Mark West Union School District Admin. Reg. 1240

Community Relations
Volunteer Assistance

Duties of Volunteers

The Superintendent or designee may assign volunteers to:
1. Assist certificated personnel in the performance of their duties, including in the supervision of students and in the performance of instructional tasks which, in the judgment of the certificated personnel to which the volunteer is assigned, may be performed by a person not licensed as a classroom teacher.
2. Serve as nonteaching aides under the immediate supervision and direction of certificated personnel to perform noninstructional work which assists certificated personnel in the performance of teaching and administrative responsibilities.
3. Supervise students during lunch, breakfast, or other nutritional periods.
4. Work on short-term facilities projects pursuant to the section below entitled "Volunteer Facilities Projects"
5. Perform other duties in support of district or school operations as approved by the Superintendent or designee

Volunteers shall not be authorized to assign grades to students, and shall not be used to assist certificated staff in performing teaching or administrative responsibilities in place of regularly authorized classified employees who have been laid off.

Basic Skills Proficiency Requirement

Volunteers who supervise or provide instruction to students pursuant to Education Code 45349 shall submit evidence of basic skills proficiency to the Superintendent or designee.

Criminal Background Check

Prior to assuming a volunteer position working with students in a district-sponsored student activity program, a volunteer shall obtain fingerprint clearance through the Department of Justice and Federal Bureau of Investigation. At his/her discretion, the volunteer may choose to meet this requirement by obtaining an Activity Supervisor Clearance Certificate from the Commission on Teacher Credentialing. Student activity programs include, but are not limited to, scholastic programs, interscholastic programs, and extracurricular activities sponsored by the district or a school booster club, such as cheer team, drill team, dance team, and marching band.

The Superintendent or designee shall determine which volunteer positions in the district are subject to the above requirement.

The criminal background check requirement shall not apply to volunteer supervisors for breakfast, lunch or other nutritional periods or to volunteer nonteaching aides under the immediate supervision and direction of certificated personnel pursuant to Education Code 35021, including parents/guardians volunteering in a classroom or on a field trip or community members providing noninstructional services.

Registered Sex Offenders

The Superintendent or designee may require all volunteers to disclose whether they are a registered sex offender and/or to provide the district with sufficient information in order to allow verification of this status on the Department of Justice's Megan's Law web site.

The principal may grant a registered sex offender, who is not the parent/guardian of a student at the school, permission to come into a school building or upon school grounds to volunteer at the school. At least 14 days prior to the first date for which permission has been granted, the principal or designee shall notify the parent/guardian of each student at the school, using one of the methods specified in Education Code 48981, that a person who is required to register as a sex offender pursuant to Penal Code 290 has been granted permission to come into a school building or upon school grounds, the date(s) and times for which permission has been granted, and the parent/guardian's right to obtain information regarding the person from a designated law enforcement agency.

However, no person who is required to register as a sec offender pursuant to Penal Code 290 shall be assigned as a volunteer to assist certificated personnel in the performance of the duties; supervise students during lunch, breakfast, or other nutritional period; or serve as a nonteaching aide to perform noninstructional tasks. In addition, a person who is required to register as a sex offender because of a conviction for a crime where the victim was a minor under age 16 shall not serve as a volunteer in any capacity in which he/she would be working directly and in an unaccompanied setting with minors on more than an incidental and occasional basis or have supervision or disciplinary power over minors.

Tuberculosis Assessment/Examination

Upon initial volunteer assignment, a volunteer shall have on file with the school a certificate showing that he/she has submitted to a tuberculosis risk assessment and, if tuberculosis risk factors were identified, was examined and found to be free of infectious tuberculosis.

The Superintendent or designee may exempt from the tuberculosis risk assessment and/or examination those volunteers whose functions do not require frequent or prolonged contact with students.

Volunteer Facilities Projects

All volunteer facilities projects shall have approximate state and completion dates and shall be approved by the principal in advance. Projects also shall be approved in advance by the Superintendent or designee if they involve the following types of work:

1. Alterations, additions or repairs to buildings and grounds
2. Construction involving wall or roof penetration, drilling or nailing
3. Structural modifications
4. Electrical, electronic, plumbing, or heating and cooling work
5. Painting
6. Installation of carpet, playground equipment, benches, sprinkler systems, marquees or signs.
7. Paving
8. Tree planting, pruning or removal

The Superintendent or designee shall ensure that volunteers possess the appropriate license and/or have sufficient expertise required for the project. He/she shall also ensure that such projects comply with building and safety codes and other applicable laws and collective bargaining agreements. The district shall provide on-site assistance and supervision for such projects as necessary.

Unsalaried volunteers shall be considered employees of the district for Workers' Compensation Insurance forms provided by the district office.

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Mark West Union School District Board Policy 1240

Community Relations
Volunteer Assistance

The Governing Board recognizes that volunteer assistance in schools enrich the educational program, increase supervision of students, and contribute to school safety while strengthening the schools' relationships with the community. The Board also encourages parents/guardians and other members of the community to share their time, knowledge, and abilities with students.

The Superintendent or designee shall develop and implement a plan for recruiting, screening and placing volunteers, including strategies for reaching underrepresented groups of parents/guardians and community members. He/she may also recruit community members to serve as mentors to students and/or make appropriate referrals to community organizations.

The Board prohibits harassment of any volunteer on the basis of race, religious creed color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status.

As appropriate, the Superintendent or designee shall provide volunteers with information about school goals, programs, and practices and an orientation or other training related to their specific responsibilities. Employees who supervise volunteers shall ensure that volunteers are assigned meaningful responsibilities that utilize their skills and expertise and maximize their contribution to the educational program.

Volunteer work shall be limited to those projects that do not replace the normal duties of classified staff. The Board nevertheless encourages volunteers to work on short-term projects to the extent that they enhance the classroom or school and comply with employee negotiated agreements.

The Superintendent or designee shall establish procedures for determining whether volunteers possess the qualifications, if any, required by law and administrative and resolving complaints regarding volunteers.

All volunteers are required to sign in at the school office before entering classrooms.

The Board encourages principals to develop a means for recognizing the contributions of each school's volunteers.

The Superintendent or designee shall periodically report to the Board regarding the district's volunteer assistance program.

Legal Reference:
EDUCATION CODE
8482-8484.6 After School Education and Safety program
8484.7-8484.9 21st Century Community Learning Center program
35021 Volunteer aides
35021.1 Automated records check
35021.3 Registry of volunteers for before/after school programs
44010 Sex offense; definition
44814-44815 Supervision of students during lunch and other nutrition periods
45125 Fingerprinting requirements
45125.01 Interagency agreements for criminal record information

45340-45349 Instructional aides
45360-45367 Teacher aides
48981 Parenal notifications
49024 Activity Supervisor Clearance Certificate
49406 Examination for tuberculosis
GOVERNMENT CODE
3543.5 Prohibited interference with employees' rights
12940 Prohibited discrimination and harassment
HEALTH AND SAFETY CODE
1596.871 Fingerprints of individuals in contact with child day care facility clients
LABOR CODE
1720.4 Public works; exclusion of volunteers from prevailing wage law
PENAL CODE
290 Registration of sex offenders
290.4 Information re sex offenders
290.95 Disclosure by person required to register as sex offender
626.81 Sex offender; permission to volunteer at school
CODE OF REGULATIONS, TITLE 22
101170 Criminal record clearance
101216 Health screening, volunteers in child care centers
UNITED STATES CODE, TITLE 20
6319 Qualifications and duties of paraprofessionals, Title I programs
ATTORNEY GENERAL OPINIONS
PUBLIC EMPLOYMENT RELATIONS BOARD DECISIONS
Whisman Elementary School District, (1991) PERB Decision No. 868

Management Resources:
WEB SITES
CSBA: http://www.csba.org
California Department of Education, Parents/Family and Community: http://www.cde.ca.gov/ls/pf
California Department of Justice, Megan's Law: http;//www.meganslaw.ca.gov
California Parent Teacher Association: http://www.capta.org
Commission on Teacher Credentialing: http://www.ctc.ca.gov

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Mark West Union School District Admin. Reg. 1250

Community Relations
Visitors

The Superintendent or designee shall post at every entrance to each school and school grounds a notice setting forth visitor registration requirements, hours during which registration is required, the registration location, the route to take to that location, and the penalties for violation of registration requirements. (Penal Code 627.6)

Unless otherwise directed by the principal or designee, a staff member shall accompany visitors while they are on school grounds.

Registration Procedure
In order to register, visitors shall, upon request, furnish the principal or designee with the following information: (Penal Code 627.3)

1. His/her name, address and occupation
2. His/her age, if less than 21
3. His/her purpose for entering school grounds
4. Proof of identity
5. Other information consistent with the provisions of law

Denial of Registration
1. The principal or designee may refuse to register any visitor if he/she reasonably concludes that the visitor's presence or acts would disrupt the school, students, or employees; would result in damage to property; or would result in the distribution or use of a controlled substance. The principal or designee or school security officer may revoke a visitor's registration if he/she has a reasonable basis for concluding that the visitor's presence on school grounds would interfere or is interfering with the peaceful conduct of school activities or would disrupt or is disrupting the school, students or staff. (Penal Code 627.4)

2. The principal or designee may request that a visitor who has failed to register, or whose registration privileges have been denied or revoked, promptly leave school grounds. When a visitor is directed to leave, the principal or designee shall inform the visitor that if he/she reenters the school within seven days he/she will be guilty of a misdemeanor subject to a fine and/or imprisonment. (Penal Code 627.7)

Appeal Procedure
Any person who is denied registration or whose registration is revoked may appeal to the Superintendent or principal by submitting, within five days after the person's departure from school, a written request for a hearing. This request must state why he/she believes the denial or revocation was improper and must provide an address to which the hearing notice may be sent. Upon receipt of the request for a hearing, the Superintendent or principal shall promptly mail a notice of the hearing to the person requesting it. A hearing before the Superintendent or principal shall be held within seven days after receipt of the request. (Penal Code 627.5)

Community Relations
Visitors

The Governing Board encourages parents/guardians and interested members of the community to visit the schools and view the educational program.

To ensure minimum interruption of the instructional program, the Superintendent or designee shall establish procedures which facilitate visits during regular school days. Visits during school hours should be first arranged with the teacher and principal or designee. If a conference is desired, an appointment should be set with the teacher during noninstructional time.

To ensure the safety of students and staff and avoid potential disruptions, all visitors shall register immediately upon entering any school building or grounds when school is in session.

For purposes of school safety and security, the principal or designee may design a visible means of identification for visitors while on school premises.

No electronic listening or recording device may be used by students or visitors in a classroom without the teacher and principal's permission. (Education Code 51512)

Legal Reference:
EDUCATION CODE
32210 Willful disturbance of public school or meeting
32211 Threatened disruption or interference with classes; misdemeanor
32212 Classroom interruptions
35160 Authority of governing boards
35292 Visits to schools (board members)
51512 Prohibited use of electronic listening or recording device
EVIDENCE CODE
1070 Refusal to disclose news source
LABOR CODE
230.8 Discharge or discrimination for taking time off
PENAL CODE
626-626.10 Schools
627-627.10 Access to school premises, especially:
627.1 Definitions
627.2 Necessity of registration by outsider
627.7 Misdemeanors; punishment
ATTORNEY GENERAL OPINIONS
95 Ops.Cal.Atty.Gen. 509 (1996)

Community Relations
Uniform Complaint Procedures

The Governing Board recognizes that the district has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs. The Board encourages the early, informal resolution of complaints whenever possible and appropriate. To resolve complaints which cannot be resolved through such informal process, the Board adopts the uniform system of complaint processes specified in 5 CCR 4600-4670 and the accompanying administrative regulation.

The district's uniform complaint procedures (UCP) shall be used to investigate and resolve the following complaints:

1. Any complaint alleging district violation of applicable state or federal law or regulations governing adult education programs, consolidated categorical aid programs, migrant education, career technical and technical education and training programs, child care and development programs, child nutrition programs, and special education programs. (5 CCR 4610)

2. Any complaint alleging the occurrence of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) against any person in district programs and activities, including, but not limited to, those programs or activities funded directly by or that receive or benefit from any state financial assistance, based on the person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Educat8ion Code 200 or 220, Government Code 11135, or Penal Code 422.55, or based on his/her association with a person or group with one or more of these actual or perceived characteristics.

3. Any complaint alleging district noncompliance with the requirement to provide reasonable accommodation to lactating student on school campus to express breast milk, breastfeed an infant child, or address other breastfeeding-related needs of the student.

4. Any complaint alleging district noncompliance with the prohibition against requiring students to pay fees, deposits, or other charges for participation in educational activities.

5. Any complaint alleging district noncompliance with legal requirements related to the implementation of the local control accountability plan.

6. Any complaint, by or on behalf of any student who is a foster youth, alleging district noncompliance with any legal requirement applicable to the student regarding placement decisions, the responsibilities of the district's education liaison to the student, the award of credit for coursework satisfactorily completed in another school or district, school transfer, or the grant of an exemption from Board-imposed graduation requirements.

7. Any complaint, by or on behalf of a homeless student as defined in 42 USC 11434a, alleging district noncompliance with any requirement applicable to the student regarding the award of credit for coursework satisfactorily completed in another school or district or the grant of an exemption from Board-imposed graduation requirements.

8. Any complaint alleging district noncompliance with the physical education instructional minutes requirement for students in elementary schools.

9. Any complaint alleging retaliation against a complainant or other participant in the complaint process or anyone who has acted to uncover or report a violation subject to this policy.

10. Any other complaint as specified in a district policy

The Board recognizes that alternative dispute resolution (ADR) can, depending on the nature of the allegations, offer a process to reach a resolution to the complaint that is acceptable to all parties. ADR such as mediation may be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. The Superintendent or designee shall ensure that the use of ADR is consistent with state and federal laws and regulations.

The district shall protect all complainants from retaliation. In investigating complaints, the confidentiality of the parties involved shall be protected as required by law. As appropriate for any complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the Superintendent or designee shall keep confidential the identity of the complainant and/or the subject of the complaint if he/she is different from the complainant, as long as the integrity of the complaint process is maintained.

When an allegation that is not subject to the UCP is included in a UCP complaint, the district shall refer the non-UCP allegation to the appropriate staff or agency and shall investigate and, if appropriate, resolve the UCP related allegation(s) through the district's UCP.

The Superintendent or designee shall provide training to district staff to ensure awareness and knowledge of current law and related requirements, including the steps and timelines specified in this policy and the accompanying administrative regulation.

The Superintendent or designee shall maintain records of all UCP complaints and the investigations of those complaints. All such records shall be destroyed in accordance with applicable state law and district policy.

Non-UCP Complaints

The following complaints shall not be subject to the district's UCP but shall be referred to the specified agency:

1. Any complaint alleging child abuse or neglect shall be referred to the county Department of Social Services, the County Protective Services Division, and the appropriate law enforcement agency.
2. Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to Department of Social Services and shall, for licensing-exempt facilities, be referred to the appropriate Child Development regional administrator.
3. Any complaint alleging employment discrimination shall be sent to the California Department of Fair Employment and Housing and the compliance officer shall notify the complainant by first class mail of the transfer.

4. Any complaint alleging fraud shall be referred to the California Department of Education.

In addition, the district's Williams Uniform Complaint Procedures, AR 1312.4, shall be used to investigate and resolve any complaint related to sufficiency of textbooks or instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff, or teacher vacancies and misassignments.

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

222 Reasonable accommodations; lactating students

8200-8498 Child care and development programs

8500-8538 Adult basic education

18100-18203 School libraries

32289 School safety plan, uniform complaint procedures

35186 Williams uniform complaint procedures

48853-48853.5 Foster youth

48985 Notices in language other than English

49010-49013 Student fees

49060-49079 Student records

49069.5 Rights of parents

49490-49590 Child nutrition programs

51210 Courses of study grades 1-6

51223 Physical education, elementary schools

51225.1-51225.2 Foster youth and homeless children; course credits; graduation requirements

51228.1-51228.3 Course periods without educational content

52060-52077 Local control and accountability plan, especially

52075 Complaint for lack of compliance with local control and accountability plan requirements

52160-52178 Bilingual education programs

52300-52490 Career technical education

52500-52616.24 Adult schools

52800-52870 School-based program coordination

54400-54425 Compensatory education programs

54440-54445 Migrant education

54460-54529 Compensatory education programs

56000-56867 Special education programs

59000-59300 Special schools and centers

64000-64001 Consolidated application process

GOVERNMENT CODE

11135 Nondiscrimination in programs or activities funded by state

12900-12996 Fair Employment and Housing Act

PENAL CODE

422.55 Hate crime; definition

422.6 Interference with constitutional right or privilege

CODE OF REGULATIONS, TITLE 5

3080 Application of section

4600-4687 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1221 Application of laws

1232g Family Educational Rights and Privacy Act

1681-1688 Title IX of the Education Amendments of 1972

6301-6577 Title I basic programs

6801-6871 Title III language instruction for limited English proficient and immigrant students

7101-7184 Safe and Drug-Free Schools and Communities Act

7201-7283g Title V promoting informed parental choice and innovative programs

7301-7372 Title V rural and low-income school programs

12101-12213 Title II equal opportunity for individuals with disabilities

UNITED STATES CODE, TITLE 29

794 Section 504 of Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

2000d-2000e-17 Title VI and Title VII Civil Rights Act of 1964, as amended

2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964

6101-6107 Age Discrimination Act of 1975

CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 Nondiscrimination on basis of disability; complaints

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy Act

100.3 Prohibition of discrimination on basis of race, color or national origin

104.7 Designation of responsible employee for Section 504

106.8 Designation of responsible employee for Title IX

106.9 Notification of nondiscrimination on basis of sex

110.25 Notification of nondiscrimination on the basis of age

Management Resources:

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS

Dear Colleague Letter: Title IX Coordinators, April 2015

Questions and Answers on Title IX and Sexual Violence, April 2014

Dear Colleague Letter: Bullying of Students with Disabilities, August 2013

Dear Colleague Letter: Sexual Violence, April 2011

Dear Colleague Letter: Harassment and Bullying, October 2010

Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001

U.S. DEPARTMENT OF JUSTICE PUBLICATIONS

Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 2002

WEB SITES

CSBA: http://www.csba.org

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

Family Policy Compliance Office: http://familypolicy.ed.gov

U.S. Department of Education, Office for Civil Rights: http://www.ed.gov/about/offices/list/ocr

U.S. Department of Justice: http://www.justice.gov

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Students
Student Wellness

Nutrition and Physical Activity

The Mark West Union School District is committed to providing school environments that promote and protect children's health, well-being, and ability to learn by supporting healthy eating and physical activity.

1. The school district will engage students, parents, teachers, food service professionals, health professionals, and other interested community members in developing, implementing, monitoring, and reviewing district-wide nutrition activity policies.
2. All students in grades K-6 (and 7-8 in the Charter School) will have opportunities, support, and encouragement to be physically active on a regular basis.
3. Foods and beverages sold or served at school will meet the nutritional recommendations for the U.S. Dietary Guidelines for Americans.
4. Qualified child nutrition professionals will provide students with access to a variety of affordable, nutritious, and appealing foods that meet the health and nutrition needs of students; will accommodate the religious, ethnic, and cultural diversity of the student body in meal planning; and will provide clean, safe, and pleasant settings and adequate time for students to eat.
5. To the maximum extent practicable, all schools in the Mark West Union School District will participate in available federal school meal programs – National School Lunch Program and the Summer Food Service Program.
6. Schools will providenutrition education and physical education to foster lifelong habits of healthy eating and physical activity, and will establish linkages between health education and school meal programs, and with related community services.

Nutritional Standards for Quality Foods and Beverages Sold and Served on Campus

School Meals

1. The Child Nutrition Services program will ensure that all foods served on school campuses (cafeteria, as well as ala carte sales), from 30 minutes prior to school commencing in the morning until 30 minutes after the last period of the school day, will comply with SB19 standards and all state and federal regulations.
2. Effective immediately, the District shall exercise control over all vending machines on its property including vendors, locations, contents, and appearance:
   a. All vending machines located on school campuses that are accessible to the student body and the public (not including staff lounges), shall sell only water, 100% fruit juices, non-carbonated electrolyte replacement drinks, and/or reduced fat milk.
3. 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 as well as fresh fruit shall be available at each school site.
4. Ensure meals are served in a pleasant environment with sufficient time for eating:
   a. Students shall have a minimum of 20 minutes to eat lunch.
   b. School site leadership shall be involved to improve cafeteria décor and atmosphere.

c. The District belongs to the Santa Rosa City Schools Food program. District staff shall encourage the City Schools to provide menus that appeal to the school population.
d. Staff shall be encouraged to periodically join students to model good eating habits, manners, and behavior.

5. Nutrition and Health education shall be incorporated into regular teaching plans, in ways to meet California Standards requirements:
   a. Teachers shall be provided 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 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.
6. Ensure that no student is hungry:
   a. The District shall develop an outreach and promotion plan to ensure maximum participation in the school meal program.
   b. The District shall ensure that all eligible children qualify for free and reduced meals.
   c. Students should be encouraged to participate in the salad bar if they forget their lunch.
   d. Students should be encouraged to wait until after they finish their snacks prior to going to recess.
7. Increase family and community involvement is issues of nutrition and physical activity as it relates to childhood and adult health:
   a. Provide nutrition and physical activity information through a website or newsletter.
   b. Schools will encourage parents to provide a healthy breakfast for their children through newsletter articles, take-home materials, or other means.
   c. Partner with the PTA and Education Foundation for various activities related to the health and well being of every child in the District.
   d. 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

Free and Reduced priced meals

Schools will make every effort to eliminate any stigma attached to, and prevent the overt identification of, students who are eligible for free and reduced-priced school meals. Towards this end, schools may utilize electronic identification and payment systems and promote the availability of school meals to all students.

Qualifications of Food Service Staff:

Qualified nutrition professionals will develop the school meal programs (currently Santa Rosa City Schools Central Kitchen). As part of the school district's responsibility to operate a food service program, we will provide continuing professional development for all cafeteria food server staff in schools. Staff development programs should include appropriate certification and/or training programs for cafeteria workers according to their levels of responsibility.

Sharing of Foods and Beverages.

Schools will discourage students from sharing their food or beverages with one another during meal or snack times, given concerns about allergies and other restrictions on some children's diets.

Elementary Schools.
The school food service program will approve and provide all food and beverage sales to students in elementary schools. Given young children's limited nutrition skills, food in elementary schools should be sold as balanced meals. If available, foods and beverages sold individually should be limited to low-fat and non-fat foods and milks, and non-fried vegetables.

Beverages

- Allowed: water without added caloric sweeteners; fruit and vegetable juices and fruit based drinks that contain at least 50% fruit juice and that do not contain additional caloric sweeteners; unflavored or flavored low-fat or fat-free fluid milk and nutritionally-equivalent nondairy beverages (to be identified by USDA);
- Not allowed: soft drinks containing caloric sweeteners; sports drinks; iced teas; fruit based drinks that contain less than 50% real fruit juice or that contain additional caloric sweeteners; beverages containing caffeine, excluding low-fat or fat-free chocolate milk (which contain trivial amounts of caffeine).

Foods

- A food item sold individually will follow all state and federal regulations.

Portion Sizes

- Limit portion sizes of food and beverages sold individually following all state and federal regulations.

Fundraising Activities
To support children's health and school nutritional-education efforts, school fundraising activities will not involve food or will only use the foods that meet the above nutrition and portion size standards for foods and beverages sold individually for consumption during school hours and one-half hour before and after school. Schools will encourage fundraising activities that promote physical activity. The Wellness Committee will make available a list of ideas for acceptable fundraising activities.

Snacks
Snacks served during the school day or in after-school care or enrichment programs or intervention programs will make a positive contribution to children's diets and health, with an emphasis on serving fruits and vegetables as the primary snacks and water as the primary beverage. Schools will assess if and when to offer snacks based on timing of school meals, children's nutritional needs, children's ages, and other considerations.

Rewards
Schools will not use foods or beverages, especially those that do not meet the nutrition standards for foods and beverages sold individually (above), as rewards for academic performances or good behavior, and will not withhold food or beverages (including food served through school meals) as a punishment.

Celebrations

Schools should limit celebrations that involve food during the school day. Each party should include no more than one food or beverage that does not meet nutrition standards for foods and beverages sold individually (above). The District will disseminate a list of healthy party ideas to parents and teachers.

Nutrition and Physical Activity Promotion and Food Marketing

Nutrition Education and Promotion

The Mark West Union School District aims to teach, encourage, and support healthy eating by students. Schools should provide nutrition education and engage in nutrition promotion that;

- Is integrated into health education classes and also classroom instruction in subjects such as math, science, language arts and social studies;
- Includes enjoyable, developmentally-appropriate, culturally relevant, participatory activities, such as contests, promotions, taste testing, farm visits, and school gardens;
- Promotes fruits, vegetables, whole grain products, low-fat and fat-free dairy products; healthy food preparation methods, and healthy-enhancing nutrition practices;
- Emphasizes caloric balance between food intake and energy expenditure (physical activity/exercise);

Integrating Physical Activities into the Classroom Setting.

For students to receive the nationally-recommended amount of daily physical activity, and for students to fully embrace regular physical activity as a personal behavior, students need opportunities for physical activity beyond physical education class.
Toward that end:

- Classroom health education will complement physical education by reinforcing the knowledge and self-management skills needed to maintain a physically-active lifestyle and to reduce time spent on sedentary activities, such as watching television;
- Opportunities for physical activity will be incorporated into other subject lessons; and
- Classroom teachers will provide short physical activity breaks between lessons or classes, as appropriate.
- Schools will not deny student participation in recess or other physical activity as a form of discipline or for classroom make-up time.

Communicating with Parents

The District/school will support parents' efforts to provide a healthy diet and daily physical activity for their children. The district/school will send home nutrition information and/or have it posted on the District website. Schools should encourage parents to pack healthy lunches and snacks and to refrain from including beverages and foods that do not meet the state and federal nutrition standards for individual foods and beverages. The district/school will provide parents a list of foods that meet the District's snack standards and ideas for healthy celebrations/parties, rewards and fundraising activities. In addition, the District/school will provide opportunities for parents to share their healthy food practices with others in the school community.

The District/school will provide information about physical education and other school-based physical activity opportunities and support parents' efforts to provide their children with opportunities to be physically active outside of school. Such supports will include sharing information about physical activity and physical education.

Staff Wellness

The Mark West Union School District highly values the health and well-being of every staff member and will plan and implement activities and policies that support personal efforts by staff to maintain a healthy lifestyle. Each school is encouraged to establish and maintain a staff wellness committee composed of at least one teacher, a staff member, and a principal. The committee should promote, and oversee a multifaceted plan to promote staff health and wellness. The plan should be based on input solicited from school staff and should outline ways to encourage healthy eating, physical activity, and other elements of a healthy lifestyle among school staff.

Physical Activity Opportunities and Physical Education

Daily Physical Education (P.E.) K-6. All students in grades K-6, including students with disabilities, special health-care needs, and in alternative educational settings, will receive regular physical education for the entire year.

Daily Recess. All elementary school students will have at least 15 minutes a day of supervised recess, preferably outdoors, during which schools should encourage moderate to vigorous physical activity verbally and through the provisions of space and equipment.

Schools should discourage extended periods (i.e., periods of two or more hours) of inactivity. When activities, such as mandatory school-wide testing, make it necessary for students to remain indoors for long periods of time, schools should give students periodic breaks during which they are encouraged to stand and be moderately active.

Physical Activity Opportunities Before and After School. Schools may offer a range of activities that meet the needs, interests, and abilities of all students, including boys, girls, students with disabilities, and students with special health-care needs.

After-school child care and enrichment programs will provide and encourage – verbally and through the provision of space, equipment, and activities – daily periods of moderate to vigorous physical activity for all participants.

Physical Activity and Punishment. Teachers and other school and community personnel will not use physical activity (e.g., running laps, pushups) or withhold opportunities for physical activity (e.g., recess, physical education) as punishment.

Use of Facilities Outside of School Hours. School spaces and facilities should be available to students, staff, and community members before, during, and after the school day, on weekends, and during school vacations, if possible. These spaces and facilities also should be available to community agencies and organizations offering physical activity and nutrition programs. Facilities Use Policies and School policies concerning safety will apply at all times.

Monitoring

The Superintendent or designee will ensure compliance with established district-wide nutrition and physical activity wellness policies. In each school, the principal or designee will ensure

compliance with those policies in his/her school and will report on the school's compliance to the school district Superintendent or designee.

School food service staff, at the school or district level, will ensure compliance with nutrition policies within school food service areas and will report on this matter to the Superintendent.

Resources for Local School Wellness Policies on Nutrition and Physical Activity

- California Department of Education, Nutrition Services Division: http://www.cde.ca.gov/ls/nu
- California Department of Health Services: http://www.dhs.ca.gov
- California Healthy Kids Resource Center: http://www.californiahealthykids.org
- Dairy Council of California: http://www.dairycouncilofca.org
- School Nutrition Association: http://www.schoolnutrition.org
- School Health Index, Centers For Disease Control and Prevention, http://apps.nccd.cdc.gov/shi/
- Local Wellness Policy website, U.S. Department of Agriculture, http://www.fns.usda.gov/tn/Healthy/wellnesspolicy.html
- Fit, Healthy, and Ready to learn: a School Health Policy Guide, National Association of State Board of Education, www.nasbe.org/HealthySchools/fithealthy.mgi
- Preventing Childhood Obesity: Health in the Balance, Institute of Medicine of the National Academies, www.iom.edu/report.asp?id=22596
- The Learning Connection: The Value of Improving Nutrition and Physical Activity in Our Schools, Action for Healthy Kids, www.actionforhealthykids.org/docs/specialreports/LC%20Color%20 120204final.pdf
- Ten Strategies for Promoting Physical Activity, Healthy Eating, and a Tobacco-free Lifestyle through School Health Programs, Centers for Disease Control and Prevention, www.cdc.gov/healthyyouth/publications/pdf/ten strategies.pdf www.cdc.gov/nccdphp/sgr/ataglan.htm
- Health, Mental Health, and Safety Guidelines for Schools, American Academy of Pediatrics and National Association of School Nurses, http://www.nationalguidelines.org
- California Healthy Kids Resource Center, http://www.californiahealthykids.org

Legal Reference:
EDUCATION CODE
49430-49436 Pupil Nutrition, Health, and Achievement Act of 2001
49490-49493 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
49550-49560 Meals for needy students
49565-49565.8 California Fresh Start pilot program
49570 National School Lunch Act
51222 Physical education
51223 Physical education, elementary schools

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

Students
Absences and Excuses

Excused Absences
A student's absence shall be excused for the following reasons:

1. Personal illness (Education Code 48205)

2. Quarantine under the direction of a county or city health officer (Education Code 48205)

3. Medical, dental, optometrical, or chiropractic appointment (Education Code 48205)

4. Attendance at funeral services for a member of the immediate family, which shall be limited to one day if the service is conducted in California or three days if the service is conducted out of state (Education Code 48205)

Immediate family shall be defined as mother, father, grandmother, grandfather, spouse, son/son-in-law, daughter/daughter-in-law, brother, sister, or any relative living in the student's immediate household. (Education Code 45194, 48205)

5. Upon advance written request by the parent/guardian and the approval of the principal or designee, justifiable personal reasons including, but not limited to: (Education Code 48205)

a. Appearance in court

b. Attendance at a funeral service

c. Observation of a holiday or ceremony of his/her religion

d. Attendance at religious retreats not to exceed four hours per semester

6. To spend time with his/her immediate family member who is an active duty member of the uniformed services, as defined in Education Code 49701, and has been called to duty for deployment to a combat zone or a combat support position or is on leave from or has immediately returned from such deployment (Education Code 48205)

7. Participation in religious exercises or to receive moral and religious instruction in accordance with district policy (Education Code 46014)

a. In such instances, the student shall attend at least the minimum school day.

b. The student shall be excused for this purpose on no more than four days per school month.

Method of Verification
When a student who has been absent returns to school, he/she shall present a satisfactory explanation verifying the reason for the absence. Absences shall be verified by the student's parent/guardian, other person having control of the minor, or the student if age 18 or older. (Education Code 46012; 5 CCR 306)

The following methods may be used to verify student absences:

1. Written note, fax, email, or voice mail from parent/guardian or parent representative.

2. Conversation, in person or by telephone, between the verifying employee and the student's parent/guardian or parent representative. The employee shall subsequently record the following:

Students
Absences and Excuses

a. Name of student

b. Name of parent/guardian or parent representative

c. Name of verifying employee

d. Date(s) of absence

e. Reason for absence

3. Visit to the student's home by the verifying employee, or any other reasonable method which establishes the fact that the student was absent for the reasons stated. The employee shall document the verification and include the information specified in item #2 above.

4. Physician's verification.

a. When excusing students for confidential medical services or verifying such appointments, district staff shall not ask the purpose of such appointments but may contact a medical office to confirm the time of the appointment.

b. When a student has had 14 absences in the school year for illness verified by methods listed in #1-3 above, any further absences for illness shall be verified by a physician.

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