

# **Baldwin Park USD**

## **Administrative Regulation**

### **Student Wellness**

AR 5030  
**Students**

#### Nutritional Standards for Foods and Beverages

The only beverages that may be sold to an elementary student, regardless of the time of day, are: (Education Code 49431.5)

1. Fruit based drinks that are composed of 50 percent fruit juice and have no added sweetener, 8 fl. oz. serving size.
2. Vegetable based drinks that are composed of 50 percent vegetable juice and have no added sweetener, 8 fl. oz. serving size.
3. Drinking water with no added sweetener.
4. Milk that is 1 percent (unflavored) nonfat (flavored, unflavored) non-dairy milk must be nutritionally equivalent to regular milk, 8 fl. oz. serving size; soy milk, or other similar non-dairy milk.

The only beverages that may be sold to middle school or junior high school students from midnight to one half hour after school (Education Code 49431.5):

1. Fruit based drinks that are composed of no less than 50 percent fruit juice and have no added sweetener.
2. Vegetable based drinks that are composed of no less than 50 percent vegetable juice and have no added sweetener.
3. Drinking water with no added sweetener.
4. Milk that is 1 percent (unflavored) nonfat (flavored, unflavored) non-dairy milk must be nutritionally equivalent to regular milk, 8 fl. oz. serving size; soy milk, or other similar non-dairy milk.

The Board of Education has determined that all schools will comply with the above cited Education Code.

The only foods that may be sold to a student at an elementary school during the school day are full meals and individually sold portions of nuts, nut butters, seeds, eggs, cheese packaged for

individual sale, fruit, vegetables that have not been deep fried, and legumes. An individually sold dairy or whole grain food item may be sold if it meets all of the following criteria: (Education Code 49431)

1. Not more than 35 percent of its total calories is from fat (except nuts, nut butters, seeds, reduced fat cheese, dried fruit and nut/seed combo with no added fat/sugar, fruit, and non-fat veggies).
2. Not more than 10 percent of its total calories is from saturated fat except reduced-fat cheese, dried fruit and nut combo with no added fat/sugar)
3. Not more than 35 percent of its total weight is composed of sugar, (except fruit (dried blueberries, cranberries, cherries, tropical fruit, chopped dates or figs that contain added sugar exempt from fat and sugar standards, canned fruit 100% juice only), non-fried veggies, dried fruit and nut/seed combo with no added fat/sugar).
4. Its total calories do not exceed 175 calories.
5. In the 2009 school year, encourage a core set of healthy foods including whole grains, limited frequency of fast food type entrees (such as pizza), offer fresh fruits and vegetables with each meal to begin September 2009 and to reviewed on a daily basis.

Foods sold to students in the middle schools, junior high schools, and high schools, except foods served as part of a federally reimbursable meal program, shall meet the following standards: (Education Code 49430, 49431.2)

- a) Less than 35% calories from fat
- b) Less than 10% calories from saturated fat
- c) Less than 35% sugar by weight
- d) Less than 0.5% grams trans-fat per serving
- e) Less than 480 milligrams sodium
- f) Less than 350 calories

And must meet one of the following:

- g) A fruit, vegetable, dairy protein, or whole grain item (or have one of these as the first ingredients)
- h) Contains less than 10% DV for calcium or potassium or vitamin D or dietary fiber
- i) Be a combination food containing at least  $\frac{1}{4}$  cup fruit or vegetable.

1. Each entree item shall be categorized as an entree item in the National School Lunch or School Breakfast Program.
2. For each snack item that supplements a meal not more than 35 percent of its total calories shall be from fat excluding nuts, nut butters, seeds, eggs, reduced fat cheese, fruits, vegetables that have not been deep fried, or legumes.
3. Not more than 10 percent of its total calories shall be from saturated fat. (except reduced-fat cheese, dried fruit and nut/seed combo).
4. Not more than 35 percent of its total weight shall be composed of sugar by weight, except fruit (dried blueberries, cranberries, cherries, tropical fruit, chopped dates or figs that contain added sugar exempt from fat and sugar standards, canned fruit 100% juice only)
5. Total calories must be under 200 calories per item/container. Less than 0.5 grams trans-fat per serving and less than 200 milligrams sodium. (No exceptions).
6. In the 2009 school year, encourage a core set of healthy foods including whole grains, limited frequency of fast food type entrees, offer fresh fruits and vegetables with each meal to begin September 2009 and to reviewed on a daily basis.

Beverage sales shall be subject to the nutritional standard described in Education Code 49431.5 (Education Code 49431.5)

The sale of food or beverages that do not comply with the nutritional standards in law may be permitted in an elementary school, as part of a fundraising event, only when the sale meets one of the following conditions: (Education Code 49431, 49431.5)

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

The sale of food items that do not comply with the nutritional standards in law may be permitted at a middle school, junior high school, or high school in any of the following circumstances: (Education Code 49431.2)

1. The sale takes place off of 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 event after the end of the school day.

Beverage sales that do not comply with the nutritional standards in law may be permitted at a middle school or junior high school, or high school as part of a school event under the following

circumstances: (Education Code 49431.5)

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.

No foods of minimal nutritional value, as listed in 7CFR 210, Appendix B, and 7 CFR 220, Appendix B, shall be sold in food service areas during breakfast and lunch periods. (7 CFR 210.11, 220.12)

The Superintendent or designee shall not permit the sale of foods by student organizations in a school with any grades K-8 that is participating in the National School Breakfast or Lunch Program, except when all of the following conditions are met:  
(5 CCR 15500)

1. The student organization may sell 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 sale during the regular school day is not of food items prepared on the premises.
5. There are no more than four such sales per year per school.
6. The food must comply with the state and federal competitive food or beverage restrictions. .
7. The food sold is not one sold in the district's food service program at that school during that school day.

In high schools and junior high schools, a student organization may be approved to sell food items during or after the school day if all the following conditions are met: (5 CCR 15501)

1. Only one student organization conducts a food sale on a given school day and the organization sells no more than three types of food or beverage items, except that up to four days during the school year may be designated on which any number of organizations may conduct the sale of any nutritious food items.
2. The specific nutritious food items are approved by the Superintendent or designee.
3. Food items sold during the regular school day are not prepared on the premises.
4. The food items sold are not those sold in the districts food service program at that school during that school day.

## Marketing and Advertising

Print advertisements in publications and logos for vending machines, scoreboards, school supplies, coupons, and incentives shall not display individual foods or beverages that do not comply with nutrition standards stated above.

The promotion of healthy nutrition and physical activity messages such as increasing fruit and vegetable intake, increasing water intake, and exercising on a regular basis will be encouraged. Ensure a clean and earth friendly eating environment by encouraging recycling and sanitation.

## Monitoring of Wellness Policy

The following positions within the district and each school site are charged with operational responsibility for ensuring that the school sites implement the district's wellness policy in accordance with Note in 42 USC 1751. Assistant Superintendent and Healthy Eating Active Communities (HEAC) school site representatives will monitor the implementation and compliance of the policy and evaluate success.

District Designee: Assistant Superintendent, Student Achievement

School Health Advisory Council

School Site Designee: School Principal

Regulation BALDWIN PARK UNIFIED SCHOOL DISTRICT  
approved: August 18, 2009 Baldwin Park, California  
revised: September 13, 2016