

# Mountain View School District



# Student Wellness Policy

## 2019-2020

**Board Approved:**

8/21/06; 12/10/07; 12/8/08; 1/17/12; 4/15/13; 5/19/14, 2/16/16, 5/13/19

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## **Wellness Policy Committee Members**

Mountain View School District

2018-2019

1. Julie Alba, Principal – Mountain View School
2. Heather Blanchard, School Psychologist – District Office
3. Susie Bornemann, Cafeteria Manager – Mountain View School
4. Wendy Bowler, Paraeducator – Ranch View School
5. Adrena Edmonds, Principal – Ranch View School
6. Raquel Enriquez, Parent – Grace Yokley Middle School
7. Laurie Fonseca, Food Service Manager – District Office
8. Kristy Gann, Teacher – Grace Yokley Middle School
9. Michael Green, Counselor – Grace Yokley Middle School
10. Carmen Kemp, Nurse – District Office
11. Terry Kessler, Teacher – Grace Yokley School
12. Nicole Leonard, Administrative Assistant – District Office
13. Deanna Lopez, Food Service Lead – Ranch View School
14. Jody Martin, Teacher – Creek View School
15. Valery O’Keefe, Health Clerk – Ranch View School
16. Trisha Paniagua, School Nurse – District Office
17. Kristy Paterson, Principal – Grace Yokley Middle School
18. Christina Paxton, Nutrition Educator – SBCSS
19. Kelly Reyes, Assistant Principal – Grace Yokley Middle School
20. Mike Sweeney, Board Member
21. Jan Van Dyke, Director, Student Services – District Office
22. Martha Vanderhorck, Food Service Lead – Grace Yokley Middle School

## Student Wellness Policy

### **VISION STATEMENT**

On July 1, 2006, a Federal law (PL 108.265 section 204) went into effect. This law, which is referred to as the “Wellness Policy,” requires that every school district participating in the National School Lunch Program adopt a wellness policy aimed at improving the health of school-age children. Research shows that healthy lifestyle practices improve student academic performance, attendance, and behavior. On May 23, 2006, the Board of Trustees adopted a “Student Wellness Policy,” (BP 5030) to create a healthier school environment by setting goals to combat childhood obesity, juvenile diabetes, declining physical activity, and poor dietary habits facing our students.

The Mountain View School District promotes healthy schools by supporting wellness, good nutrition, and regular physical activity as a part of the total learning environment. The district supports a healthy environment where children learn and participate in positive dietary and lifestyle practices. By facilitating learning through the support and promotion of good nutrition and physical activity, schools contribute to the basic health status of children. Improved health optimizes student performance potential and ensures that every child can be successful.

All students shall have the opportunity to acquire knowledge and skills necessary to make nutritious and enjoyable food choices. In addition, district staff will be encouraged to model healthy eating and physical activity as a valuable part of daily life. The Mountain View School District shall prepare, adopt, and implement a comprehensive Wellness Policy and administrative regulation to encourage healthy eating and physical activity.

## Student Wellness Plan

### **PHYSICAL ACTIVITY COMPONENT**

The primary goal for the school's physical activity component is to provide opportunities for every student to develop the knowledge and skills for specific physical activities, maintain physical fitness, regularly participate in physical activity and understand the short and long-term benefits of a physically active and healthful lifestyle.

Physical education in the Mountain View School District will be implemented in accordance with state law and consistent with the content of this policy and the included Board Policies of the Mountain View School District:

- Board Policy 6142.7: Physical Education
- Administrative Regulation 6142.7: Physical Education

#### ***Physical Activity Opportunities Before or After School***

- All schools are encouraged to offer physical activity programs, such as intramural programs, after school sports programs/clubs.
- The middle school, as appropriate, will offer interscholastic sports programs.
- Schools should offer a variety of physical activities for students.

#### ***Community Access to Facilities for Physical Activity***

- City-school, high school, community college and local business partnerships to institute recreation programs utilizing school facilities when possible shall be encouraged.

#### ***Physical Activity Across the Curriculum***

- Teachers are encouraged to provide opportunities for physical activity incorporated into other subject areas (e.g., math, language arts, science and social studies).

#### ***Daily Recess***

- In addition to required physical education, students at the elementary level should have the opportunity to participate in daily recess and physical activity. The district shall provide daily recess period(s) for elementary school students, featuring time for unstructured but supervised active play during which students are encouraged (verbally and through the provision of space and equipment) to engage in moderate to vigorous physical activity.

## **Instruction**

BP 6142.7

### **Physical Education And Activity**

The Governing Board recognizes the positive benefits of physical activity on student health and academic achievement. The district shall provide all students the opportunity to be physically active on a regular basis through high-quality physical education instruction and may provide additional opportunities for physical activity throughout the school day. The district's physical education and activity programs shall support the district's coordinated student wellness program and encourage students' lifelong fitness.

*(cf. 5030 - Student Wellness)*

*(cf. 6142.8 - Comprehensive Health Education)*

The district's physical education program shall provide a developmentally appropriate sequence of instruction aligned with the state's model content standards and curriculum framework. The Superintendent or designee shall ensure that the district's program provides students with equal opportunities for instruction and participation regardless of gender in accordance with law.

*(cf. 0410 - Nondiscrimination in District Programs and Activities)*

*(cf. 6011 - Academic Standards)*

*(cf. 6143 - Courses of Study)*

Students with disabilities shall be provided instruction in physical education in accordance with their individualized education program or Section 504 accommodation plan.

*(cf. 6159 - Individualized Education Program)*

*(cf. 6164.6 - Identification and Education Under Section 504)*

During air pollution episodes, extreme weather, or other inclement conditions, physical education staff shall make appropriate adjustments to the program or shall seek alternative indoor space to enable students to participate in active physical education.

*(cf. 3514 - Environmental Safety)*

*(cf. 5141.7 - Sun Safety)*

### **Staffing**

Physical education instruction shall be delivered by appropriately credentialed teachers who may be assisted by instructional aides, paraprofessionals, and/or volunteers.

*(cf. 1240 - Volunteer Assistance)*

*(cf. 4112.2 - Certification)*

*(cf. 4222 - Teacher Aides/Paraprofessionals)*

## Instruction

BP 6142.7

### Physical Education And Activity (continued)

The district shall provide physical education teachers with continuing 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.

*(cf. 4131 - Staff Development)*

*(cf. 5121 - Grades/Evaluation of Student Achievement)*

#### Physical Fitness Testing

The Superintendent or designee shall annually administer the physical fitness test designated by the State Board of Education to students in grades 5, 7, and 9. (Education Code 60800; 5 CCR 1041)

#### Temporary Exemptions

The Superintendent or designee may grant a temporary exemption from physical education under either of the following conditions: (Education Code 51241)

1. The student is ill or injured and a modified program to meet his/her needs cannot be provided.
2. The student is enrolled for one-half time or less.

#### Program Evaluation

The Superintendent or designee shall annually report to the Board the results of the state physical fitness testing for each school and applicable grade level. He/she shall also report to the Board regarding the number of instructional minutes offered in physical education for each grade level, the number of two-year and permanent exemptions granted pursuant to Education Code 51241, and any other data agreed upon by the Board and the Superintendent or designee to evaluate program quality and the effectiveness of the district's program in meeting goals for physical activity.

*(cf. 0500 - Accountability)*

*(cf. 6190 - Evaluation of the Instructional Program)*

#### *Legal Reference:*

##### EDUCATION CODE

33126 School accountability report card

33350-33354 CDE responsibilities re: physical education

## Instruction

BP 6142.7

### Physical Education And Activity (continued)

35256 *School accountability report card*  
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, two-year 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  
1040-1048 *Physical performance test*  
3051.5 *Adapted physical education for individuals with exceptional needs*  
10060 *Criteria for high school physical education programs*  
UNITED STATES CODE, TITLE 29  
794 *Rehabilitation Act of 1973, Section 504*  
UNITED STATES CODE, TITLE 42  
1751 *Note Local wellness policy*  
ATTORNEY GENERAL OPINIONS  
53 *Ops.Cal.Atty.Gen. 230 (1970)*

#### Management Resources:

##### CSBA PUBLICATIONS

*Active Bodies, Active Minds: Physical Activity and Academic Achievement, Fact Sheet, February 2010*

*Maximizing Opportunities for Physical Activity Through Joint Use of Facilities, Policy Brief, rev. February 2010*

*Maximizing Opportunities for Physical Activity During the School Day, Fact Sheet, November 2009*

*Moderate to Vigorous Physical Activity in Physical Education to Improve Health and Academic Outcomes, Fact Sheet, November 2009*

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

*Physical Education and California Schools, Policy Brief, rev. October 2007*

*Monitoring for Success: Student Wellness Policy Implementation Monitoring Report and Guide, 2007*

*Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, rev. April 2006*

##### CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

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

*Physical Education Model Content Standards for California Public Schools: Kindergarten Through Grade 12, January 2005*

*Adapted Physical Education Guidelines for California Schools, 2003*

##### CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS

*School Health Index for Physical Activity and Healthy Eating: A Self-Assessment and Planning Guide for Elementary and Middle/High Schools, 2000*

##### U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES PUBLICATIONS

*2008 Physical Activity Guidelines for Americans, October 2008*



## Instruction

BP 6142.7

### Physical Education And Activity (continued)

#### WEB SITES

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

California Department of Education, Physical Fitness Testing: <http://www.cde.ca.gov/ta/tg/pf>

California Healthy Kids Resource Center: <http://www.californiahealthykids.org>

California Project LEAN (Leaders Encouraging Activity and Nutrition):

<http://www.californiaprojectlean.org>

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

Educational Data System, California physical fitness: <http://www.eddata.com/projects/current/cpf>

Healthy People 2010: <http://www.healthypeople.gov>

National Association for Sport and Physical Education: <http://www.aahperd.org/naspe>

President's Council on Physical Fitness and Sports: <http://www.fitness.gov>

The California Endowment: <http://www.calendow.org>

U.S. Department of Health and Human Services: <http://www.health.gov>

## **Instruction**

AR 6142.7

### **Physical Education And Activity**

#### Definitions

Physical education is a sequential educational program that teaches students to understand and participate in regular physical activity for developing and maintaining physical fitness throughout their lifetimes, understand and improve their motor skills, enjoy using their skills and knowledge to establish a healthy lifestyle, and understand how their bodies work.

Physical activity is bodily movement that is produced by the contraction of skeletal muscle and that substantially increases energy expenditure, including exercise, sport, dance, and other movement forms.

Moderate physical activity is any activity, which generally requires sustained, rhythmic movements and refers to a level of effort a healthy individual might expend while, for example, walking briskly, dancing, swimming, or bicycling on level terrain. A person should feel some exertion but should be able to carry on a conversation comfortably during the activity.

Vigorous physical activity is any activity which generally requires sustained, rhythmic movements and refers to a level of effort a healthy individual might expend while, for example, jogging, participating in high-impact aerobic dancing, swimming continuous laps, or bicycling uphill. Vigorous physical activity may be intense enough to result in a significant increase in heart and respiration rate.

#### Instructional Time

Instruction in physical education shall be provided for a total period of time of not less than 200 minutes each 10 school days. (Education Code 51210, 51223)

#### Physical Fitness Testing

During the annual assessment window between the months of February through May, students in grades 5 and 7 shall be administered the physical fitness test designated by the State Board of Education. (Education Code 60800; 5 CCR 1041)

*(cf. 6162.5 - Student Assessment)*

The Superintendent or designee may provide a make-up date for students who are unable to take the test based on absence or temporary physical restriction or limitations, such as students recovering from illness or injury. (5 CCR 1043)

On or before November 1 of each school year, the Superintendent may designate an employee to serve as the district's physical fitness test coordinator and so notify the test

## Instruction

AR 6142.7

### Physical Education And Activity (continued)

contractor. The test coordinator shall serve as the liaison between the district and California Department of Education for all matters related to the physical fitness test. His/her duties shall be those specified in 5 CCR 1043.4, including, but not limited to, overseeing the administration of the test and the collection and return of all test data to the test contractor. (5 CCR 1043.4)

Students shall be provided with their individual results after completing the physical performance testing. The test results may be provided in writing or orally as the student completes the testing and shall be included in his/her cumulative record. (Education Code 60800; 5 CCR 1043.10, 1044)

*(cf. 5125 - Student Records)*

The Superintendent or designee shall report the aggregate results of the physical fitness testing in the annual school accountability report card required by Education Code 33126 and 35256. (Education Code 60800)

*(cf. 0510 - School Accountability Report Card)*

### Testing Variations

All students may be administered the state's physical fitness test with the following test variations: (5 CCR 1047)

1. Extra time within a testing day
2. Test directions that are simplified or clarified

All students may have the following test variations if they are regularly used in the classroom: (5 CCR 1047)

1. Audio amplification equipment
2. Separate testing for individual students provided that they are directly supervised by the test examiner
3. Manually Coded English or American Sign Language to present directions for test administration

Students with a physical disability and students who are physically unable to take all of the test shall undergo as much of the test as their physical condition will permit. (Education Code 60800; 5 CCR 1047)

## Instruction

AR 6142.7

### Physical Education And Activity (continued)

Students with disabilities may be provided the following accommodations if specified in their individualized education program (IEP) or Section 504 plan: (5 CCR 1047)

1. Administration of the test at the most beneficial time of day to the student after consultation with the test contractor
2. Administration of the test by a test examiner to the student at home or in the hospital
3. Any other accommodation specified in the student's IEP or Section 504 plan for the physical fitness test

*(cf. 6159 - Individualized Education Program)*

*(cf. 6164.6 - Identification and Education Under Section 504)*

Identified English learners may be allowed the following additional test variations if regularly used in the classroom: (5 CCR 1048)

1. Separate testing with other English learners, provided that they are directly supervised by the test examiner
2. Test directions translated into their primary language, and the opportunity to ask clarifying questions about the test directions in their primary language

## Student Wellness Plan

### **OTHER SCHOOL-BASED ACTIVITIES COMPONENT**

Schools will create an environment that provides a consistent wellness message, is conducive to healthy eating and physical activity; and contributes to forming life-long health habits.

#### ***Social Emotional Wellness***

- The district/schools will provide counseling referrals for students experiencing social and/or emotional difficulties.
- The district/schools will provide drug and tobacco prevention education programs.
- The *Healthy Kids Survey* will be administered biennially in the fifth and seventh grades.

#### ***Professional Development***

- The district/schools will provide professional development and education opportunities or information for foodservice professionals, educators, administrators and other staff.
- The district/schools will provide information related to nutrition and physical education for students, staff, parents and, where appropriate, community members.

#### ***Eating Environment***

- Students and staff will have adequate space to eat meals in clean and safe surroundings and will have adequate time scheduled to eat, relax and socialize.
- Safe drinking water and convenient access to facilities for hand washing and oral hygiene will be available during all meal periods.
- Consideration will be given for passing time, bathroom breaks, hand washing and socializing.

#### ***Fundraising and Support Organizations***

- Schools and support organizations will encourage fundraising activities that promote physical activity when possible.
- Whenever possible, fundraisers should offer non-food items or healthy food items as a choice.

**OTHER SCHOOL-BASED ACTIVITIES COMPONENT (continued)**

***Rewards, Incentives and Consequences***

- Rewards and incentives will be given careful consideration as to the messages they send to the students receiving them. Teachers and school staff are encouraged to provide rewards to students that are healthy.
- Students may be disciplined occasionally on the basis of E.C. 44807.5 and Mountain View School District BP 5144 Recess Restriction.

***Family and Community Involvement***

In order to promote family and community involvement in supporting and reinforcing physical education in the schools, the following ideas are offered:

- Encouraging parents to promote their child's participation in any school or community physical education programs and after school activities.
- Inviting families to attend physical education activity programs.
- Invite families to participate in health fairs.
- Including physical education homework that students can do with their families.
- Encourage school staff to cooperate with other agencies and community groups to provide opportunities for students to participate in physical activity programs.

***Staff Wellness***

- The district shall provide information to employees about wellness resources and services that support health, safety and well being.
- Each school and the district shall be in compliance with drug, alcohol and tobacco free policies.

***Wellness Committee***

The superintendent or designee shall convene a district Wellness Policy Committee to assist in the development and implementation of the district wide Wellness Policy.

## **Business and Non-instructional Operations**

BP 3550

### **Food Service/Child Nutrition Program**

The Governing Board recognizes that adequate, nourishing food is essential to student health, development, and ability to learn. The Superintendent or designee shall develop strategies to increase students' access to the district's food service programs and to maximize their participation in available programs.

Foods and beverages available through the district's food service program shall:

1. Be carefully selected so as to contribute to students' nutritional well-being and the prevention of disease

*(cf. 5141.27 - Food Allergies/Special Dietary Needs)*

2. Meet or exceed nutrition standards specified in law and administrative regulation

*(cf. 3552 - Summer Meal Program)*

*(cf. 3554 - Other Food Sales)*

*(cf. 5030 - Student Wellness)*

*(cf. 5148 - Child Care and Development)*

*(cf. 5148.2 - Before/After School Programs)*

*(cf. 5148.3 - Preschool/Early Childhood Education)*

3. Be prepared in ways that will appeal to students, retain nutritive quality, and foster lifelong healthful eating habits
4. Be served in age-appropriate portions
5. Be available to students who meet federal eligibility criteria at no cost or at reduced prices, and to other students at reasonable prices

*(cf. 3551 - Food Service Operations/Cafeteria Fund)*

*(cf. 3553 - Free and Reduced Price Meals)*

To encourage student participation in school meal programs, schools may offer multiple choices of food items within a meal service, provided all food items meet nutrition standards and all students are given an opportunity to select any food item.

The Superintendent or designee may invite students and parents/guardians to participate in the selection of foods of good nutritional quality for school menus.

## **Business and Non-instructional Operations**

BP 3550

### **Food Service/Child Nutrition Program (continued)**

The Board desires to provide students with adequate time and space to eat meals. To the extent possible, school, recess, and transportation schedules shall be designed to encourage participation in school meal programs.

The Superintendent or designee shall periodically review the adequacy of school facilities for cafeteria eating and food preparation.

*(cf. 1312.4 - Williams Uniform Complaint Procedures)*

*(cf. 3517- Facilities Inspection)*

*(cf. 7110 - Facilities Master Plan)*

In accordance with law, the Superintendent or designee shall develop and maintain a food safety program in order to reduce the risk of foodborne hazards at each step of the food preparation process, from receiving to service.

The Superintendent or designee shall annually report to the Board on student participation in the district's nutrition programs and the extent to which the district's food services program meets state and federal nutrition standards for foods and beverages.

*(cf. 0500 - Accountability)*

*(cf. 3555 - Nutrition Program Compliance)*

#### *Legal Reference:*

##### EDUCATION CODE

35182.5 *Contracts, non-nutritious beverages*

38080-38103 *Cafeteria, establishment and use*

45103.5 *Contracts for management consulting services; restrictions*

49430-49436 *Pupil Nutrition, Health, and Achievement Act of 2001*

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*

49550-49562 *Meals for needy students*

49570 *National School Lunch Act*

51795-51797 *School gardens*

##### HEALTH AND SAFETY CODE

113700-114437 *California Retail Food Code*

##### CODE OF REGULATIONS, TITLE 5

15510 *Mandatory meals for needy students*

15530-15535 *Nutrition education*



## Business and Non-instructional Operations

BP 3550

### Food Service/Child Nutrition Program (continued)

15550-15565 School lunch and breakfast programs  
15575-15578 Requirements for foods and beverages outside federal meal programs  
UNITED STATES CODE, TITLE 42  
1751-1769j National School Lunch Program, including:  
1758b Local wellness policy  
1761 Summer Food Service Program and Seamless Summer Feeding Option  
1769a Fresh Fruit and Vegetable Program  
1771-1793 Child nutrition, especially:  
1772 Special Milk Program  
1773 National School Breakfast Program  
CODE OF FEDERAL REGULATIONS, TITLE 7  
210.1-210.31 National School Lunch Program  
215.1-215.18 Special Milk Program  
220.1-220.21 National School Breakfast Program  
245.1-245.13 Eligibility for free and reduced-price meals and free milk

#### Management Resources:

##### CSBA PUBLICATIONS

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

*Nutrition Standards for Schools: Implications for Student Wellness, Policy Brief, rev. October 2007*

*Monitoring for Success: Student Wellness Policy Implementation Monitoring Report and Guide, 2007*

*Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, rev. April 2006*

##### CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

*School Meals Initiative Summary*

*Healthy Children Ready to Learn, January 2005*

##### CALIFORNIA PROJECT LEAN PUBLICATIONS

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

##### U.S. DEPARTMENT OF AGRICULTURE PUBLICATIONS

*School Breakfast Toolkit*

*Fresh Fruit and Vegetable Program: Handbook for Schools, December 2010*

*Food Buying Guide for Child Nutrition Programs, December 2007*

*Civil Rights Compliance and Enforcement - Nutrition Programs and Activities, FNS Instruction 113-1, November 2005*

*Guidance for School Food Authorities: Developing a School Food Safety Program Based on the Process Approach to HACCP Principles, June 2005*

*Dietary Guidelines for Americans, 2005*

##### WEB SITES

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

California Department of Education, Nutrition Services Division: <http://www.cde.ca.gov/ls/nu>

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

California Farm Bureau Federation: <http://www.cfbf.com>

California Food Policy Advocates: <http://www.cfpa.net>

California Healthy Kids Resource Center: <http://www.californiahealthykids.org>

California Project LEAN (Leaders Encouraging Activity and Nutrition):

<http://www.californiaprojectlean.org>

California School Nutrition Association: <http://www.calsna.org>

**Business and Non-instructional Operations**

BP 3550

**Food Service/Child Nutrition Program (continued)**

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

*National Alliance for Nutrition and Activity: <http://www.cspinet.org/nutritionpolicy/nana.html>*

*U.S. Department of Agriculture, Food and Nutrition Service: <http://www.fns.usda.gov/fns>*

## Business and Non-instructional Operations

AR 3550

### Food Service/Child Nutrition Program

#### Nutrition Standards for School Meals

Meals, food items, and beverages provided through the district's food services program shall: (Education Code 49531, 49553; 42 USC 1758, 1773)

1. Comply with National School Lunch and/or Breakfast Program standards for meal patterns, nutrient levels, and calorie requirements for the ages/grade levels served, as specified in 7 CFR 210.10, 220.8, or 220.23 as applicable
2. Not be deep fried, par fried, or flash fried, as defined in Education Code 49430 and 49430.7

*(cf. 3552 - Summer Meal Program)*

*(cf. 3553 - Free and Reduced Price Meals)*

*(cf. 3554 - Other Food Sales)*

*(cf. 5030 - Student Wellness)*

*(cf. 5141.27 - Food Allergies/Special Dietary Needs)*

#### Drinking Water

The district shall provide access to free, fresh drinking water during meal times in food service areas at all district schools, including, but not limited to, areas where reimbursable meals under the National School Lunch or Breakfast Program are served or consumed. (Education Code 38086; 42 USC 1758)

#### Food Safety

The Superintendent or designee shall ensure that the district's food service program meets the applicable sanitation and safety requirements of the California Retail Food Code as set forth in Health and Safety Code 113700-114437.

For all district schools participating in the National School Lunch and/or School Breakfast Program, the Superintendent or designee shall implement a written food safety program for the storage, preparation, and service of school meals, which complies with the national Hazard Analysis and Critical Control Point (HACCP) system. The district's HACCP plan shall include, but is not limited to, a determination of critical control points and critical limits at each stage of food production, monitoring procedures, corrective actions, and recordkeeping procedures. (42 USC 1758; 7 CFR 210.13, 220.7)

## **Business and Non-instructional Operations**

AR 3550

### **Food Service/Child Nutrition Program (continued)**

The Superintendent or designee shall provide ongoing staff development on food safety to food service managers and employees. Each new employee, including a substitute, or volunteer shall complete initial food safety training prior to handling food. The Superintendent or designee shall document the date, trainer, and subject of each training.

*(cf. 4231 - Staff Development)*

The Superintendent or designee shall assign staff to maintain records and logs documenting food safety activities, including, but not limited to, records of food deliveries, time and temperature monitoring during food production, equipment temperature (freezer, cooler, thermometer calibration), corrective actions, verification or review of safety efforts, and staff training.

#### **Inspection of Food Facilities**

All food preparation and service areas shall be inspected in accordance with Health and Safety Code 113725-113725.1 and applicable county regulations.

Each school participating in the National School Lunch and/or Breakfast Program shall, during each school year, obtain a minimum of two food safety inspections conducted by the county environmental health agency. (42 USC 1758; 7 CFR 210.13, 220.7)

The Superintendent or designee shall retain records from the most recent food safety inspection. All schools shall post a notice indicating that the most recent inspection report is available to any interested person upon request. (Health and Safety Code 113725.1; 42 USC 1758; 7 CFR 210.13, 210.15, 220.7)

*(cf. 1340 - Access to District Records)*

*(cf. 3580 - District Records)*

**Other Food Sales**

The Governing Board believes that sales of foods and beverages at school during the school day should be aligned with the district's goals to promote student wellness. Any food sales conducted outside the district's food service program must meet nutritional standards specified in law, Board policy, and administrative regulation and shall not reduce student participation in the district's food service program.

*(cf. 3550 - Food Service/Child Nutrition Program)*  
*(cf. 3551 - Food Service Operations/Cafeteria Fund)*  
*(cf. 3553 - Free and Reduced Price Meals)*  
*(cf. 5030 - Student Wellness)*  
*(cf. 5141.27 - Food Allergies/Special Dietary Needs)*

The Board authorizes the Superintendent or designee to approve the sale of foods and beverages outside the district's food service program, including sales by student or school-connected organizations, sales through vending machines, and/or sales at secondary school student stores for fundraising purposes.

*(cf. 1230 - School-Connected Organizations)*  
*(cf. 1321 - Solicitations of Funds from and by Students)*

When vending machines are sponsored by the district or a student or adult organization, the Superintendent or designee shall determine how and where vending machines may be placed at school sites, district offices, or other school facilities.

*(cf. 3312 - Contracts)*

*Legal Reference:*

EDUCATION CODE

35182.5 *Contracts, non-nutritious beverages*  
48931 *Authorization and sale of food*  
49430-49436 *Pupil Nutrition, Health, and Achievement Act of 2001*  
51520 *School premises; prohibited solicitations*

CODE OF REGULATIONS, TITLE 5

15500 *Food sales in elementary schools*  
15501 *Sales in high schools and junior high schools*  
15575-15578 *Requirements for foods and beverages outside federal meals program*

HEALTH AND SAFETY CODE

113700-114437 *California Retail Food Code*  
UNITED STATES CODE, TITLE 42  
1751-1769h *National School Lunch Act, including:*  
1751 *Note Local wellness policy*  
1771-1791 *Child nutrition, School Breakfast Program*

## Business and Non-instructional Operations

BP 3554

### Other Food Sales (continued)

CODE OF FEDERAL REGULATIONS, TITLE 7

210.1-210.31 National School Lunch Program

220.1-220.21 National School Breakfast Program

*Management Resources:*

CSBA PUBLICATIONS

*Nutrition Standards for Schools: Implications for Student Wellness, Policy Brief, rev. October 2007*

*Monitoring for Success: Student Wellness Policy Implementation Monitoring Report and Guide, 2007*

*Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, rev. April 2006*

CALIFORNIA DEPARTMENT OF EDUCATION MANAGEMENT BULLETINS

*06-110 Restrictions on Food and Beverage Sales Outside of the School Meal Program, August 2006*

FISCAL CRISIS AND MANAGEMENT ASSISTANCE TEAM PUBLICATIONS

*Associated Student Body Accounting Manual and Desk Reference, 2002*

NATIONAL ASSOCIATION OF STATE BOARDS OF EDUCATION PUBLICATIONS

*Fit, Healthy and Ready to Learn, 2000*

WEB SITES

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

California Department of Education, Nutrition Services Division: <http://www.cde.ca.gov/ls/nu>

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

California Healthy Kids Resource Center: <http://www.californiahealthykids.org>

California Project LEAN (Leaders Encouraging Activity and Nutrition):

<http://www.californiaprojectlean.org>

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

Fiscal Crisis and Management Assistance Team: <http://www.fcmat.org>

National Association of State Boards of Education (NASBE): <http://www.nasbe.org>

U.S. Dept. of Agriculture, Food and Nutrition Information Center: <http://www.nal.usda.gov/fnic>

Policy

Adopted: May 19, 2008

Revised: February 16, 2016

**MOUNTAIN VIEW SCHOOL DISTRICT**

Ontario, California

## **Business and Non-instructional Operations**

AR 3554

### **Other Food Sales**

#### Nutritional Standards for Foods and Beverages

Food and beverage sales outside the district's food service program shall comply with applicable nutritional standards specified in Education Code 49430, 49431, 49431.2, 49431.5, and 49431.7 and 5 CCR 15575-15578.

*(cf. 3550 - Food Service/Child Nutrition Program)*

*(cf. 5030 - Student Wellness)*

*(cf. 5141.27 - Food Allergies/Special Dietary Needs)*

At an elementary school, the sale of foods or beverages that do not comply with the standards in Education Code 49430, 49431 and 49431.7 may be permitted, as part of a fundraising event, only when the items are sold by students of the school and the sale meets either of the following conditions: (Education Code 49430, 49431, 49431.7)

1. It takes place off and away from school premises.
2. It takes place at least one half hour after the end of the school day.

*(cf. 1230 - School-Connected Organizations)*

*(cf. 1321 - Solicitations of Funds from and by Students)*

At a middle, junior high, or high school, the sale of food items that do not comply with the standards in Education Code 49430, 49431.2, and 49431.7 may be permitted in any of the following circumstances: (Education Code 49430, 49431.2, and 49431.7)

1. The sale takes place off and away from school premises.
2. The sale takes place on school premises at least one-half hour after the end of the school day.
3. The sale occurs during a school-sponsored student activity at least one-half hour after the end of the school day.

*(cf. 6145 - Extracurricular and Co-Curricular Activities)*

Beverage sales that do not comply with the standards in Education Code 49431.5 may be permitted at a middle or junior high school as part of a school event under either of the following circumstances: (Education Code 49431.5)

## Business and Non-instructional Operations

AR 3554

### Other Food Sales (continued)

1. The sale occurs during a school-sponsored event and takes place at the location of the event at least one-half hour after the end of the school day.
2. Vending machines, student stores, and cafeterias are used later than one-half hour after the end of the school day.

### Additional Requirements for Schools Participating in the National School Lunch or Breakfast Program

The sale of foods outside of the district's food service program during meal periods in food service areas shall be allowed only if all income from the sale, including the sale of approved foods or drinks from vending machines, accrues to the benefit of the school, the school food service program, or the student organization(s) sponsoring the sale. (7 CFR 210.11, 220.12)

All foods and beverages available for sale on the school campus will promote optimal health and will meet or exceed state and federal guidelines, Appendix B and C: Competitive Food Regulations Summary (EC 49430, 49431, 49431.2, 49431.7; CCR 15575, 15577, 15578; CFR 210.11, 220.12), Competitive Beverage Regulations Summary (EC 49431.5; CCR 15576; CFR 210.10, 210.11, 220.8, 220.12).

In a school with any of grades K-6 that is participating in the National School Lunch and/or Breakfast Program, the Superintendent or designee shall not permit the sale of foods by a student organization except when all of the following conditions are met: CCR 15500)

Effective from midnight to one-half hour after school.

1. The student organization shall sell only one food item per sale.
2. The specific nutritious food item is approved by the Superintendent or designee.
3. The sale does not begin until after the close of the regularly scheduled midday food service period.
4. The food or beverage item **cannot** be prepared on campus.
5. There are no more than four such sales per year per school.
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.



## **Business and Non-instructional Operations**

AR 3554

### **Other Food Sales (continued)**

In junior high and high schools, a student organization may be approved to sell food items during or after the school day if all of the following conditions are met: (CCR 15501)

Effective from midnight to one-half hour after school.

1. Only one student organization conducts a food sale on a given school day. The student organization may sell up to three categories of foods or beverages each day.
2. In addition to one student organization sale each day, any and all student organizations may sell approved food items on the same four designated days per year. School administration may set these dates.
3. The specific food or beverage item(s) must be approved by the Superintendent or designee.
4. Foods or beverages cannot be prepared on the campus
5. The food items sold are not those sold in the district's food service program at that school during that school day.
6. Foods and beverages available to students must be caffeine-free, with the exception of trace amounts of naturally occurring caffeine substances, as specified in 7 CFR 210.12.

Regulation  
Approved: May 19, 2008  
Revised: May 13, 2019

**MOUNTAIN VIEW SCHOOL DISTRICT**  
Ontario, California

## Student Wellness Policy

### **GENERAL RECOMMENDATIONS**

#### **Food and Beverages Outside School Meal Programs**

The following items are to be considered as strictly recommendations of the Wellness Policy Committee (November 2015). They are not specific requirements.

It is recommended that:

- ◆ The food service department should have sole authority to provide food and beverages from the beginning of the day until after the last lunch period to ensure food safety and to maximize the schools' ability to serve healthy and appealing meals.
- ◆ The food service department should have sole authority for the nutritious snack required in state and federally funded before and after school programs.
- ◆ Schools should use whole, fresh, unprocessed foods and ingredients whenever possible.
- ◆ Schools should offer fresh fruits and vegetables with each meal or snack whenever possible.
- ◆ Schools should use foods low in sodium whenever possible and limit sources of trans fatty acids.
- ◆ Schools should limit the serving size of beverages to no larger than 8 ounces of milk and 6 ounces of juice for elementary students and no larger than 12 ounces of milk and 8 ounces of juice for secondary students.
- ◆ Ingredients of foods sold or served at school should be listed on the food label or otherwise identified so students with food allergies are protected from accidental exposure.

#### **Fund-raising**

The school district should encourage all school-based organizations to use non-food items or healthy alternatives for fund-raising. Student, parent, or school groups must sell compliant food or beverages as fund-raisers only after the last school lunch period.

#### **Rewards**

The school district should work toward minimizing the use of food or beverages as student rewards whenever possible. Consider healthy options/choices when doing so, or non-food items.

## Student Wellness Policy

### **GENERAL RECOMMENDATIONS** (continued)

#### **Celebrations**

The school district should encourage teachers to limit the number of celebrations each year that involve food during the school day. Parents and teachers should consider healthy options and portion sizes for all classroom celebrations. Consideration should also be given to non-food items for rewards and celebrations. Celebrations should occur after the last lunch period.

#### **School Sponsored Events** (Back-to-School Night, Open House, etc.)

The school district should offer and promote healthy food and beverage options at school sponsored events whenever possible.

## Student Wellness Policy

### **MONITORING AND EVALUATION**

Monitoring of the Mountain View School District Wellness Policy and its implementation shall be the responsibility of the Director of Curriculum & ELD (or other Superintendent designee), the District Nurse, the Cafeteria Manager at each school site, the School Principal and teacher(s) appointee at Principal discretion. The District Wellness Policy Committee shall have primary oversight responsibility.

Evaluation of the Mountain View School District Wellness Policy shall be the responsibility primarily of the District Wellness Policy Committee. Each school site Wellness Policy Oversight Committee (consisting of the school principal, cafeteria manager and principal appointed teacher(s), with district nurse input) should meet at least two times each year to monitor and evaluate the wellness policy at each specific school site. The Findings Report of the Wellness Policy Oversight Committee will be forwarded to the Director/designee so as to be reported to the District Wellness Committee.

The District Wellness Committee will meet two times per year to monitor and evaluate implementation of the Wellness Policy, as well as to propose ongoing goals. These two meetings will be held preferably in November/December and April/May of each school year.

The Board of Trustees will be apprised biennially of the monitoring and evaluation of the District Wellness Policy.

## Student Wellness Policy

### **2016-2017 PROGRAM GOALS**

- Pilot program to see the benefits of having recess prior to lunch instead of after lunch.
- Discouraging the use of food as a reward during the school hours.
- Staff development concerning injuries, violence, & suicide.
- Staff development concerning the treatment of students with asthma.

### **2017-2018 PROGRAM GOALS**

- Collection of data from MVSD schools reflecting amount of time students have for eating lunch in their school cafeterias.
- Analysis of data received and identification of areas for improvement.
- Encouragement of finding ways to improve amount of time in cafeteria for lunch consumption (ie. Determining feasibility of a Recess Before Lunch schedule, alternative routes from classroom to cafeteria, etc.)
- Analysis of benefits of Recess Before Lunch in other school districts – less food waste, decreased instances of nurse visits and discipline referrals, and improved behavior.
- Partnership with SBCSS Nutrition Educator and a local farmer to explore potential for a school garden at Ranch View Elementary.

### **2018-2019 PROGRAM GOALS**

- School schedule changes at Mountain View Elementary to adopt Recess Before Lunch as a result of analysis of data presented during 2017-18 Wellness Committee meetings.
- Building and establishing of school garden for Ranch View Elementary.
- Successful planting of crops, student garden lessons with local Farmer, and harvesting by students with Food Service Manager at Ranch View Elementary.
- Introduction of nutrition education for the 2018-19 school year at Ranch View Elementary through the Harvest of the Month (HOTM) program in partnership with SBCSS.
- Taste testing at elementary cafeterias in coordination with HOTM rotation.
- Increasing anti-bullying efforts via district-wide participation in The Great Kindness Challenge (January 28, 2019-February 1, 2019).
- School and District “Kindness Certified” certification.

## **APPENDIX – A**

*Health and Safety Code*

*Health & Safety Code*

*HS 114015*

Unpackaged, pre-packaged food; bakery products

- (a) (1) No unpackaged food that has been served to any person or returned from any eating area shall be served again or used in the preparation of other food.
- (2) No food prepared or stored in a private home shall be used, stored, served, offered for sale, sold, or given away in a food facility.
- (3) Except as provided in paragraph (4), a private home shall not be used for the purpose of giving away, selling, or handling food at retail, as defined in Section 113875.
- (4) Nonperishable, prepackaged food may be given away, sold, or handled from a private home.
- (b) Except as provided in subdivision (c) of Section 114080, every bakery product shall have a protective wrapping which shall bear a label which complies with the labeling requirements prescribed by the Sherman Food, Drug, and Cosmetic Law [Part 5 (commencing with Section 109875)]. Bakery products sold directly to a restaurant, catering service, retail bakery, or sold over the counter directly to the consumer by the manufacturer or bakery distributor shall be exempt from this subdivision. French style, hearth-baked, or hard-crust loaves and rolls shall be considered properly wrapped if contained in an open-end bag of sufficient size to enclose the loaves or rolls.

*(Added by Stats. 1995, Ch. 415, Sec. 6.)*

**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 dates.