Wellness Policy

Each district must establish a local school wellness policy for all schools participating in the National School Lunch Program and/or School Breakfast program under the jurisdiction of the district. The local school wellness policy is a written plan that includes methods to promote student wellness, prevent and reduce childhood obesity, and provide assurance that school meals and other food and beverages sold and otherwise made available on the school campus during the school day are consistent with applicable minimum federal standards. *7 C.F.R. 210.31(a)*

School Day

"School day" means the period from the midnight before, to 30 minutes after the end of the official school day. *7 C.F.R. 210.11(a)(5)*

School Campus

"School campus" means all areas of the property under the jurisdiction of the school that are accessible to students during the school day. *7 C.F.R. 210.11(a)(4)*

Contents

At a minimum, a local school wellness policy must contain:

1. Specific goals for nutrition promotion and education, physical activity, and other school-based activities that promote student wellness. In developing these goals, a district must review and consider evidence-based strategies and techniques;
2. Standards for all foods and beverages provided, but not sold, to students during the school day on each participating school campus under the jurisdiction of the district;
3. Standards and nutrition guidelines for all foods and beverages sold to students during the school day on each participating school campus under the jurisdiction of the district that
    a. Are consistent with applicable requirements set forth in 7 C.F.R. 210.10 (meal requirements for lunches and after-school snacks) and 220.8 (meal requirements for breakfasts);
    b. Are consistent with the nutrition standards set forth under 7 C.F.R. 210.11 (competitive food service and standards);
    c. Permit marketing on the school campus during the school day of only those foods and beverages that meet the nutrition standards under 7 C.F.R. 210.11; and
    d. Promote student health and reduce childhood obesity;
4. Identification of the position of the district or school official(s) responsible for the implementation and oversight of the local

school wellness policy to ensure each school's compliance with the policy;

5. A description of the manner in which parents, students, representatives of the school food authority, teachers of physical education, school health professionals, the school board, school administrators, and the general public are provided an opportunity to participate in the development, implementation, and periodic review and update of the local school wellness policy; and

6. A description of the plan for measuring the implementation of the local school wellness policy, and for reporting local school wellness policy content and implementation issues to the public as required below.

Public Involvement and Notification

A district must:

1. Permit parents, students, representatives of the school food authority, teachers of physical education, school health professionals, the school board, school administrators, and the general public to participate in the development, implementation, and periodic review and update of the local school wellness policy.

2. Inform the public about the content and implementation of the local school wellness policy, and make the policy and any updates available to the public annually.

3. Inform the public about progress toward meeting the goals of the local school wellness policy and compliance with the local school wellness policy by making the triennial assessment, as required at item 2 under Implementation Assessments and Updates below, available to the public in an accessible and easily understood manner.

Implementation Assessments and Updates

A district must:

1. Designate one or more district or school officials to ensure that each participating school complies with the local school wellness policy.

2. At least once every three years, assess schools' compliance with the local school wellness policy, and make assessment results available to the public. The assessment must measure the implementation of the local school wellness policy, and include:

a. The extent to which schools under the jurisdiction of the district are in compliance with the local school wellness policy;

b. The extent to which the district's local school wellness policy compares to model local school wellness policies; and

c. A description of the progress made in attaining the goals of the local school wellness policy.

3. Make appropriate updates or modifications to the local school wellness policy, based on the triennial assessment.

Recordkeeping

A district must retain records to document compliance with the requirements of this policy. These records include, but are not limited to:

1. The written local school wellness policy;

2. Documentation demonstrating compliance with community involvement requirements, including requirements to make the local school wellness policy and triennial assessments available to the public as required at Implementation Assessments and Updates above; and

3. Documentation of the triennial assessment of the local school wellness policy for each school under its jurisdiction.

Healthy, Hunger-Free Kids Act of 2010, Pub. L. No. 111-296, sec. 204, 124 Stat. 3183 (2010) [42 U.S.C. 1758b]; 7 C.F.R. 210.31(c)–(f)

[See CO for requirements relating to food services management, EHAA for state law requirements relating to health education, and FJ for requirements relating to food and beverage fundraisers.]

Change in Health Services

Before a district or a school may expand or change the health-care services available at a school in the district from those that were available on January 1, 1999, the board must:

1. Hold a public hearing at which the board provides an opportunity for public comment and discloses all information on the proposed health-care services, including:

a. All health-care services to be provided;

b. Whether federal law permits or requires any health-care service provided to be kept confidential from parents;

c. Whether a child's medical records will be accessible to the parent;

d. Information concerning grant funds to be used;

e. The titles of persons who will have access to the medical records of a student; and

f. The security measures that will be used to protect the privacy of students' medical records.

2. Approve the expansion or change by a record vote.

Education Code 38.012