WELLNESS POLICY

Board Policy
Students

BP 5030(a)

Wellness

The Governing Board of Hayward Unified School District (HUSD) recognizes the link between student health and learning. Children and youth that begin each day as healthy individuals are more receptive to the learning experience and more likely to succeed now and in the future. Further, the Board also believes that a healthy staff can more effectively perform their job responsibilities, and model appropriate wellness behaviors to students. This policy encourages a comprehensive approach to school and community wellness and addresses the components of the Coordinated School Health program as recommended by the California Department of Education and the Department of Health Services. HUSD is committed to providing a school environment that promotes and protects children's health, well-being, and ability to learn by supporting healthy eating and physical activity.

Therefore, it is the policy of HUSD that HUSD schools 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.

This will be realized by:

Food Served on Campus

1. Food and beverage availability during the school day will include a variety of healthy choices that are of excellent quality, appealing to students and handled in a safe manner. Foods served as part of the child nutrition program shall meet or exceed federal and state guidelines for reimbursable meals. Nutrient-dense foods including whole grains, low-fat dairy products and fiber-rich fruits and vegetables will be promoted as important components of a healthy diet.

2. The school district shall ensure that no student goes hungry and all students will have access to nutritious lunches during the school day. Students will be encouraged to start each day with a healthy breakfast. An afternoon snack will be provided to students participating in after-school educational activities.

3. Meals will be served in an attractive manner in a pleasant atmosphere with sufficient time for eating. Organic foods will be offered when they are available, affordable and of appropriate quality. To the degree

possible, foods offered will be freshly grown by local farmers and reflect the district's diverse population. The district will continue to research the latest information to ensure that no harmful foods are served.

4. It is a goal to integrate the eating experiences, gardens and nutrition education into the core curriculum at all grade levels. Foods served on campus shall reflect nutrition education principles taught in the classroom.

5. Foods offered for fundraisers, special events, incentives and food sales shall be consistent with the nutritional goals of this policy, district competitive food guidelines and will be served in such a manner as to be in compliance with the California Uniform Retail Food Facility Law (CURFFL). For parties and celebrations, parents and staff will be encouraged to provide a variety of foods including at least fifty percent of the foods offered to be healthy foods consistent with this food policy.

Comprehensive Health Education

The Board believes that health education is essential to student performance and academic success. Health education fosters the knowledge, skills and behaviors that students need in order to lead healthy productive lives. The district shall provide a planned, sequential health education curriculum in accordance with the California Education Code, Board policy and the Health standards as they are available.

Integrated Nutrition Education

Integrated Nutrition education in HUSD aims to teach, encourage and support healthy eating by students. Schools should provide nutrition education that is integrated into the academic standards. Research shows that integrating 50 hours of nutrition education each year will result in behavioral change. Teachers will work toward incorporating nutrition education into their instruction toward meeting this goal. At the secondary school level it is recommended that subject appropriate teachers incorporate nutrition education into their instruction.

6. Foods that do not comply with the above regulations may be sold as part of a school fundraising event as long as they are sold by pupils of the school, and
   a. the sale takes place at least one-half hour before or after the end of the school day, or;
   b. the items are sold at a place off of, and away from, school premises.

Middle or Junior High School

1. Full meals as part of the National School breakfast, lunch and snack programs.
2. Individually sold portions of nuts, nut butters, seeds, eggs, cheese, packaged for individual sale; fruits and vegetables that have not been deep fried, and legumes.
3. Individually sold dairy or whole grain food items may be sold to pupils at elementary school, except for foods sold as part of a USDA meal program, if each contains less than 35% of its total calories from fat, less than 10% of its total calories from saturated fat, and less than 35% of its total weight from sugar, including sugars that are naturally occurring and added.
4. Foods categorized as an entrée in the school breakfast or lunch program, but not served that day as part of these programs, may be served as an individual food item providing it contains no more than 400 calories or 4 grams of fat per 100 calories.
5. Fruit- or vegetable-based drinks that are composed of not less than 50% juice and have no added sweeteners, low- or non-fat milk or milk substitute (2% or less fat) and drinking water without added sweeteners may be sold.
6. Not more than 250 calories per individual food item.
7. Foods that do not comply with the above regulations may be sold as long as:
   a. the sale takes place at least one-half hour before and after the end of the school day, or
   b. the items are sold at a place off of, and away from, school premises, or
   c. the sale occurs during a school-sponsored pupil activity after the end of the school day.

Board Policy
Students

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Integrated nutrition education will

1. Be offered at each grade level in all academic areas as part of a sequential, comprehensive, standards-based program designed to provide students with the knowledge and skills necessary to promote and protect their health.
2. Be implemented consistent with District educational goals using a diversity of strategies and practices to teach all students.
3. Link with the school meals program, other foods brought onto the campuses, and nutrition-related community services.
4. Teach media-related literacy with an emphasis on food marketing.

Physical Education and Physical Activity

Current research tells us that students need at least 60 minutes of moderate to vigorous physical activity daily to be physically fit and academically successful. HUSD will create a learning environment that maximizes these opportunities. HUSD will provide all students in Kindergarten through Grade Twelve (K-12) the opportunity, support, and encouragement to be physically active on a regular basis through physical education instruction and/or physical activity programs.

Physical education is a planned sequential program of curricula and instruction that helps students develop the knowledge, skills, and confidence necessary for an active lifestyle. Physical activity refers to participation in physical activity. Physical activity programs may provide participants with structured activity (games, sports, etc.), unstructured activity (walking programs, dance, etc.), or opportunities to participate in physical activity in the daily routine. (walk-to-school programs, etc.)

Besides promoting high levels of personal achievement and a positive self-image, Physical Education activities should teach students how to cooperate in the achievement of common goals.

Student Wellness Services

Student Wellness Services include Health Counseling, Psychological and Social Services. The Board supports effective wellness programs that will facilitate positive learning and instill healthy behaviors.

Administrative Regulation Students

AR 5030(c)

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High School Transition

1. Schools including students from grades 9-12 shall phase out the sale of all foods of minimal nutritional value [soda water, candy, gum and energy drinks] by June 30, 2009. After this date these schools shall adhere to the food sales requirements in place at the Middle or Junior High School level.
2. The phase out shall include:
   a. Establishing a committee made up of members of the Wellness Policy Compliance Team, High School Principals, parent groups and student leaders to study new methods of fundraising and to develop a plan to phase out the sale of foods of minimal nutritional value for SY2008 and SY2009. A report from this committee will be made to the Board of Education on, or before, June 27, 2007.
   b. By the end of SY2008 no more than one-half of the quantity of foods of minimal nutritional value shall be sold on high school campuses as compared to SY2006 sales.
   c. Child Nutrition Services will work cooperatively with the Associated Student Body and individual student groups to partner the sale of nutritious food items that are financially beneficial to both.

FUNDRAISING

Fundraising activities are very important for the support of student activities. Schools shall seek fundraising solutions that meet the goals of this Wellness Policy. The following is a suggested list of non-food fundraising activities:

Items for sale:

Temporary/henna tattoos
Flowers or plants
T-shirts/sweat shirts
Activity theme bags
Balloon bouquets
Books, calendars
Bumper stickers, buttons, pins and decals
Coffee mugs or water cups with logo
Gift baskets, gift certificates or gift items
Holiday cards, wreaths, trees
License plate holders

Wellness

Pocket calendars
School Frisbees, spirit gear, art works
Stuffed animals

Items supporting academics:

Awards banquet
Read-a-thons Bike-a-thons or Walk-a-thons
Singing telegrams
Car wash
Bowling nights
Carnivals
Raffles (Donated movie tickets, meals etc)
Auction with service prizes donated by a student helper (mow lawns, rake leaves, walk dog etc.)
Recycling cans/bottles/paper

ASSESSMENT AND MONITORING OF WELLNESS POLICY

The effectiveness of the Wellness Policy shall be assessed by:

1. The superintendent or designees to ensure compliance with established district-wide nutrition and physical activity wellness policies. In each school, the principal or designees will ensure compliance with those policies in his/her school and will report on the school's compliance to the school district superintendent or designee.

2. The child nutrition director at district level to ensure compliance with nutrition policies within school food service areas; he/she will report on this matter to the superintendent. In addition, the child nutrition director will report on the most recent State Department of Education School Meals Initiative (SMI) review findings and any resulting changes. If the district has not received a SMI review from the state agency within the past five years, the district will request from the state agency that a SMI review be scheduled as soon as possible.

3. The superintendent or designee will develop a summary report every three years on district-wide compliance with the district's established nutrition and physical activity wellness policies, based on input from schools within the district. That report will be provided to the school

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Wellness

Staff Wellness

Staff will be encouraged to participate in health education and health-related fitness activities. This will contribute to improved health status, improved morale, and a greater commitment to the school's overall comprehensive health program.

Healthful School Environment

The board supports school facilities that are designed to provide a safe, secure physical plant as well as a healthy and supportive environment that fosters learning and overall well-being.

Family and Community Involvement

The Board believes that family and community involvement and collaboration are key elements in supporting the healthy development of youth and their families. Long-term partnerships with diverse community groups shall be developed. The Board recommends partnerships that will promote health education activities for parents and community members.

District Wellness Advisory Council

The Superintendent or his designee shall convene an advisory committee consisting of school-site administrators, health professionals, teachers, child nutrition staff, parents and students to meet three times a year to evaluate policy implementation. Annually the committee will report to the Board of Education about implementation of the policy. A member of child nutrition services, nutrition education department, and physical education shall form the district wide compliance oversight team.

Assessment and Monitoring of the Wellness Policy

Representatives of the school district shall develop a plan for implementing the district wellness policy and measuring implementation of that policy. The district superintendent or designee shall designate at least one person from the administration, one from nutrition education, and one from Child Nutrition services within Hayward Unified School District that is charged with operational responsibility for ensuring that the school sites implement the

board and also distributed to all school health councils, parent/teacher organizations, school principals, and school health services personnel in the district.

Policy Review

1. To help with the initial implementation of the district's wellness policies, each school in the district will conduct a baseline assessment of the school's existing nutrition and physical activity environments and policies. The results of those school by school assessments will be compiled at the district level to identify and prioritize needs.

2. A timeline and action plan will be written with identifiable outcomes.

3. Assessments will be repeated every three years to help review policy compliance, assess progress, determine whether outcomes have been met, and additional areas in need of improvement. As part of that review, the school district will determine modifications needed to meet the goals of the policy.

   To that end the Wellness Committee or designees will review and provide modification recommendations for:

   a. Nutrition and physical activity policies;
   b. Nutrition and physical education policies and program elements;
   c. Provisions for an environment that supports healthy eating and physical activity;
   d. Any additionally defined elements.

   The district, and individual schools within the district, will as necessary, revise the wellness policies and develop work plans to facilitate their implementation.

adopted local wellness policy. Each school shall post HUSD policies and regulations on nutrition and physical activity in public view within all school cafeterias or in other central eating areas.

Legal Reference:
Child Nutrition and WIC Reauthorization Act of 2004, Section 204: Local School Wellness Policy
Legal References
EDUCATION CODE
49430-49436 Pupil Nutrition, Health, and Achievement Act of 2001
49490-49493 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 Comprehensive nutrition services
49550-49560 Meals for needy students
49570 National School Lunch Act
CODE OF FEDERAL REGULATIONS, TITLE 5
15500-15501 Food sales by student organizations
15510 Mandatory meals for needy students
15550-15565 School lunch and breakfast programs
UNITED STATES CODE OF FEDERAL REGULATIONS, TITLE 7
210.1-210.31 National School Lunch Program
220.1-220.21 National School Breakfast Program
Legal References
EDUCATION CODE
233.5 Duty concerning instruction of students
8850.5 Family relationships and parenting education
35183.5 Sun protection
49413 First aid training
51202 Instruction in personal and public health and safety
51203 Instruction on alcohol, narcotics, and dangerous drugs
51210 Areas of study
51220.5 Parenting skills; areas of instruction
51260-51269 Drug Education
51265 Gang Violence
51513 Personal beliefs
51890-51891 Comprehensive health education programs
51913 District health education plan
51920 Inservice training, health education
51930-51939 Comprehensive sexual health and HIV/AIDS prevention education
CALIFORNIA CODE OF REULATIONS, TITLE 5
11800-11801 District health education plan

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Legal References

EDUCATION CODE

33350	*CDE responsibilities re: Physical Education EC Section 44203*
49066	*Grades; Physical Education class*
51210	*Course of study, grades 1-6*
51220	*Course of study, grades 7-12*
51222	*Physical education*
51223	*Physical education, elementary schools*
51241	*Temporary or permanent exemption from Physical Education*
51242	*Exemption from Physical Education for athletic program participants*
52316	*Excuse from attending Physical Education classes*
60800	*Physical performance test*

CODE OF REGULATIONS, TITLE 5

304	*Leaving room at recess*
352	*Detention during recess or noon intermission*
1041-10456	*Physical performance tests*
3051.5	*Adapted Physical Education for individuals with exceptional needs*
10060	*Criteria for high school Physical Education programs*

Legal References

EDUCATION CODE

49407	*Liability for treatment*
49408	*Emergency information*
49423	*Administration of prescribed medication for student*
49423.5	*Specialized health care services*
49426	*School nurses*
49480	*Continuing medication regimen; notice*

Legal References

EDUCATION CODE

32066	*Safety: public and private institutions*
35020	*Duties of employees fixed by governing board*
35035	*Powers and duties of superintendent*
35160	*Authority of governing board*
35160.1	*Broad authority of school districts*
44962	*Leaves of absence for certificated employees*
44964	*Power to grant leaves of absence for accident, illness or quarantine*
45190-45209	*Resignations and leaves of absence for classified employees*

LABOR CODE

6305	*Occupational safety and health standards; special order*
6310	*Retaliation for filing complaint prohibited*
6401.7	*Injury prevention programs*
	6400-6413.5 Responsibilities and duties of employers and employees

CODE OF REGULATIONS, TITLE 8

3203	*Injury and illness prevention program*
5095-5100	*Control of noise exposure*

CODE OF FEDERAL REGULATIONS, TITLE 29

1910.95	*Noise standards*

Wellness

GOVERNMENT CODE
3540-3549.3 Public education employer-employee relations
8355 Certification to contracting or granting agency; requisites Unemployment Insurance Code 2613
HEALTH AND SAFETY CODE
104420 Providing information re: smoking cessation program
UNITED STATES CODE, TITLE 41
701-707

Legal References
EDUCATION CODE
35291 Governing board to prescribe rules for discipline of the schools
48900 Grounds for suspension/expulsion
48902 Notification of law enforcement authorities
48915 Required recommendations for expulsions
48916 Readmission
49330-49335 Injurious objects
PENAL CODE
245 Assault with a deadly weapon
417.2 Imitation firearms
417.2.1 Imitation firearm; drawing or exhibiting
626.9 Gun-Free School Zone Act of 1995
626.10 Dirks, daggers, razor or stun gun; bringing or possessing in school or on school ground; exception
653k Soliciting a minor to commit certain felonies
12001 Control of deadly weapons
12020-12028.5 Unlawful carrying and possession of concealed weapons
12403.7 Weapons approved for self-defense
12220 Unauthorized possession of a machine gun
12401 Tear gas
12402 Tear gas weapon
12403.7 Weapons approved for self defense
12403.8 Minors 16 or over; tear gas and tear gas weapons
UNITED STATES CODE, TITLE 20
6301-7491 No Child Left Behind Act; especially:
7151 Gun-Free Schools Act
EDUCATION CODE
35146 Closed sessions
35291 Rules
35291.5-35291.7 School-adopted discipline rules
35294-35294.9 School safety plans
37223 Weekend classes
444807.5 Restitution from recess
48630-48644.5 Opportunity schools
48900-48926 Suspension and expulsion
48980-48985 Notification of parents or guardians
4900-49001 Prohibition of corporal punishment
49330-49335 Injurious objections

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CODE OF REGULATIONS, TITLE 5
Participation in school activities until departure of bus
Detention after school
200-262.4 Prohibition of discrimination on the basis of sex
48900.2 Additional grounds for suspension or expulsion; sexual harassment
48904 Liability of parent/guardian for willful student misconduct
48980 Notice at beginning of term

Legal References:
CIVIL CODE
1714.1 Parental liability for child's misconduct
51.9 Liability for sexual harassment; business, service and professional relationships
1714.1 Liability of parents/guardians for willful misconduct of minor
CODE OF REGULATIONS, TITLE 5
4900-4965 Nondiscrimination in elementary and secondary education programs receiving state financial assistance
UNITED STATES CODE, TITLE 20
1681-1688 Title IX, Discrimination
UNITED STATES CODE, TITLE 42
2000d-2000d-7 Titles VI, Civil Rights Act of 1964
UNITED STATES CODE, TITLE 42
2000e-2000e-17 Title VII, Civil Rights Act of 1964 as amended
CODE OF FEDERAL REGULATIONS, TITLE 34
106.1-106.71 Nondiscrimination on the basis of sex in education programs

EDUCATION CODE
COURT DECISIONS
Reese v. Jefferson School District, (2001) 208 F.3d 736
Davis v. Monroe County Board of Education, (1999) 526 U.S. 629
Gebser v. Lago Vista Independent School District, (1998) 118 S.Ct. 1989
Nabozny v. Podlesny, (1996, 7th Cir.) 92 F.3d 446
Doe v. Petaluma City School District, (1995, 9th Cir.) 54 F.3d 1447
Oona R.-S. etc. v. Santa Rosa City Schools et al, (1995) 890 F.Supp. 1452
Rosa H. v. San Elizario Ind. School District, (W.D. Tex. 1995) 887 F. Supp. 140, 143
Clyde K. v. Puyallup School District #3, (1994) 35 F.3d 1396
Patricia H. v. Berkeley Unified School District, (1993) 830 F.Supp. 1288
Franklin v. Gwinnet County Schools, (1992) 112 S. Ct. 1028
Kelson v. City of Springfield, Oregon, (1985, 9th Cir.) 767 F.2d 651

Policy Adopted: HAYWARD UNIFIED SCHOOL DISTRICT
Hayward, CA

Administrative Regulation Students

AR 5030(i)

Wellness

FOODS SERVED ON CAMPUS

1. The District will have a fresh or dried fruit and/or vegetable available at each breakfast or lunch and ensure that a variety is served every week.
2. The District shall make every effort to purchase fresh fruits and vegetables directly from local growers.
3. The District will make every effort to serve a wide variety of foods that reflect the cultural diversity of its student population.
4. The District shall make every effort to provide each student at least twenty minutes to eat lunch and fifteen minutes to eat breakfast.
5. The District shall make every effort to serve organically grown foods.
6. The District shall research potentially harmful food additives and food processes and will ensure that no harmful foods are offered.
7. Child Nutrition Services shall work to support nutrition education activities in the classroom.

FOOD AND BEVERAGE SALES

Allowable Foods and Beverages:

Elementary School:

1. Full meals as part of the National School breakfast, lunch and snack programs.
2. Individually sold portions of nuts, nut butters, seeds, eggs, cheese, packaged for individual sale; fruits and vegetables that have not been deep fried, and legumes.
3. Individually sold dairy or whole grain food items may be sold to pupils at elementary school, except for foods sold as part of a USDA meal program, if each contains less than 35% of its total calories from fat, less than 10% of its total calories from saturated fat, and less than 35% of its total weight from sugar, including sugars that are naturally occurring and added.
4. Fruit- or vegetable-based drinks that are composed of not less than 50% juice and have no added sweeteners, low- or non-fat milk or milk substitute (2% or less fat) and drinking water without added sweeteners may be sold.
5. Not more than 175 calories per individual food item.