



"100 Years of Excellence"

CYPRESS SCHOOL DISTRICT

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June 19, 2006

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Ms. Nancy Wieban Stock
Presiding Judge of the Superior Court
700 Civic Center Drive
Santa Ana, California 92701

Subject: **Orange County Grand Jury Request for Information Related to Student Obesity**

Dear Ms. Stock:

The following information is submitted in response to a letter from the Grand Jury dated June 12, 2006, in which you requested information from all Orange County Superintendents by September 14, 2006.

Findings

6.1 Control over competitive foods: Most school district food service directors do not have control over all food and beverages sold on school campuses. Most often excluded are competitive foods, i.e., food and beverages sold through vending machines, student stores, and fund raising events.

Response: The Cypress School District does not have any vending machines or student stores at any of our nine elementary school sites.

6.2 Compliance with federal and state laws: Responding Orange County food service directors indicated their school districts are either in compliance with or will be in compliance with recently enacted federal and state laws addressing child wellness and obesity.

Response: Board Policy 3554 states the following: "No foods of minimal nutritional value shall be sold on school premises during the school day." (See attached)

Administrative Regulation 3554 states the following: "The Superintendent or designee, in coordination with Food Services, shall ensure all foods and beverages sold outside of the Food Services program comply with the nutritional standards of Education Code 49431." (See attached)

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- 6.3 School nutrition programs: Some Orange County schools have developed creative nutrition programs that go beyond state and federal legislation to fight obesity.

Response: Board Policy 3550 states the following: “The Board of Trustees recognizes the important connection between a healthy diet and a student’s ability to grow, learn effectively, achieve high standards in school, and maintain good health. The Board also acknowledges that schools play a vital role in childhood nutrition and fitness, and as part of the larger community have a responsibility to promote family health and provide a strong foundation for children’s future health and well being. The Superintendent or designee shall establish procedures whereby students and parents/guardians are encouraged to participate in the selection of foods of good nutritional quality for school menus.” (See attached)

Administrative Regulation 3550 states the following: “The District shall ensure more fresh produce, particularly California grown fruits and vegetables, is sold on campus. The District shall increase family and community involvement in issues of nutrition and physical activity, as it relates to childhood and adult health.” (See attached)

The District will establish procedures whereby students and parents are encouraged to participate in the selection of foods of good nutritional quality for school menus. Parents are encouraged to also consider nutritional quality and support the District’s nutrition education efforts when selecting foods for occasional class parties.

The District plans to establish a Child Nutrition and Physical Activity Advisory Committee, to discuss nutrition and physical activity related topics of concern to the school community. This committee will be established in agreement with Section 49433 of the California Education Code.

For the past thirty-eight years, the District has sponsored a Little Olympics program, which provides an opportunity for students to participate in an array of track and field events. This year, a total of 675 students from all of our schools participated in this event. It has widespread support from our students, parents, and staff.

Recommendations

- 7.1 Control over competitive foods: Orange County school districts should consider granting food service directors more control over sales of all food and beverages on district campuses.

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Response: Board Policy 3554 states: "No foods of minimal nutritional value shall be sold on the school premises during the school day. All foods offered for sale at any school on any school day, by a student or adult entity or any organization, must be approved by the Board of Trustees or designee, and at least 50 percent of these foods shall be selected from the nutritious foods listed in Section 38085 of the California Education Code.

- 7.2 Compliance with federal and state laws: School districts should ensure compliance with legislated actions and dates addressing child wellness and obesity.

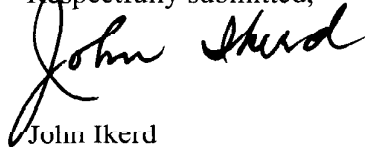
Response: Board Policy 3550 states: "The Superintendent or designee shall ensure that the meals offered by the District's food service program meet all legal requirements for participation in the National School Lunch and School Breakfast programs."

- 7.3 School nutrition programs: To fight obesity, Orange County schools should consider researching and developing nutrition programs that go beyond state and federal legislation.

Response: The Child Nutrition and Physical Activity Advisory Committee will meet periodically to discuss physical activity related topics of concern to the school community.

Nutrition and health education will be incorporated into regular teaching plans, in ways that meet the requirements of the California Standards. Teachers will 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.

Respectfully submitted,



John Ikerd
Interim Superintendent

Jl:jb

cc: Board of Trustees

OTHER FOOD SALES

With the approval of the governing board and/or Superintendent or designee, food sales may be held by school-related groups, including but not limited to students, teachers, parents/guardians and booster groups, provided that these sales are in compliance with state and federal regulations, Board Policy, and Administrative Procedures. Such food sales shall not impair student participation in the district's food service program.

*(cf. 1230 - School-Connected Organizations)
(cf. 3550 - Food Service/Child Nutrition 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.

No foods of minimal nutritional value shall be sold on school premises during the school day. (7 CFR 210.11, 220.12)

All foods offered for sale at any school on any school day by any student or adult entity or organization must be approved by the Governing Board or designee, and at least 50 percent of these foods shall be selected from the nutritious foods listed in Education Code 38085. (Education Code 38085; 5 CCR 15500-15501)

Fund-Raisers

When desiring to raise money for district schools or student groups by selling food items, organizations are encouraged to select items of good nutritional quality. All profits from such fund-raisers shall benefit the school or student groups sponsoring the sale.

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

Legal Reference: (see next page)

OTHER FOOD SALES (continued)

Legal Reference:

EDUCATION CODE

38085 *Sale of specified food items*

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*

HEALTH AND SAFETY CODE

113700-114455 *California Uniform Retail Food Facilities Law, especially:*

114200-114245 *Vending Machines*

UNITED STATES CODE, TITLE 42

1751 *et seq. National School Lunch Act*

1771-1791 *Child Nutrition*

CODE OF FEDERAL REGULATIONS, TITLE 7

210.1-210.31 *National School Lunch Program*

220.1-220.21 *National School Breakfast Program*

Management Resources:

CDC PUBLICATIONS

School Health Index for Physical Activity and Healthy Eating: A Self-Assessment

Policy
adopted: June 2002
revised: July 19, 2005

CYPRESS SCHOOL DISTRICT
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OTHER FOOD SALES

Student organizations may sell nutritious food items approved by the Superintendent or Food Service office only if such sales are conducted in compliance with 5 CCR 15500-15501. Items sold during the regular school day must not be food items prepared on school premises or sold in the food service program at school during that day. (5 CCR 15500-15501)

In schools with any of grades K through 6, a student organization may sell not more than one food item at a time. The food item sold shall be a dessert-type food such as pastry, ice cream or fruit, and there shall no more than three such sales per year per school. In addition, these sales shall not begin until after the close of the regularly scheduled midday food service period. (5 CCR 15500)

The above regulations regarding the frequency and content of food sales shall apply to eligible adult groups as well as student organizations.

The sale of foods 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, accrues to the benefit of the school or the school food service program. (7 CFR 210.11, 220.12)

In order to be eligible to conduct food sales during school hours and within one hour before and one hour after school hours, a parent/guardian group or outside group must be legally organized for charitable and nonpartisan purposes and the purpose of the solicitation must be approved in accordance with Board Policy. (Education Code 51520)

Home-baked goods are not allowed, however, store bought foods may be sold by an organization on no more than three occasions during the school year . Any such sale must be conducted on school property with the prior consent of the Food Service office or Superintendent. (Health and Safety Code 113785, 113825)

The Superintendent or designee, in coordination with Food Services, shall ensure all foods and beverages sold outside of the Food Services program comply with the nutritional standards of Education Code 49431:

1. Non-nutritious foods, including but not limited to candy and beverages, can be sold only if the items are sold by students of the school and cannot be sold by or to students during their official school day (defined as one half hour before the official school day begins, until one half hour after the official school day ends).
2. The District encourages 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.

Regulation
approved: June 2002
revised: July 19, 2005

CYPRESS SCHOOL DISTRICT
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FOOD SERVICE/CHILD NUTRITION PROGRAM

The Board of Trustees recognizes the important connection between a healthy diet and a student's ability to grow, learn effectively, achieve high standards in school, and maintain good health. The Board also acknowledges that schools play a vital role in childhood nutrition and fitness, and as part of the larger community have a responsibility to promote family health and provide a strong foundation for children's future health and well being. To reinforce the district's nutrition education program, foods available on school premises shall be:

1. Carefully selected so as to contribute to students' nutritional well-being and the prevention of disease
2. Prepared in healthy ways which will appeal to students, 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 district's food service program meet all legal requirements for participation in the National School Lunch and School Breakfast Programs.

The Superintendent or designee shall establish procedures whereby students and parents/guardians are encouraged to participate in the selection of foods of good nutritional quality for school menus. Parents/guardians are encouraged to also consider nutritional quality and support the district's nutrition education efforts when selecting foods for occasional class parties.

To the extent permitted under the National School Lunch and School Breakfast Programs, students in all grades shall be allowed to decline parts of their meal which they do not intend to consume.

The Board shall periodically convene, or as necessary establish, a Child Nutrition and Physical Activity Advisory Committee (CNPAAC) to discuss nutrition and physical activity related topics of concern in the school community.

The membership of the Child Nutrition and Physical Activity Advisory Committee may include, but need not be limited to, Board members, school administrators, food service directors and staff, other staff, parents/guardians, students, dietitians, health care professionals, and interested community members. (Education Code 49433)

FOOD SERVICE/CHILD NUTRITION PROGRAM (continued)

Legal Reference:

EDUCATION CODE

38080-38103 Cafeterias
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 of 1974
49540 - 49546 Child care food program
49547-49548.3 Comprehensive nutrition services
49550-49560 Meals for needy students

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

CODE OF FEDERAL REGULATIONS, TITLE 7

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

Management Resources:

CDE PROGRAM ADVISORIES

1200.89 Nutrition and Its Partnership with Education, FSB:89/90-6

SBE POLICIES

Nutritional Quality of Foods and Beverages Available in California Public Schools, 1/92

Nutrition Education and Training, 1/92

Establishment of Local Policies on Nutritional Quality of Food and Beverage Sales on Public School Campuses, 1/92

U.S. DEPARTMENT OF AGRICULTURE AND DEPARTMENT OF HEALTH AND HUMAN SERVICES

1995 Dietary Guidelines for Americans, U.S. Department of Agriculture and Department of Health and Human Services, 1990

Policy
adopted: June 2002
revised: July 19, 2005

CYPRESS SCHOOL DISTRICT
Cypress, California

FOOD SERVICE/CHILD NUTRITION PROGRAM

Posting Requirements

Each district school shall post the district's 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

The Child Nutrition and Physical Activity Advisory Committee (CNPAAC), in coordination with Food Services and the Superintendent or designee, shall ensure the nutritional quality and quantity of all foods served or made available to students and staff meet the standards as required by 7 CFR 210.10 and 220.8.

1. The Food Services program will ensure that all foods served on school campuses from the morning opening of school until 30 minutes after the last period, will comply with the following SB 19 standards:
 - a. No more than 35 percent of total calories from fat (not including nuts or seeds)
 - b. No more than ten percent of total calories from saturated fat
 - c. No more than 35 percent added sugar by weight (not including fruits, vegetables, and 100 percent juices)
 - d. The only beverages that may be sold to elementary students are water, milk, 100 percent fruit juices, or fruit-based drinks that are composed of no less than 50 percent fruit juice and that have no added sweeteners.
2. The District shall exercise control over all vending machines on its property.
3. The District shall ensure more fresh produce, particularly California grown fruits and vegetables, is sold wherever food is sold on campus.
 - a. The Child Nutrition Services program will increase the availability of fresh fruits and vegetables, using California grown produce when feasible, as part of the school food service program.
 - b. Salad bars and/or pre-packaged salads, as well as fresh fruit, should be available at each school site.
4. The District shall ensure meals are served in a pleasant environment with sufficient time for eating.
 - a. Students shall have a minimum of 30 minutes to eat lunch and 20 minutes to eat breakfast, when provided.
 - b. School site leadership shall be involved to improve cafeteria decor and atmosphere.
 - c. Food Services shall solicit student preferences in planning menus and snacks through surveys and taste tests of new foods and recipes.

FOOD SERVICE/CHILD NUTRITION PROGRAM (continued)

- 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.

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.
- 6. The District shall ensure ~~that no student is hungry~~ **adequate nutrition is provided to students according to Federal and State criteria.**
 - a. The District shall develop a coordinated and comprehensive outreach and promotion plan to ensure maximum participation in the school meal program.
 - b. The District shall ensure that all qualified children become eligible for free-and-reduced meals.
- 7. The District shall 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 monthly through a website linked to Cypress School District.
 - b. Involve parents/community in annual evaluation of food services and physical education program services in order to improve the quality, access, and knowledge of services.

Child Nutrition and Physical Activity Advisory Committee

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

The policies on nutrition and physical activity shall address issues and goals, including, but not limited to, those defined in Education Code 49433.

(cf. 1220 - Citizen Advisory Committee)

Regulation
approved: June 2002
revised: July 19, 2005

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