

STUDENT WELLNESS

In November 2005, the Child Nutrition Re-Authorization Bill was passed and put into Public Law 108-265 requiring school districts to adopt a wellness policy to combat the rising trends of childhood obesity, diabetes, and heart disease. Schools contribute to the wellness of children by facilitating learning through the support and promotion of health education, good nutrition, and physical activity. The wellness policy reaches beyond the meal program and promotes a holistic approach to the well-being of our students and promotes lifelong wellness.

The Assistant Superintendent for Educational Services is designated by the Superintendent as the staff member responsible to establish a plan for measuring the implementation of the wellness policy using the resources listed below:

1. Federal, State and local legal requirements for health education, physical education and the school nutrition programs
2. District physical fitness test results
3. Healthy Kids Survey
4. Federal, State, and local reports regarding student health
5. Wellness policy assessment tools such as WellSAT:3.0

Inasmuch as the Board promotes long-term goals for maintaining and promoting the health and wellness of its schools, students, staff, and the community, the Assistant Superintendent for Educational Services or her designee shall:

1. Form a District wellness committee which will create, develop, implement, monitor, review strengthen, and revise the student wellness policy.
2. Establish guidelines to promote physical activity.
3. Ensure that guidelines for reimbursable school meals shall not be less restrictive than regulations and guidance issued by the Secretary of Agriculture.
4. Ensure daily physical activity and physical education opportunities are provided in accordance with state guidelines.
5. Develop a plan for measuring implementation of the school wellness policy.
6. Ensure sales of food comply with the Education Code, the California Code of Regulations and Code of Federal Regulations. (See addendum).

TUSD Acknowledged: 06.13.06

TUSD Revised: 06.25.19, 05.28.24

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Non-Discrimination Statement

In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating based on race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity. Program information may be made available in languages other than English.

Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotope, American Sign Language, etc.), should contact the responsible state or local agency that administers the program or USDA's TARGET Center at (202) 720-2600 (voice and TYY) or contact USDA through the Federal Relay Service at (800) 877-8339.

To file a program discrimination complaint, a Complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form, which can be obtained online at: <https://www.usda.gov/sites/default/files/documents/ad-3027.pdf> from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the Complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of the alleged civil rights violation. The completed AD-3027 form or letter must be submitted to USDA by:

1. mail:

U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20259-940.

2. fax:

(833) 256-1665 or (202) 690-7442; or

3. email:

Program.Intake@usda.gov.

This institution is an equal opportunity provider.

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ADDENDUM

**GUIDELINES TO ENSURE SALES OF FOOD COMPLY WITH
THE CALIFORNIA EDUCATION CODE, THE CALIFORNIA CODE OF REGULATIONS,
AND THE CODE OF FEDERAL RECULATIONS**

STUDENT WELLNESS**California Summary of Competitive Foods and Beverages**

Any food or beverage sold to students outside of a federally reimbursable meal program is considered to compete with those meals and is referred to as a competitive food or beverage.

There are specific state and federal rules that govern competitive foods and beverages. Please note that not all competitive food scenarios are covered by law or regulations. The following quick reference cards are a summary of the federal and state laws and regulations governing competitive food and beverage sales in California.

Monitoring and Enforcement

The California Legislature encourages the governing board of a school district to annually review its compliance with the food and beverage rules.

The California Department of Education monitors School Food Authorities for compliance with the food and beverage rules through its Administrative Review (AR). The district shall adopt a corrective action plan agreed upon and signed by the district administration, including the district superintendent. (Education Code 49431c, 49431.2d, and 49434)

Local School Wellness Policy Posting

As of January 1, 2004, school districts shall post the school district's wellness policy, in public view within all school cafeterias or other central eating areas. (Education Code 43432)

Elementary School - Food Restrictions

(Education Code 49430, 49431, 49431.7, California Code of Regulations, Title 5, 15575, 15577, 15578)

ELEMENTARY SCHOOL-FOOD RESTRICTIONS

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

An **elementary school** contains no grade higher than grade 6.

Effective from midnight to one-half hour after the end of the official school day.

Applies to ALL foods sold to students by any entity.

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

Compliant foods

Must meet one of the following general food standards:

- Be a fruit, vegetable, dairy, protein, or whole grain item* (or have one of these as the first ingredient), or
- Be a combination food containing at least ¼ cup fruit or vegetable.

AND must meet the following nutrition standards:

- ≤ 35% calories from fat (except nuts, seeds, reduced-fat cheese or part skim mozzarella, dried fruit and nut/seed combo, fruit, non-fried vegetables, seafood), **and**
- < 10% calories from saturated fat (except nuts, seeds, reduced-fat cheese or part skim mozzarella, dried fruit and nut/seed combo), **and**
- ≤ 35% sugar by weight (except fruit**, non-fried vegetables, dried fruit, and nut/seed combo), **and**
- < 0.5 grams trans-fat per serving (no exceptions), **and**
- ≤ 200 milligrams sodium per item/container (no exceptions), **and**
- ≤ 200 calories per item/container (no exceptions)

Paired foods:

- If exempt food(s) are combined with nonexempt food(s) or added fat/sugar they must meet ALL nutrition standards above.
- If two foods exempt from one or more of the nutrition standards are paired together and sold as a single item, the item must meet for trans-fat, sodium, and calories.

* A whole grain item contains:

- The statement "Diets rich in whole grain foods... and low in total fat... may help reduce the risk of heart disease..." **or**
- A whole grain as the first ingredient, **or**
- A combination of whole grain ingredients comprising at least 51% of the total grain weight (manufacturer must verify), **or**
- At least 51% whole grain by weight.

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

CHECK YOUR DISTRICT'S WELLNESS POLICY FOR STRICTER RULES.

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

ELEMENTARY SCHOOL-BEVERAGE RESTRICTIONS

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

An **elementary school** contains no grade higher than grade 6.

Effective from midnight to one-half hour after the end of the official school day.

Applies to ALL beverages sold to students by any entity.

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

A compliant beverage must be marketed or labeled as a fruit and/or vegetable juice, milk, non-dairy milk, or water AND meet all criteria under that specific category.

Compliant beverages:

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

All beverages must be caffeine-free (trace amounts are allowable).

ELEMENTARY SCHOOL-STUDENT ORGANIZATIONS

Reference: *California Code of Regulations* Section 15500

Student organization is defined as a group of students that are NOT associated with the curricula or academics of the school or district.

Effective from midnight to one-half hour after the end of the official school day.

Student organization sales must comply with all food and beverage standards **AND all** of the following:

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

MIDDLE/HIGH SCHOOL-FOOD RESTRICTIONS

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

A **middle/junior high** contains grades 7 or 8, 7 to 9, 7 to 10. A **high school** contains any of grades 10 to 12.

Effective from midnight to one-half hour after the end of the official school day.

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

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

“Snack” foods must meet one of the following general food standards:

- Be a fruit, vegetable, dairy, protein, or whole grain item* (or have one of these as the first ingredient), or
- Be a combination food containing at least ¼ cup fruit or vegetable.

AND must meet the following nutrition standards:

- ≤ 35% calories from fat (except nuts, seeds, reduced-fat cheese or part skim mozzarella, dried fruit and nut/seed combo, fruit, non-fried vegetables, seafood), **and**
- < 10% calories from saturated fat (except nuts, seeds, reduced-fat cheese or part skim mozzarella, dried fruit and nut/seed combo), **and**
- ≤ 35% sugar by weight (except fruit**, non-fried vegetables, dried fruit and nut/seed combo), **and**
- < 0.5 grams trans fat per serving (no exceptions), **and**
- ≤ 200 milligrams sodium per item/container (no exceptions), **and**
- ≤ 200 calories per item/container (no exceptions)

Paired foods:

- If exempt food(s) are combined with nonexempt food(s) or added fat/sugar they must meet ALL nutrition standards above.
- If two foods exempt from one or more of the nutrition standards are paired together and sold as a single item, the item must meet for trans fat, sodium, and calories.

“Entrée” foods must be intended as the main dish and be a:

- Meat/meat alternate and whole grain rich food, **or**
- Meat/meat alternate and fruit or non-fried vegetable, **or**
- Meat/meat alternate alone (cannot be yogurt, cheese, nuts, seeds, or meat snacks = these are considered a “snack” food).

AND

A competitive entrée **sold by District/School Food Service the day of or the day after** it appears on the reimbursable meal program menu must be:

- ≤ 400 calories, **and**
- ≤ 35% calories from fat
- < 0.5 grams trans fat per serving

A competitive entrée **sold by Food Service if NOT on the menu the day of or day after or any other entity (PTA, student organization, etc.)** must meet one of the following general food standards:

- Be a fruit, vegetable, dairy, protein, or whole grain item (or have one of these as the first ingredient), **or**
- Be a combination food containing at least ¼ cup fruit or vegetable

AND meet the following nutrition standards:

- ≤ 35% calories from fat, **and**
- < 10% calories from saturated fat, **and**
- ≤ 35% sugar by weight, **and**
- < 0.5 grams trans fat per serving, **and**
- ≤ 480 milligrams sodium, **and**
- ≤ 350 calories

* A whole grain item contains:

- The statement “Diets rich in whole grain foods... and low in total fat... may help reduce the risk of heart disease...,” **or**
- A whole grain as the first ingredient, **or**
- A combination of whole grain ingredients comprising at least 51% of the total grain weight (manufacturer must verify), **or**
- At least 51% whole grain by weight.

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

CHECK YOUR DISTRICT’S WELLNESS POLICY FOR STRICTER RULES.

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

MIDDLE/HIGH SCHOOL-BEVERAGE RESTRICTIONS

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

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

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

Effective from midnight to one-half hour after the end of the official school day.

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

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

A compliant beverage must be marketed or labeled as a fruit and/or vegetable juice, milk, non-dairy milk, water, electrolyte replacement beverage/sports drink, or flavored water AND meet all criteria under that specific category.

Compliant beverages:

1. Fruit or Vegetable juice:
 - a. ≥ 50% juice **and**
 - b. No added sweeteners
 - c. ≤ 12 fl. oz. serving size
2. Milk:
 - a. Cow's or goat's milk, **and**
 - b. 1% (unflavored), nonfat (flavored, unflavored), **and**
 - c. Contains Vitamins A & D, **and**
 - d. ≥ 25% of the calcium Daily Value per 8 fl. oz., **and**
 - e. ≤ 28 grams of total sugar per 8 fl. oz.
 - f. ≤ 12 fl. oz. serving size
3. Non-dairy milk:
 - a. Nutritionally equivalent to milk (see 7 *CFR* 210.10(d)(3), 220.8(i)(3)), **and**
 - b. ≤ 28 grams of total sugar per 8 fl. oz., **and**
 - c. ≤ 5 grams fat per 8 fl. oz.
 - d. ≤ 12 fl. oz. serving size
4. Water:
 - a. No added sweeteners
 - b. No serving size limit
5. Electrolyte Replacement Beverages (**HIGH SCHOOLS ONLY**)
 - a. Must be either ≤ 5 calories/8 fl. oz. (no calorie) OR ≤ 40 calories/8 fl. oz. (low calorie)
 - b. Water as first ingredient
 - c. ≤ 16.8 grams added sweetener/8 fl. oz.
 - d. 10-150 mg sodium/8 fl. oz.
 - e. 10-90 mg potassium/8 fl. oz.
 - f. No added caffeine
 - g. ≤ 20 fl. oz. serving size (no calorie) OR ≤ 12 fl. oz. serving size (low calorie)
6. Flavored Water (**HIGH SCHOOLS ONLY**)
 - a. Must be either ≤ 5 calories/8 fl. oz. (no calorie) OR ≤ 40 calories/8 fl. oz. (low calorie)
 - b. No added sweetener
 - c. No added caffeine
 - d. ≤ 20 fl. oz. serving size (no calorie) OR ≤ 12 fl. oz. serving size (low calorie)

All beverages must be caffeine-free (trace amounts are allowable).

MIDDLE/HIGH SCHOOL-STUDENT ORGANIZATIONS

Reference: *California Code of Regulations* Section 15501

Student organization is defined as a group of students that are NOT associated with the curricula or academics of the school or district.

Effective from midnight to one-half hour after the end of the official school day.

Student organization sales must comply with all food and beverage standards **AND all** of the following:

1. Up to **three categories** of foods or beverages *may* be sold each day (e.g., chips, sandwiches, juices, etc.).
2. Food or beverage item(s) must be **pre-approved** by the governing board of the school district.
3. Only **one student organization** is allowed to sell each day.
4. Food(s) or beverage(s) **cannot** be **prepared on campus**.
5. The food or beverage categories sold **cannot** be the same as the categories **sold in the food service program** at that school during the same school day.
6. In addition to one student organization sale each day, any and **all student organizations** may sell on the **same four designated days** per year. School administration may set these date