

**CONCEPTS AND ROLES**

The Board of Trustees shall make every effort to maintain a safe, positive school environment and student services that promote student welfare and academic achievement. The Board expects students to make good use of learning opportunities by demonstrating regular attendance, appropriate conduct and respect for others.

*(cf. 5113 - Absences and Excuses)*  
*(cf. 5131 - Conduct)*  
*(cf. 5137 - Positive School Climate)*

The Board is fully committed to providing equal educational opportunities and keeping the school free from discriminatory practices. The Board shall not tolerate the intimidation or harassment of any student for any reason.

*(cf. 5145.3 - Nondiscrimination/Harassment)*

The Superintendent/Principal or designee shall establish and keep parents/guardians and students well informed about school and district rules and regulations related to attendance, health examinations, records, grades and student conduct. When conducting hearings related to discipline, attendance and other student matters, the Board shall afford students their due process rights in accordance with law.

*(cf. 5125 - Student Records)*  
*(cf. 5144 - Discipline)*  
*(cf. 5144.1 - Suspension and Expulsion/Due Process)*  
*(cf. 5145.6 - Parental Notifications)*  
*(cf. 9000 - Role of the Board)*

*Legal Reference:*

EDUCATION CODE  
35160 Authority of governing boards  
35160.1 Broad authority of school districts  
35291-35291.5 Rules

**PARENT RIGHTS AND RESPONSIBILITIES**

The Board of Trustees recognizes that parents/guardians of district students have certain rights as well as responsibilities related to the education of their children.

The Board believes that the education of the district's students is a shared responsibility. The Superintendent/Principal or designee shall work with parents/guardians, including parents/guardians of English learners, to determine appropriate roles and responsibilities of parents/guardians, school staff and students for continuing the intellectual, physical, emotional and social development and well-being of students, including the means by which the school and parents/guardians can help students achieve academic and other standards of the school.

Within this framework, the school's primary responsibility shall be to provide a high-quality curriculum and instructional program in a supportive and effective learning environment that enables all students to meet the academic expectations of the school.

Parents/guardians shall have the opportunity to work with the school in a mutually supportive and respectful partnership and to help their children succeed in school. (Education Code 51100)

*(cf. 5022 - Student and Family Privacy Rights)*  
*(cf. 6020 - Parent Involvement)*

The Superintendent/Principal or designee shall ensure that district staff understand the rights of parents/guardians afforded by law and Board policy and follow acceptable practices that respect those rights.

*(cf. 4131 - Staff Development)*  
*(cf. 4231 - Staff Development)*  
*(cf. 4331 - Staff Development)*

The Superintendent/Principal or designee shall ensure that parents/guardians receive notification regarding their rights in accordance with law.

*(cf. 5145.6 - Parental Notifications)*

The Superintendent/Principal or designee shall take all reasonable steps to ensure that all parents/guardians who speak a language other than English are properly notified in English, and in their home language of the rights and opportunities available to them pursuant to Education Code 48985. (Education Code 51101.1)

*Legal Reference: (see next page)*

**PARENT RIGHTS AND RESPONSIBILITIES (continued)**

*Legal Reference:*

EDUCATION CODE

33126 School accountability report card

35291 Disciplinary rules

48070.5 Promotion and retention of students

48985 Notice to parent in language other than English

49091.10-49091.19 Parental review of curriculum and instruction

49602 Confidentiality of pupil information

51100-51102 Parent/guardian rights

51513 Personal beliefs

60510 Disposal of surplus instructional materials

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act

1232h Protection of pupil rights

*Management Resources:*

WEB SITES

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

CDE: <http://www.cde.ca.gov>

**PARENT RIGHTS AND RESPONSIBILITIES**

**Parent/Guardian Rights**

The rights of parents/guardians of district students include, but are not limited to, the following:

1. To observe, within a reasonable period of time after making the request, the classroom(s) in which their child is enrolled (Education Code 51101)

Parents/guardians may observe instructional and other school activities that involve their child in accordance with Board policy and administrative regulations adopted to ensure the safety of students and staff, prevent undue interference with instruction or harassment of school staff, and provide reasonable accommodation to parents/guardians. Upon written request by a parent/guardian, the Superintendent/Principal or designee shall arrange for parental observation of a class or activity in a reasonable time frame and in accordance with Board policy and administrative regulations. (Education Code 49091.10)

*(cf. 6116 - Classroom Interruptions)*

2. To meet, within a reasonable time of their request, with their child's teacher(s) and the Superintendent/Principal (Education Code 51101)
3. Under the supervision of district employees, to volunteer their time and resources for the improvement of school facilities and school programs, including, but not limited to, providing assistance in the classroom with the approval, and under the direct supervision, of the teacher (Education Code 51101)
4. To be notified on a timely basis if their child is absent from school without permission (Education Code 51101)

*(cf. 5113 - Absences and Excuses)*

5. To receive the results of their child's performance and the school's performance on standardized tests and statewide tests (Education Code 51101)

For parents/guardians of English learners, this right shall include the right to receive the results of their child's performance on the English language development test. (Education Code 51101.1)

*(cf. 0500 - Accountability)*

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

*(cf. 0520.1 - High Priority Schools Grant Program)*

*(cf. 6162.51 - Standardized Testing and Reporting Program)*

*(cf. 6162.52 - High School Exit Examination)*

*(cf. 6174 - Education for English Language Learners)*

**PARENT RIGHTS AND RESPONSIBILITIES** (continued)

6. To have a school environment for their child that is safe and supportive of learning (Education Code 51101)

*(cf. 0450 - Comprehensive Safety Plan)*

*(cf. 3515 - Campus Security)*

*(cf. 5131 - Conduct)*

*(cf. 5137 - Positive School Climate)*

*(cf. 5142 - Safety)*

7. To examine the curriculum materials of the class(es) in which their child is enrolled (Education Code 51101; 20 USC 1232h)

Parents/guardians may inspect, in a reasonable time frame, all primary supplemental instructional materials and assessments stored by the classroom teacher, including textbooks, teacher's manuals, films, tapes and software. (Education Code 49091.10)

The school shall make available to parents/guardians and others, upon request, a copy of the prospectus for each course, including the titles, descriptions and instructional aims of the course. (Education Code 49091.14)

The school may charge an amount not to exceed the cost of duplication. (Education Code 49091.14)

*(cf. 1312.2 - Complaints Concerning Instructional Materials)*

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

*(cf. 6141 - Curriculum Development and Evaluation)*

*(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)*

*(cf. 6161.1 - Selection and Evaluation of Instructional Materials)*

*(cf. 6161.11 - Supplementary Instructional Materials)*

8. To be informed of their child's progress in school and of the appropriate school personnel whom they should contact if problems arise with their child (Education Code 51101)

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

*(cf. 6020 - Parent Involvement)*

9. For parents/guardians of English learners, to support their child's advancement toward literacy (Education Code 51101.1)

The Superintendent/Principal or designee may make available, to the extent possible, surplus or undistributed instructional materials to parents/guardians pursuant to Education Code 60510. (Education Code 51101.1)

*(cf. 3270 - Sale and Disposal of Books, Equipment and Supplies)*

**PARENT RIGHTS AND RESPONSIBILITIES** (continued)

10. For parents/guardians of English learners, to be informed, through the school accountability report card, about statewide and local academic standards, testing programs, accountability measures and school improvement efforts (Education Code 51101.1)

*(cf. 0520.2 - Title I Program Improvement Schools)*  
*(cf. 0520.3 - Title I Program Improvement Districts)*

11. To have access to the school records of their child (Education Code 51101)

*(cf. 5125 - Student Records)*  
*(cf. 5125.1 - Release of Directory Information)*

12. To receive information concerning the academic performance standards, proficiencies or skills their child is expected to accomplish (Education Code 51101)

*(cf. 6011 - Academic Standards)*  
*(cf. 6146.1 - High School Graduation Requirements)*  
*(cf. 6146.4 - Differential Graduation and Competency Standards for Students with Disabilities)*  
*(cf. 6146.5 - Elementary/Middle School Graduation Requirements)*

13. To be informed in advance about school rules, including disciplinary rules and procedures in accordance with Education Code 48980, attendance policies, dress codes and procedures for visiting the school (Education Code 51101)

*(cf. 1250 - Visitors/Outsiders)*  
*(cf. 5132 - Dress and Grooming)*  
*(cf. 5144 - Discipline)*  
*(cf. 5145.6 - Parental Notifications)*

14. To be notified, as early in the school year as practicable pursuant to Education Code 48070.5, if their child is identified as being at risk of retention and of their right to consult with school personnel responsible for a decision to promote or retain their child and to appeal such a decision (Education Code 51101)

*(cf. 5123 - Promotion/Acceleration/Retention)*

15. To receive information about any psychological testing the school does involving their child and to deny permission to give the test (Education Code 51101)

*(cf. 6164.2 - Guidance/Counseling Services)*  
*(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)*  
*(cf. 6164.6 - Identification and Education Under Section 504)*

**PARENT RIGHTS AND RESPONSIBILITIES** (continued)

16. To refuse to submit or to participate in any assessment, analysis, evaluation or monitoring of the quality or character of the student's home life, any form of parental screening or testing, any nonacademic home-based counseling program, parent training, or any prescribed family education service plan and to inspect any survey collecting personal information (Education Code 49091.18; 20 USC 1232h)

*(cf. 5022 - Student and Family Privacy Rights)*

17. To participate as a member of a parent advisory committee, school site council in accordance with any rules and regulations governing membership in these organizations (Education Code 51101)

For parents/guardians of English learners, this right shall include the right to participate in school advisory bodies in accordance with federal and state law and regulations. (Education Code 51101.1)

*(cf. 0420 - School Plans/Site Councils)*  
*(cf. 1220 - Citizen Advisory Committees)*  
*(cf. 6171 - Title I Programs)*  
*(cf. 6175 - Migrant Education Program)*

18. To question anything in their child's record that the parent/guardian feels is inaccurate or misleading or is an invasion of privacy and to receive a response from the school (Education Code 51101)

*(cf. 5125.3 - Challenging Student Records)*

19. To provide informed, written parental consent before their child is tested for a behavioral, mental or emotional evaluation. A general consent, including medical consent used to approve admission to or involvement in a special education or remedial program or regular school activity, shall not constitute written consent for these purposes. (Education Code 49091.12)

*(cf. 5131.6 - Alcohol and Other Drugs)*  
*(cf. 5141.3 - Health Examinations)*

**Parent Responsibilities**

Parents/guardians may support the learning environment of their child by: (Education Code 51101)

1. Monitoring attendance of their child
2. Ensuring that homework is completed and turned in on time

**PARENT RIGHTS AND RESPONSIBILITIES** (continued)

*(cf. 6154 - Homework/Makeup Work)*

3. Encouraging their child to participate in extracurricular and cocurricular activities

*(cf. 6145 - Extracurricular and Cocurricular Activities)*

4. Monitoring and regulating the television viewed by their child
5. Working with their child at home in learning activities that extend the classroom learning
6. Volunteering in their child's classroom(s) or for other school activities

*(cf. 1240 - Volunteer Assistance)*

7. Participating in decisions related to the education of their own child or the total school program as appropriate

**NONCUSTODIAL PARENTS**

The Board of Trustees recognizes the right of parents/guardians to be involved in the education of their children and desires to balance that right with the district's need to ensure the safety of students while at school.

*(cf. 5020 - Parent Rights and Responsibilities)*

*(cf. 6020 - Parent Involvement)*

The parent/guardian who enrolls a child in the district school shall be presumed to be the child's custodial parent/guardian and shall be held responsible for the child's welfare.

School officials shall presume that both parents/guardians have equal rights regarding their child, including, but not limited to, picking the student up after school or otherwise removing the student from school, accessing student records, participating in school activities, or visiting the school. When a court order restricts access to the child or to his/her student information, a parent/guardian shall provide a copy of the certified court order to the Superintendent/Principal or designee upon enrollment or upon a change in circumstances.

*(cf. 3516 - Emergencies and Disaster Preparedness Plan)*

*(cf. 5111.1 - District Residency)*

*(cf. 5125 - Student Records)*

*(cf. 5141 - Health Care and Emergencies)*

*(cf. 5142 - Safety)*

*(cf. 6159 - Individualized Education Program)*

In the event of an attempted violation of a court order that restricts access to a student, the Superintendent/Principal or designee shall contact the custodial parent and local law enforcement officials and shall make the student available only after one or both of these parties consent.

*Legal Reference: (see next page)*

**NONCUSTODIAL PARENTS** (continued)

*Legal Reference:*

EDUCATION CODE

48204 Residency requirements

49061 Definitions

49069 Absolute right to access

49091.10-49091.19 Parental review of curriculum and instruction

49408 Emergency information

56028 Definition, parent for special education

51100-51102 Parent/guardian rights

FAMILY CODE

3002 Joint legal custody, definition

3006 Sole legal custody, definition

3025 Parental access to records

6550-6552 Caregivers

GOVERNMENT CODE

810-996.6 Government Claims Act

6205-6210 Confidentiality of addresses for victims of domestic violence, sexual assault or stalking

*Management Resources:*

WEB SITES

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

California Association of Supervisors of Child Welfare and Attendance: <http://www.cascwa.org>

California Department of Education: <http://www.cde.ca.gov>

**STUDENT AND FAMILY PRIVACY RIGHTS**

The Board of Trustees respects the rights of district students and their parents/guardians with regard to the privacy of their personal beliefs and the confidentiality of their personal information. The Superintendent/Principal or designee shall develop regulations to ensure compliance with law when the district requests, retains, discloses, or otherwise uses the personal information of its students and their families.

*(cf. 5020 - Parent Rights and Responsibilities)*  
*(cf. 5021 - Noncustodial Parents)*  
*(cf. 5125 - Student Records)*  
*(cf. 5125.1 - Release of Directory Information)*  
*(cf. 6162.8 - Research)*

The regulations shall, at a minimum, address the following: (20 USC 1232h)

1. Whether the district may collect the personal information of students for marketing or sale
2. How the district will administer surveys that may request information about the personal beliefs and practices of students and their families
3. The rights of parents/guardians to inspect:
  - a. Survey instruments requesting information about their personal beliefs and practices or those of their children
  - b. Instructional materials used as part of their children's educational curriculum
4. Whether the district may administer any nonemergency invasive physical examination or screening
5. Notifications that the district will provide to students and parents/guardians with respect to their privacy rights

The Superintendent/Principal or designee shall consult with parents/guardians regarding the development of the procedures. (20 USC 1232h)

*(cf. 0420 - School Plans/Site Councils)*  
*(cf. 1220 - Citizen Advisory Committee)*  
*(cf. 1230 - School-Connected Organizations)*

*Legal Reference: (see next page)*

**STUDENT AND FAMILY PRIVACY RIGHTS (continued)**

*Legal Reference:*

EDUCATION CODE

49450-49458 *Physical examinations*

49602 *Confidentiality of personal information received during counseling*

51101 *Parents Rights Act of 2002*

51513 *Test, questionnaire, survey, or examination concerning personal beliefs*

51938 *Sexual Health and HIV/AIDS Prevention Education Act; notice and parental excuse*

UNITED STATES CODE, TITLE 20

1232g *Family Educational Rights and Privacy Act*

1232h *Protection of pupil rights*

*Management Resources:*

WEB SITES

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

California Department of Education: <http://www.cde.ca.gov>

U.S. Department of Education, Family Policy Compliance Office: <http://www.ed.gov/offices/OM/fpco>

**STUDENT AND FAMILY PRIVACY RIGHTS**

**Collection of Personal Information for Marketing or Sale**

*Personal information* for marketing or sale means individually identifiable information, including a student's or parent/guardian's first and last name, home or other physical address (including street name and the name of the city or town), telephone number, or social security identification number. (20 USC 1232h)

District staff shall not administer or distribute to students any survey instrument that is designed for the purpose of collecting personal information for marketing or sale.

Requirements regarding the collection of personal information for marketing or sale shall not apply to the collection, disclosure, or use of personal information collected from students for the purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions, such as the following: (20 USC 1232h)

1. College or other postsecondary education recruitment or military recruitment
2. Book clubs, magazines, and programs providing access to low-cost literary products
3. Curriculum and instructional materials used by elementary and secondary schools
4. Tests and assessments to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments

*(cf. 6162.51 - Standardized Testing and Reporting Program)*

5. The sale by students of products or services to raise funds for school-related or education-related activities

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

6. Student recognition programs

*(cf. 5126 - Awards for Achievement)*

**Surveys Requesting Information about Beliefs and Practices**

A student's parent/guardian shall provide prior written consent before the student is required to participate in a survey inquiring about one or more of the following: (Education Code 51513; 20 USC 1232h)

1. Political affiliations or beliefs of the student or his/her parent/guardian

**STUDENT AND FAMILY PRIVACY RIGHTS** (continued)

2. Mental or psychological problems of the student or his/her family
3. Sexual behavior or attitudes or personal beliefs and practices in family life or morality
4. Illegal, anti-social, self-incriminating, or demeaning behavior
5. Critical appraisals of other individuals with whom the student has close family relationships
6. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, or ministers
7. Religious practices, affiliations, or beliefs of the student or his/her parent/guardian
8. Income, except to the extent that income is required to be disclosed by law for participation in a program or for receiving financial assistance under such a program

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

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

Notwithstanding the above requirements, the district may administer to students in grades 7-8 anonymous, voluntary, and confidential research and evaluation tools to measure student health risks and behaviors, including tests and surveys about student attitudes or practices related to sex as long as parents/guardians are provided written notice and given an opportunity to request, in writing, that their child not participate. (Education Code 51938)

If a student participates in a survey requesting information about beliefs and practices as identified above, school officials and staff members shall not request or disclose the student's identity.

*(cf. 6162.8 - Research)*

**Parent/Guardian Access to Surveys and Instructional Materials**

The parent/guardian of any district student, upon his/her request, shall have the right to inspect: (Education Code 51938; 20 USC 1232h)

1. A survey or other instrument to be administered or distributed to his/her child that either collects personal information for marketing or sale or requests information about beliefs and practices
2. Any instructional material to be used as part of his/her child's educational curriculum

## **STUDENT AND FAMILY PRIVACY RIGHTS (continued)**

*(cf. 5020 - Parent Rights and Responsibilities)*

Within a reasonable period of time after receiving a parent/guardian's request, the Superintendent/Principal or designee shall permit the parent/guardian to view the survey or other document he/she requested. A parent/guardian may view the document any time during normal business hours.

No student shall be subject to penalty for his/her parent/guardian's exercise of any of the rights stated above.

### **Health Examinations**

Authorized school officials may administer to any student any physical examination or screening permitted under California law. However, no student shall be subjected to a nonemergency, invasive physical examination without prior written notice to his/her parent/guardian. (20 USC 1232h)

*Invasive physical examination* means any medical examination that involves the exposure of private body parts or any act during such examination that includes incision, insertion, or injection into the body, but does not include a properly authorized hearing, vision, or scoliosis screening. (20 USC 1232h)

*(cf. 5131.61 - Drug Testing)*

*(cf. 5141.3 - Health Examinations)*

At the beginning of the school year, the Superintendent/Principal or designee shall notify parents/guardians of: (20 USC 1232h)

### **Notifications**

1. The district's policy regarding student privacy
2. The process to opt their children out of participation in any activity described in this policy and administrative regulation
3. The specific or approximate dates during the school year when the following activities are scheduled:
  - a. Survey requesting personal information
  - b. Physical examinations or screenings
  - c. Collection of personal information from students for marketing or sale

**STUDENT AND FAMILY PRIVACY RIGHTS** (continued)

Prior to administering any anonymous and voluntary survey regarding health risks and behaviors to students in grades 7-8, the district shall provide parents/guardians with written notice that the survey is to be administered. (Education Code 51938)

Parents/guardians shall also be notified of any substantive change to this policy and administrative regulation within a reasonable period of time after adoption of the change. (20 USC 1232h)

*(cf. 5145.6 - Parental Notifications)*

Regulation  
approved:

**CHUALAR UNION ELEMENTARY SCHOOL DISTRICT**  
Chualar, California

**STUDENT WELLNESS**

The Board of Trustees recognizes the link between student health and learning and desires to provide a comprehensive program promoting healthy eating and physical activity for district students. The Superintendent/Principal or designee shall build a coordinated school health system that supports and reinforces health literacy through health education, physical education, health services, nutrition services, psychological and counseling services, health promotion for staff, a safe and healthy school environment, and parent/guardian and community involvement.

*(cf. 3513.3 - Tobacco-Free Schools)*  
*(cf. 3514 - Environmental Safety)*  
*(cf. 5131.6 - Alcohol and Other Drugs)*  
*(cf. 5131.61 - Drug Testing)*  
*(cf. 5131.62 - Tobacco)*  
*(cf. 5131.63 - Steroids)*  
*(cf. 5141 - Health Care and Emergencies)*  
*(cf. 5141.22 - Infectious Diseases)*  
*(cf. 5141.27 - Food Allergies/Special Dietary Needs)*  
*(cf. 5141.3 - Health Examinations)*  
*(cf. 5141.31 - Immunizations)*  
*(cf. 5141.32 - Health Screening for School Entry)*  
*(cf. 5141.6 - School Health Services)*  
*(cf. 5142 - Safety)*  
*(cf. 5146 - Married/Pregnant/Parenting Students)*  
*(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Education)*  
*(cf. 6164.2 - Guidance/Counseling Services)*

To encourage consistent health messages between the home and school environment, the Superintendent/Principal or designee may disseminate health information to parents/guardians through school newsletters, handouts, parent/guardian meetings, the school web site, and other communications. Outreach to parents/guardians shall emphasize the relationship between student health and academic performance.

*(cf. 1113 - District and School Web Sites)*  
*(cf. 6020 - Parent Involvement)*

**School Health Council/Committee**

The Superintendent/Principal or designee may appoint a school health council or other committee consisting of parents/guardians, students, food service employees, and district administrators, Board representatives, health professionals, school nurses, health educators, physical education teachers, counselors, members of the public, and/or others interested in school health issues.

*(cf. 1220 - Citizen Advisory Committees)*  
*(cf. 9140 - Board Representatives)*

## **STUDENT WELLNESS** (continued)

The school health council or committee shall advise the district on health-related issues, activities, policies, and programs. At the discretion of the Superintendent/Principal or designee, the council's charge(s) may include the planning and implementation of activities to promote health within the school or community.

### **Nutrition Education and Physical Activity Goals**

The Board shall adopt goals for nutrition education, physical activity, and other school-based activities that are designed to promote student wellness in a manner that the district determines appropriate. (42 USC 1751 Note)

*(cf. 0000 - Vision)*

*(cf. 0200 - Goals for the School District)*

The district's nutrition education and physical education programs shall be based on research, consistent with the expectations established in the state's curriculum frameworks and content standards, and designed to build the skills and knowledge that all students need to maintain a healthy lifestyle.

*(cf. 6011 - Academic Standards)*

*(cf. 6143 - Courses of Study)*

Nutrition education shall be provided as part of the health education program in grades K-8 and, as appropriate, shall be integrated into other academic subjects in the regular educational program. Nutrition education also may be offered through before- and after-school programs.

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

*(cf. 6142.8 - Comprehensive Health Education)*

All students in grades K-8 shall be provided opportunities to be physically active on a regular basis. Opportunities for moderate to vigorous physical activity shall be provided through physical education, recess, school athletic programs, extracurricular programs, before- and/or after-school programs, and other structured and unstructured activities.

*(cf. 6142.7 - Physical Education)*

*(cf. 6145 - Extracurricular and Cocurricular Activities)*

*(cf. 6145.2 - Athletic Competition)*

The Superintendent/Principal or designee shall encourage staff to serve as positive role models. He/she shall promote and may provide opportunities for regular physical activity among employees. Professional development may include instructional strategies that assess health knowledge and skills and promote healthy behaviors.

**STUDENT WELLNESS** (continued)

*(cf. 4131 - Staff Development)*

*(cf. 4231 - Staff Development)*

*(cf. 4331 - Staff Development)*

The Board prohibits the marketing and advertising of non-nutritious foods and beverages through signage, vending machine fronts, logos, scoreboards, school supplies, advertisements in school publications, coupon or incentive programs, or other means.

*(cf. 1325 - Advertising and Promotion)*

**Nutritional Guidelines for Foods Available at School**

The Board shall adopt nutritional guidelines for all foods available on campus during the school day, with the objectives of promoting student health and reducing childhood obesity. (42 USC 1751 Note)

The Board believes that foods and beverages available to students at the school should support the health curriculum and promote optimal health. Nutritional standards adopted by the district for all foods and beverages sold to students, including foods and beverages provided through the district's food service program, student stores, vending machines, fundraisers, or other venues, shall meet or exceed state and federal nutritional standards.

*(cf. 3312 - Contracts)*

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

*(cf. 3554 - Other Food Sales)*

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

*(cf. 6300 - Preschool/Early Childhood Education)*

The Superintendent/Principal or designee shall encourage school organizations to use healthy food items or non-food items for fundraising purposes. He/she also shall encourage school staff to avoid the use of non-nutritious foods as a reward for students' academic performance, accomplishments, or classroom behavior.

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

School staff shall encourage parents/guardians or other volunteers to support the district's nutrition education program by considering nutritional quality when selecting any snacks which they may donate for occasional class parties and by limiting foods or beverages that do not meet nutritional standards to no more than one such food or beverage per party. Class parties or celebrations shall be held after the lunch period when possible.

## **STUDENT WELLNESS** (continued)

### **Guidelines for Reimbursable Meals**

Foods and beverages provided through federally reimbursable school meal programs shall meet or exceed federal regulations and guidance issued pursuant to 42 USC 1758(f)(1), 1766(a), and 1779(a) and (b), as they apply to schools. (42 USC 1751 Note)

In order to maximize the district's ability to provide nutritious meals and snacks, the school shall participate in available federal school nutrition programs, including the National School Lunch and School Breakfast Programs, to the extent possible.

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

### **Program Implementation and Evaluation**

The Board shall establish a plan for measuring implementation of this policy. (42 USC 1751 Note)

*(cf. 0500 - Accountability)*

To determine whether the policy is being effectively implemented, the following indicators shall be used:

1. Descriptions of the district's nutrition education, physical education, and health education curricula
2. Number of minutes of physical education instruction offered at each grade span
3. Number and type of exemptions granted from physical education
4. Results of the state's physical fitness test
5. An analysis of the nutritional content of meals served based on a sample of menus
6. Student participation rates in school meal programs
7. Any sales of non-nutritious foods and beverages in fundraisers or other venues outside of the district's meal programs
8. Feedback from food service personnel, the school health council, parents/guardians, students, and other appropriate persons
9. Any other indicators recommended by the Superintendent/Principal and approved by the Board

**STUDENT WELLNESS** (continued)

The Superintendent/Principal or designee shall report to the Board at least every two years on the implementation of this policy and any other Board policies related to nutrition and physical activity.

**Posting Requirements**

The school shall post the district's policies and regulations on nutrition and physical activity in public view within the school cafeteria or in other central eating areas. (Education Code 49432)

The school shall also post a summary of nutrition and physical activity laws and regulations prepared by the California Department of Education.

*Legal Reference: (see next page)*

## STUDENT WELLNESS (continued)

### Legal Reference:

#### EDUCATION CODE

33350-33354 CDE responsibilities re: physical education  
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  
49550-49561 Meals for needy students  
49565-49565.8 California Fresh Start pilot program  
49570 National School Lunch Act  
51210 Course of study, grades 1-6  
51220 Course of study, grades 7-12  
51222 Physical education  
51223 Physical education, elementary schools  
51795-51796.5 School instructional gardens  
51880-51921 Comprehensive health education

#### CODE OF REGULATIONS, TITLE 5

15500-15501 Food sales by student organizations  
15510 Mandatory meals for needy students  
15530-15535 Nutrition education  
15550-15565 School lunch and breakfast programs

#### UNITED STATES CODE, TITLE 42

1751-1769 National School Lunch Program, especially:  
1751 Note Local wellness policy  
1771-1791 Child Nutrition Act, including:

1773 School Breakfast Program  
1779 Rules and regulations, Child Nutrition Act

#### CODE OF FEDERAL REGULATIONS, TITLE 7

210.1-210.31 National School Lunch Program  
220.1-220.21 National School Breakfast Program

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Management Resources continued: (see next page)

**STUDENT WELLNESS (continued)**

*Management Resources: (continued)*

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Physical Education Framework for California Public Schools, Kindergarten Through Grade 12, 1994

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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>

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

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

Dairy Council of California: <http://www.dairycouncilofca.org>

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

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National School Boards Association: <http://www.nsba.org>

School Nutrition Association: <http://www.schoolnutrition.org>

Society for Nutrition Education: <http://www.sne.org>

U.S. Department of Agriculture, Food Nutrition Service, wellness policy:

[http://www.fns.usda.gov/tn/Healthy/wellnesspolicy\\_steps.html](http://www.fns.usda.gov/tn/Healthy/wellnesspolicy_steps.html)