

*Business and Noninstructional Operations***FOOD SERVICE/CHILD NUTRITION PROGRAM**

AS ADVOCATES FOR CHILDREN, Kern County Superintendent of Schools (KCSOS) provides leadership, education and support for students, school districts, and the community through programs, services, and fiscal accountability. The Kern County Superintendent of Schools recognizes the important connection between a healthy diet and student's ability to learn effectively and achieve high standards in school. The Superintendent also acknowledges that schools play a vital role in childhood nutrition and fitness, and as part of the larger community, schools have a responsibility to promote family health and provide a strong foundation for children's future health and well being. To reinforce the Kern County Superintendent of Schools' nutrition education program, foods provided on school premises shall be:

1. Carefully selected so as to contribute to student's nutritional well-being and the prevention of disease
2. Prepared in healthy and appealing ways that retain nutritive quality and foster lifelong healthful eating habits
3. Served in age-appropriate quantities and at reasonable prices

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

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

*(cf. 3554 – Other Food Sales)*

*(cf. 5141.32 – Child Health and Disability Prevention Program)*

*(cf. 6142.8 – Comprehensive Health Education)*

Students shall be provided adequate space in pleasant surroundings as well as adequate time to eat, relax, and socialize.

The Superintendent or designee shall ensure that the meals offered by the Kern County Superintendent of Schools' food service program meet all legal requirements for participation in the National School Lunch and School Breakfast Programs.

Parents/guardians are encouraged to support the Kern County Superintendent of Schools' nutrition education efforts by considering nutritional quality when selecting any snacks that they may donate for occasional class activities.

The Kern County Superintendent of Schools shall establish and sustain a Child Nutrition and Physical Activity Advisory Committee (CNPAAC) to discuss nutrition and physical activity related topics of concern in the school community, and shall assist in developing Kern County Superintendent of Schools' policies on nutrition and physical activity for recommendation to and approval by the Board. (Education Code 49433) SP 3550(b)

## FOOD SERVICE/CHILD NUTRITION PROGRAM

### Posting Requirements

Each classroom shall post KCSOS policies and regulations on nutrition and physical activity in public view within all school cafeterias or in other central eating areas.  
(Education Code 49432)

### Nutritional Standards

1. (Effective date determined by CNPAAC committee in coordination with Food Services, and the Superintendent), the Superintendent or designee shall ensure the nutritional quality and quantity of all foods served or made available to students and staff.
  - a. Kern County Superintendent of Schools will ensure that all foods and beverages served or sold on school campuses operated by the KCSOS, from midnight before to 30 minutes after the end of the official school day, will comply with all Federal and State rules and regulations
2. Kern County Superintendent of Schools shall monitor all vending machines on its property including vendors, locations, contents, and appearance.
  - a. All vending machines accessible to students located on school campuses operated by the KCSOS may sell only water, 100% fruit juices, non-carbonated electrolyte replacement drinks, and/or reduced fat milk.
3. Ensure fresh produce, particularly California grown fruits and vegetables, is utilized in the school lunch and breakfast program.

### AR 3550(b)

4. Ensure meals are served in a pleasant environment with sufficient time for eating.
  - a. Students shall have adequate time to eat lunch and breakfast when provided.
  - b. Leadership at school sites operated by the KCSOS shall be involved to improve cafeteria décor and atmosphere.
  - c. Child Nutrition Services shall solicit student preferences where appropriate in planning menus and snacks through surveys and taste tests of new foods and recipes.
  - d. Staff shall be encouraged to periodically join students to model good eating habits, manners, and behavior.
5. Nutrition and Health education should be incorporated into regular teaching plans, in ways that meet California Standards requirements.

- a. Teachers shall be provided with training and resources to integrate nutritious eating experiences, gardens, and nutrition education into the curriculum for math, science, history, and language arts at all grade levels.
  - b. All schools operated by the KCSOS are encouraged to develop School Gardens. Gardens can promote the link between food choices, physical activity, and health in a way that is hands-on and integrated into the standards-based curriculum.
  - c. Ways to establish on-site cooking equipment/facilities shall be explored, and methods to incorporate cooking into class nutrition lessons shall be pursued.
- 6. Ensure that no student is hungry.
  - a. Kern County Superintendent of Schools shall encourage participation in the school meal program.
  - b. Kern County Superintendent of Schools shall ensure that all eligible children qualify for free and reduced meals.
- 7. Increase family and community involvement in issues of nutrition and physical activity as it relates to childhood and adult health.
  - a. Provide nutrition and physical activity information
  - b. Involve CNPAAC members in annual evaluation of food services and physical education program services in order to improve the quality, access, and knowledge of services.

AR 3550(c)

#### Child Nutrition and Physical Activity Advisory Committee

The membership of the Child Nutrition and Physical Activity Advisory Committee shall include, but is not limited to, the following members: Administrators, food service staff, students, parents/guardians, teachers, nurses, and interested community members.

The Child Nutrition and Physical Activity Advisory Committee shall meet at least one time during the year and the meeting shall be open to the public.

The policies on nutrition and physical activity shall address issues and goals, including, but not limited to, all of the following: (Education Code 49433)

*(cf. 1220 – Citizen Advisory Committees)*

- 1. Implementing the nutritional standards set forth in Education Code 49431
- 2. Encouraging fund-raisers that promote good health habits and discourage fund-raisers that promote unhealthy foods
- 3. Ensuring that no student is hungry
- 4. Improving nutritional standards
- 5. Increasing the availability of fresh fruits and vegetables, including provisions that encourage schools to make fruits and vegetables available.
- 6. Ensuring, to the extent possible, that the food served is fresh

7. Encouraging eligible students to participate in the school lunch program  
(*cf. 3533 – Free and Reduced Price Meals*)
8. Integrating nutrition and physical activity into the overall curriculum
9. Ensuring regular professional development for food service staff
10. Ensuring students have adequate time to eat.
11. Ensuring students engage in healthful levels of vigorous physical activity
12. Ensuring students receive nutrition education
13. Improving the quality of physical education curricula and increasing training of physical education teachers
14. Enforcing existing physical education requirements
15. Enforcing all Federal and State regulations for food items served or sold

In developing the policy(ies), the committee shall hold at least one public hearing.  
(Education Code 49433)

SP 3553(a)

Business and Non Instructional Operations

#### FREE AND REDUCED PRICE MEALS

The Kern County Superintendent of Schools recognizes that adequate nutrition is essential to child development and learning and that some families may be unable to provide breakfast and lunch for their children. In accordance with law, Kern County Superintendent of Schools shall provide nutritionally adequate free and reduced price meals for students whose families meet federal eligibility criteria.

The Superintendent or designee shall approve a plan that ensures that students eligible to receive free or reduced price meals and milk are not treated differently from other students or easily identified by their peers.

(*cf 0410 – Nondiscrimination in District Programs and Activities*)  
(*cf 5145.3 – Nondiscrimination/ Harassment*)

Upon approval, this plan shall be submitted to the California Department of Education for approval (Education Code 49557)

Note: Education Code 49558 authorizes Boards to allow district employees to use individual records of students participating in the free and reduced price meal program for the purpose of disaggregation of academic achievement data. However, federal guidelines allow the sharing of such records only for purposes of applying for Title I funding and in responding to the National Assessment of Educational Progress (NAEP). When there is a difference between federal and state regulations governing school meal programs, districts must comply with the more restrictive regulation. Districts should therefore be aware that free and reduced price meal records may be shared "for the purpose of disaggregation of academic achievement data" only when it is in connection with either Title I or NAEP. In California, since Title I data are collected via the Standardized Testing and Reporting Program (STAR), the CDE will be using participation in this program to disaggregate data for Title I purposes. Note also that only information pertaining to a student's eligibility for the program may be shared. Information regarding a student's participation in the program (e.g., the record of meals served to that student) is confidential.

Districts wishing to use free and reduced price meal records for this purpose are mandated to adopt a policy authorizing employee access.

The Superintendent authorizes designated employees to use individual records pertaining to student eligibility for any free and reduced price meal program for the purpose of disaggregation of academic achievement data in accordance with federal and state law and regulation.

*(cf. 5125 – Student Records)*  
*(cf. 6162.51 – Standardized Testing and Reporting Program)*  
*(cf. 6171 – Title I Programs)*  
*(cf. 6190 – Evaluation of the Instructional Program)*

Business and Non Instructional Operations

SP 3554(a)

#### OTHER FOOD SALES

Kern County Superintendent of Schools shall ensure that food sales by school-related groups and the use of vending machines in KCSOS operated school sites are in compliance with state and federal laws, regulations, and policies and do not impair student participation in Kern County Superintendent of Schools' food service program. Sanitation and safety procedures shall comply with the requirements of the California Uniform Retail Food Facilities Law as set forth in Health and Safety Code 113700-114455.

*(cf. 1230 – School-Connected Organizations)*  
*(cf. 1321 – Solicitations of Funds from and by Students)*  
*(cf. 3312 – Contracts)*  
*(cf. 3550 – Food Service/ Child Nutrition Program)*  
*(cf. 3551 – Food Service Operations/ Cafeteria Fund)*  
*(cf. 3553 – Free and Reduced Price Meals)*

The Superintendent or designee shall approve the sale of food items by student or adult organizations in accordance with law, Superintendent policy and administrative regulations.

Business and Non Instructional Operations

AR 3554(a)

#### OTHER FOOD SALES

Food sales are prohibited during school hours, and within one hour before or after school hours, unless the organization is legally organized as a nonpartisan, charitable organization, the purpose of the solicitation has been approved in accordance with Governing Board policy. (Education Code 51520)

The Superintendent or designee shall ensure that all food and beverages outside of the Child Nutrition Services program meets federal and state regulations:

1. In school sites operated by the KCSOS, foods and beverages that do not meet applicable state and federal competitive food rules, including but not limited to candy, sodas, donuts, and chewing gum, cannot be sold by or to students during their official school day (defined as midnight before to 30 minutes after the end of the official school day).
2. Kern County Superintendent of Schools should encourage fundraisers that reflect our commitment to student health. Fundraisers such as the sale of non-food items, nutritious food items, and physical activity events are strongly encouraged.

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

In any school operated by the KCSOS student organizations may sell food items in accordance with all state and federal competitive food rules, including 5 CCR 15500-15501. The specific nutritious food item shall be approved by the Kern County Superintendent of Schools Board of Directors and, if sold during the regular school day, shall not be a food item prepared on school premises or sold in the food service program at school during that day.

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

SP 6142.7(a)

#### Instruction

#### PHYSICAL EDUCATION

Kern County Superintendent of Schools recognizes the positive benefits of physical activity for student health and academic achievement and encourages each student to take advantage of the various opportunities for physical activity offered by Kern County Superintendent of Schools.

Kern County Superintendent of Schools desires to provide a physical education program, which builds interest and proficiency in movement skills and encourages students' lifelong fitness through physical activity. Besides promoting high levels of personal achievement and a positive self-image, physical education activities should teach students how to cooperate in the achievement of common goals.

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

*(cf. 6142.8 – Comprehensive Health Education)*

*(cf. 6145.2 – Athletic Competition)*

*(cf. 6146.1 – High School Graduation Requirements)*

Kern County Superintendent of Schools shall approve the components of the physical education program.

*(cf. 6143 – Courses of Study)*

*(cf. 6146.1 – High School Graduation Requirements)*

Teaching staff shall take special care to ensure that excessive physical exertion is not required of students who have informed staff of a heart or respiratory condition or other physical disability that may restrict such activity. An appropriate alternative shall be provided for these students.

*(cf. 6164.6 – Identification and Education under section 504)*

Teaching staff shall appropriately limit the amount or type of physical exercise required of students during air pollution episodes, hot weather, or other inclement conditions.

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

With the consent of the student, the Superintendent or designee may grant temporary exemption from physical education under either of the following conditions: (Education Code 51241)

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

SP 6142.7(b)

The Superintendent or designee may grant permanent exemptions from physical education for a student who is either:

1. Age 16 years or older and has been in grade 10 for one or more academic years
2. Enrolled as a postgraduate student
3. Enrolled in a juvenile home, ranch, camp or forestry camp school with recreation and exercise scheduled

The Superintendent or designee may exempt students with their consent, from any two years of physical education courses during grades 10 through 12 pursuant to Education Code 51241, provided the student has passed the physical education performance test administered in grade 9 pursuant to Education Code 60800. (Education Code 51241)

The Superintendent or designee may excuse any student in grades 10 through 12 who attends a regional occupational center or program from attending physical education courses if such attendance results in hardship because of travel time involved. (Education Code 52316)

The Superintendent or designee may exempt a high school student from physical education if he/she is engaged in a regular school-sponsored interscholastic athletic program carried on wholly or partially after regular school hours. (Education Code 51242)

Instruction

AR 6142.7(a)

Physical Education

Instruction in physical education shall be provided for a total period of time of not less than 200 minutes each 10 school days for students in 1 through 6 and not less than 400 minutes each 10 school days for students in grades 7 through 12. (Education Code 51210, 51222).

During the month of February, April or May, students in grades 5, 7, and 9 shall undergo the physical performance testing designated by the State Board of Education. Students with a physical disability and students who are physically unable to take all of the tests shall undergo as much of the test as their physical condition will permit. (Education Code 60800)

In order to ensure that students engage in healthful levels of vigorous physical activity:

1. Schools shall establish specific learning goals and objectives for physical education. A sequential, developmentally appropriate curriculum shall be designed, implemented, and evaluated to help students develop the knowledge, motor skills, self-management skills, attitudes, and confidence needed to become and remain physically active throughout their lives.
2. The existing physical education requirements should be monitored and enforced.
3. Professional development opportunities for physical education should be available to teachers and administrators.
4. Students shall be encouraged to walk, bike or otherwise “actively commute” to and from school.
5. Expanded opportunities for lunchtime and after school physical activity for students and staff shall be developed.
6. Exemptions for high school PE classes must meet the specified criteria. Students participating in non-school programs in physical activity must demonstrate in their written application to the District that the program is:
  - a. in accordance with the stated goals in physical education
  - b. conducted for a minimum of 400 minutes for each 10-day period



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To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at the Filing a Program Discrimination Complaint as a USDA Customer page [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html), and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call 866-632-9992. Submit your completed form or letter to USDA by:

(1) mail: U.S. Department of Agriculture  
Office of the Assistant Secretary for Civil Rights  
1400 Independence Avenue, SW  
Washington, D.C. 20250-9410;

(2) fax: 202-690-7442; or

(3) email: [program.intake@usda.gov](mailto:program.intake@usda.gov)

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