946, 42 USC Section 1751 et seq.

Section 504 of the Rehabilitation Act of 1973, 29 USC Section 794 et seq.

Individuals with Disabilities Education Act (IDEA), 20 USC Sections 1400-1485

7 CFR Parts 15B, 210 and 220

Education Law Sections 902(b), 915, 918, 1604(28), 1709(22), 1709(23) and 2503(9)(a)

8 NYCRR Sections 200.2(b)(1) and 200.2(b)(2)

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