

STUDENT WELFARE  
WELLNESS AND HEALTH SERVICES

FFA  
(LOCAL)

WELLNESS	The District shall follow nutrition guidelines that advance student health and reduce childhood obesity and shall promote the general wellness of all students through nutrition education, physical activity, educational programs addressing the use of tobacco, steroids, drug and alcohol use, and other school-based activities.
DEVELOPMENT OF GUIDELINES AND GOALS	The District shall develop nutrition guidelines and wellness goals in consultation with the local school health advisory council and with involvement from representatives of the student body, school food service, school administration, the Board, parents, and the public. [See BDF and EHAA]
NUTRITION GUIDELINES	The District shall ensure that nutrition guidelines for reimbursable school meals shall be at least as restrictive as federal regulations and guidance and that all foods available on each campus are in accordance with the Texas Public School Nutrition Policy. [See CO]
WELLNESS GOALS NUTRITION EDUCATION	<p>The District shall implement, in accordance with law, a coordinated health program with a nutrition education component [see EHAB and EHAC] and shall use health course curriculum that emphasizes the importance of proper nutrition [see EHAA].</p> <p>In addition, the District establishes the following goal for nutrition education: the food service staff, teachers, and other school personnel shall coordinate the promotion of nutrition messages in the cafeteria, the classroom, and other appropriate settings.</p>
PHYSICAL ACTIVITY	<p>The District shall implement, in accordance with law, a coordinated health program with physical education and physical activity components and shall offer at least the required amount of physical activity for all grades [see BDF, EHAB, and EHAC].</p> <p>In addition, the District establishes the following goal for physical activity: physical education classes shall regularly emphasize moderate to vigorous activity.</p>
SCHOOL-BASED ACTIVITIES	The District establishes the following goal to create an environment conducive to healthful eating and physical activity and to express a consistent wellness message through other school-based activities: sufficient time shall be allowed for students to eat meals in lunchroom facilities that are clean, safe, and comfortable.
IMPLEMENTATION	The Superintendent shall monitor the implementation of this policy and shall develop administrative procedures for periodically measuring the implementation of the wellness policy.

TEXAS DEPARTMENT OF AGRICULTURE SCHOOL NUTRITION POLICIES	The District must comply with rules adopted by the Texas Department of Agriculture (TDA), which administers federal and state nutrition programs including the National School Lunch Program (NSLP) under 42 U.S.C. Section 1751 et seq.; and the School Breakfast Program (SBP) under 42 U.S.C. Section 1773. <i>Agriculture Code 12.0025</i>
DEFINITIONS	<p>"School day" means the midnight before, to 30 minutes after, the end of the official school day.</p> <p>"School campus" means all areas of the property under the jurisdiction of the school that are accessible to students during the school day.</p> <p><i>4 TAC 26.1</i></p>
DEEP FAT FRYER PROHIBITION	A district that participates in the NSLP or SBP may not utilize deep fat frying as a method of on-site preparation for foods served as part of reimbursable school meals or for foods sold or provided to students on the school campus during the school day. <i>4 TAC 26.2</i>
SOFT DRINK PROHIBITION	Soft drinks may not be sold during the school day to any age group or grade in a district that participates in the NSLP or SBP. Soft drinks are defined as non-juice, carbonated beverages that contain natural or artificial sweeteners. <i>4 TAC 26.10</i>
TIME AND PLACE RESTRICTIONS ON COMPETITIVE FOODS	<p>"Competitive food" means all food and beverages other than meals reimbursed through the NSLP available for sale to students on the school campus during the school day. Competitive food must meet general nutrition standards established in federal regulations. <i>7 C.F.R. 210.11</i></p> <p>An elementary school campus may not serve competitive foods (or provide access to them through indirect sales) to students anywhere on the school campus throughout the school day except for those food items made available by the school food service department.</p> <p>A middle or junior high school campus may not serve competitive foods (or provide access to them through indirect sales) to students anywhere on the school campus from 30 minutes before to 30 minutes after meal periods except for those food items made available by the school food service department.</p> <p>High schools may not serve competitive foods (or provide access to them through indirect sales) to students during meal periods in areas where reimbursable school meals are served and/or consumed except for those food items made available by the school food service department.</p> <p><i>4 TAC 26.11(a)</i></p>

ALTERNATIVE LOCAL STANDARDS	<p>A district that participates in the NSLP or SBP that wishes to adopt alternative local time and place standards in place of the standards above may adopt or revise its local wellness policy to include language that addresses time and place restrictions for the consumption of competitive foods.</p> <p>The Board must approve the wellness policy concerning time and place restrictions for competitive foods. Approved wellness policies and minutes documenting Board approval must be readily available for review by TDA upon request.</p> <p><i>4 TAC 26.11(b)</i> [See FFA for wellness policy requirements]</p>
VIOLATIONS  DISALLOWANCE OF MEALS	<p>If TDA determines that the District has violated Texas School Nutrition Policies, it shall disallow meal reimbursement for the day(s) on which the violation occurred and require the District to reimburse the food service account for the disallowed reimbursement.</p>
CORRECTIVE ACTION PLAN	<p>A district that violates Texas School Nutrition Policies must also comply with a documented corrective action plan, approved by TDA. TDA will monitor the District to ensure compliance with the corrective action plan.</p>
APPEAL	<p>The District may request an appeal for a disallowance of meal reimbursements. The procedures for appeals arising out of TDA's administration of its food and nutrition programs are set out in 4 Administrative Code Chapter 1, Subchapter P, Division 6, 1.1050 – .1053 (relating to Appeal Procedures for the Food and Nutrition Programs).</p> <p><i>4 TAC 26.12</i></p>
LIMITATION ON SANCTIONS	<p>TDA may not impose on the District a sanction, including disallowing meal reimbursement, based on the sale to students at a high school of food of minimal nutritional value, if the sale is approved in advance by the school and is made:</p> <ol style="list-style-type: none"> <li>1. Outside of a school area designated for food service or food consumption or during a period other than a school meal service period; and</li> <li>2. For the purpose of raising money for a student organization or activity sponsored or sanctioned by the school or the school district in which the school is located.</li> </ol> <p><i>Agriculture Code 12.0028</i></p>
LAUREN'S LAW	<p>The District may not adopt any rule, policy, or program under Education Code 28.002 that would prohibit a parent or grandparent of a student from providing any food product of the parent's or grandparent's choice to:</p>

1. Children in the classroom of the child on the occasion of the child's birthday; or
2. Children at a school-designated function.

*Education Code 28.002(1-3)(2)*

BASIC INSTRUCTIONAL PROGRAM  
REQUIRED INSTRUCTION (ALL LEVELS)

EHAA  
(LEGAL)

PURPOSE

A primary purpose of the public school curriculum is to prepare thoughtful, active citizens who understand the importance of patriotism and can function productively in a free enterprise society with appreciation for the basic democratic values of our state and national heritage. The District shall foster the continuation of the tradition of teaching United States and Texas history and the free enterprise system in regular subject matter, in reading courses, and in the adoption of textbooks. *Education Code 28.002(h)*

As a condition of accreditation, the District shall provide instruction in the essential knowledge and skills at appropriate grade levels in the foundation and enrichment curriculum. *Education Code 28.002(c); 19 TAC 74.1(b)*

The District shall ensure that all children in the District participate actively in a balanced curriculum designed to meet individual needs. *Education Code 28.002(g)*

Instruction may be provided in a variety of arrangements and settings, including mixed-age programs designed to permit flexible learning arrangements for developmentally appropriate instruction for all student populations to support student attainment of course and grade-level standards. *19 TAC 74.2*

REQUIRED  
CURRICULUM

A district that offers kindergarten through grade 12 shall offer the following as a required curriculum:

FOUNDATION  
CURRICULUM

1. A foundation curriculum that includes:
  - a. English language arts and reading;
  - b. Mathematics;
  - c. Science; and
  - d. Social studies, consisting of Texas, United States, and world history; government; geography; and economics with emphasis on the free enterprise system and its benefits.

*Education Code 28.002(a)(1); 19 TAC 74.1(a)(1)*

ENRICHMENT  
CURRICULUM

2. An enrichment curriculum that includes:
  - a. Languages other than English, to the extent possible. American Sign Language is a language for these purposes and the District may offer an elective course in the language;
  - b. Health, with emphasis on the importance of proper nutrition and exercise;

BASIC INSTRUCTIONAL PROGRAM  
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EHAA  
(LEGAL)

- c. Physical education;
- d. Fine Arts;
- e. Career and technical education;
- f. Technology applications;
- g. Religious literature, including the Hebrew Scriptures (Old Testament) and New Testament, and its impact on history and literature; and
- h. Personal financial literacy.

*Education Code 28.002(a)(2), (e); 19 TAC 74.1(a)(2)*

LOCAL CREDIT

The District may offer courses for local credit, at its discretion, in addition to those in the required curriculum, but it may not delete or omit instruction in the foundation and enrichment curricula specified above. *Education Code 28.002(f); 19 TAC 74.1(b)*

LOCAL  
INSTRUCTIONAL PLAN

The District's local instructional plan may draw on state curriculum frameworks and program standards as appropriate. The District is encouraged to exceed minimum requirements of law and State Board rule.

MAJOR  
CURRICULUM  
INITIATIVES

Before the adoption of a major curriculum initiative, including the use of a curriculum management system, the District must use a process that:

1. Includes teacher input;
2. Provides District employees with the opportunity to express opinions regarding the initiative; and
3. Includes a meeting of the Board at which information regarding the initiative is presented, including the cost of the initiative and any alternatives that were considered; and members of the public and District employees are given the opportunity to comment regarding the initiative.

*Education Code 28.002(g)*

COMMON CORE  
STATE STANDARDS

The District may not use common core state standards to comply with the requirement to provide instruction in the essential knowledge and skills at appropriate grade levels. The District may not be required to offer any aspect of a common core state standards curriculum. "Common core state standards" means the national curriculum standards developed by the Common Core State Standards Initiative. *Education Code 28.002(b-1), (b-3), (b-4)*

BASIC INSTRUCTIONAL PROGRAM  
REQUIRED INSTRUCTION (ALL LEVELS)

EHAA  
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COORDINATED  
HEALTH PROGRAMS

TEA shall make available to the District one or more coordinated health programs or allow the development of District programs designed to prevent obesity, cardiovascular disease, oral disease, and type 2 diabetes in elementary, middle, and junior high school students. Each program must provide for coordinating:

1. Health education, including oral health education;
2. Physical education and physical activity;
3. Nutrition services; and
4. Parental involvement.

*Education Code 38.013; 19 TAC 102.1031(a)*

The District shall participate in appropriate training to implement TEA's coordinated health program and shall implement the program in each elementary, middle, and junior high school in the District. *Education Code 38.014*

Coordinated school health programs that are developed by the District and that meet TEA criteria may be approved and made available as approved programs. The District must use materials that are proven effective, such as TEA-approved textbooks or materials developed by nationally recognized and/or government-approved entities. *19 TAC 102.1031(c)*

PHYSICAL EDUCATION

The District shall establish specific objectives and goals the District intends to accomplish through the physical education curriculum. The physical education curriculum must be sequential, developmentally appropriate, and designed, implemented, and evaluated to enable students to develop the motor, self-management, and other skills, knowledge, attitudes, and confidence necessary to participate in physical activity throughout life.

A physical education course shall:

1. Offer students an opportunity to choose among many types of physical activity in which to participate;
2. Offer students both cooperative and competitive games; and
3. Be an enjoyable experience for students.

On a weekly basis, at least 50 percent of a physical education class shall be used for actual student physical activity and the activity shall be, to the extent practicable, at a moderate or vigorous level.

BASIC INSTRUCTIONAL PROGRAM  
REQUIRED INSTRUCTION (ALL LEVELS)

EHAA  
(LEGAL)

STUDENT/TEACHER  
RATIO

The objectives and goals shall include, to the extent practicable, student/teacher ratios [see EEB] that are small enough to enable the District to:

1. Carry out the purposes of and requirements for the physical education curriculum; and
2. Ensure the safety of students participating in physical education.

If the District establishes a student to teacher ratio greater than 45 to 1 in a physical education class, the District shall specifically identify the manner in which the safety of the students will be maintained.

*Education Code 25.114, 28.002(d); 19 TAC 74.37*

CLASSIFICATION FOR  
PHYSICAL EDUCATION

The District shall classify students for physical education on the basis of health into one of the following categories:

1. Unrestricted—not limited in activities.
2. Restricted—excludes the more vigorous activities. Restricted classification is of two types:
  - a. Permanent—A member of the healing arts licensed to practice in Texas shall provide written documentation to the school as to the nature of the impairment and the expectations for physical activity for the student.
  - b. Temporary—Students may be restricted from physical activity of the physical education class. A member of the healing arts licensed to practice in Texas shall provide written documentation to the school as to the nature of the temporary impairment and the expected amount of time for recovery. During recovery time, the student shall continue to learn the concepts of the lessons but shall not actively participate in the skill demonstration.
3. Adapted and remedial—specific activities prescribed or prohibited for students as directed by a member of the healing arts licensed to practice in Texas.

*19 TAC 74.31*

SCHOOL HEALTH  
ADVISORY COUNCIL

The Board shall establish a local school health advisory council (SHAC) to assist the District in ensuring that local community values are reflected in the District's health education instruction. *Education Code 28.004(a)* [See BDF regarding composition of the SHAC and FFA regarding federal wellness requirements]



## DUTIES

The SHAC's duties include recommending:

1. The number of hours of instruction to be provided in health education;
2. Policies, procedures, strategies, and curriculum appropriate for specific grade levels designed to prevent obesity, cardiovascular disease, type 2 diabetes, and mental health concerns through coordination of:
  - a. Health education,
  - b. Physical education and physical activity,
  - c. Nutrition services,
  - d. Parental involvement,
  - e. Instruction to prevent the use of tobacco;
  - f. School health services,
  - g. Counseling and guidance services,
  - h. A safe and healthy school environment, and
  - i. School employee wellness;
3. Appropriate grade levels and methods of instruction for human sexuality instruction;
4. Strategies for integrating the curriculum components specified by item 2, above, with the following elements in a coordinated school health program:
  - a. School health services;
  - b. Counseling and guidance services;
  - c. A safe and healthy school environment; and
  - d. School employee wellness; and
5. If feasible, joint use agreements or strategies for collaboration between the District and community organizations or agencies. Any agreement entered into based on a recommendation of the SHAC must address liability for the District and community organization.

*Education Code 28.004(c)*

The SHAC shall consider and make policy recommendations to the District concerning the importance of daily recess for elementary school students. The SHAC must consider research regarding un-

	structured and undirected play, academic and social development, and the health benefits of daily recess in making the recommendations. The SHAC shall ensure that local community values are reflected in any policy recommendation made to the District concerning the importance of daily recess for elementary school students. <i>Education Code 28.004(l)</i>
CONTENT OF HUMAN SEXUALITY INSTRUCTION	<p>The Board shall determine the specific content of the District's instruction in human sexuality. <i>Education Code 28.004(h)</i></p> <p>The Board shall select any instruction relating to human sexuality, sexually transmitted diseases, or human immunodeficiency virus (HIV) or acquired immune deficiency syndrome (AIDS) with the advice of the SHAC. The instruction must:</p> <ol style="list-style-type: none"> <li>1. Present abstinence as the preferred choice of behavior for unmarried persons of school age;</li> <li>2. Devote more attention to abstinence than to any other behavior;</li> <li>3. Emphasize that abstinence is the only method that is 100 percent effective in preventing pregnancy, sexually transmitted diseases, infection with HIV or AIDS, and the emotional trauma associated with adolescent sexual activity;</li> <li>4. Direct adolescents to a standard of behavior in which abstinence before marriage is the most effective way to prevent pregnancy, sexually transmitted diseases, and infection with HIV or AIDS; and</li> <li>5. Teach contraception and condom use in terms of human use reality rates instead of theoretical laboratory rates, if instruction on contraception and condoms is included in the curriculum.</li> </ol> <p><i>Education Code 28.004(e)</i></p>
CONDOMS	The District may not distribute condoms in connection with instruction relating to human sexuality. <i>Education Code 28.004(f)</i>
SEPARATE CLASSES	If the District provides human sexuality instruction, it may separate students according to sex for instructional purposes. <i>Education Code 28.004(g)</i> [See FB regarding single-sex classes under Title IX]
NOTICE TO PARENTS	Before each school year, the District shall provide written notice to a parent of each student enrolled in the District of the Board's decision regarding whether the District will provide human sexuality instruction to District students. If instruction will be provided, the notice must include:

1. A summary of the basic content of the District's human sexuality instruction to be provided to the student, including a statement informing the parent of the instructional requirements under state law;
2. A statement of the parent's right to:
  - a. Review curriculum materials as provided by Education Code 28.004(j); and
  - b. Remove the student from any part of that instruction without subjecting the student to any disciplinary action, academic penalty, or other sanction imposed by the District or the student's school; and
3. Information describing the opportunities for parental involvement in the development of the curriculum to be used in human sexuality instruction, including information regarding the SHAC.

A parent may use the grievance procedure at FNG concerning a complaint of a violation of notice requirements.

*Education Code 28.004(i)-(i-1)*

#### AVAILABILITY OF MATERIALS

The District shall make all curriculum materials used in human sexuality instruction available for reasonable public inspection. *Education Code 28.004(j)* [See EFAA regarding selection of curriculum materials for human sexuality instruction]

#### STEROID NOTICE AND EDUCATION

The District shall, at appropriate grade levels as determined by the State Board of Education, provide to students involved in extracurricular athletic activities information developed by TEA regarding the use of anabolic steroids and the health risks involved with such use. *Education Code 38.0081(b)*

Each school in a district in which there is a grade level of seven or higher shall post in a conspicuous location in the school gymnasium and each other place in a building where physical education classes are conducted a notice regarding steroids, using the text set forth at Education Code 38.008 [see FNCF(EXHIBIT)]. *Education Code 38.008*