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Wellness Policy: Alba-Golden ISD

Introduction

Federal Public Law (PL 108.265 Section 204) states that by the first day of the 2006 school year beginning after June 30, 2006 all schools must develop a local wellness policy that involves parents, students, a representative from the School Food Authority, school board, school administrators and the public. The Local Education Authority (LEA) will establish a plan for measuring implementation of the local wellness policy.

Development and Adoption:

The following goals and policies for student wellness were developed by the Alba-Golden SHAC (Student Health Advisory Committee), under the leadership of the district nurse. The SHAC consists of representatives from each of the following categories: Campus administration and staff, community members, parents, students, school health and wellness professionals, school nutrition staff, and the board of trustees. This wellness policy complies with the guidelines set forth by the Texas Department of Agriculture, and was adopted by the Alba-Golden ISD Board of Trustees at the regular monthly meeting held on April 11, 2006 at 7:00 pm.

Review and Approval:

The current wellness policy was reviewed by the Alba-Golden SHAC and Food Service Department. The Wellness Policy has been updated in accordance with the July 2014 regulations and will continue to be updated as regulations change. All referenced policies have been updated to include the latest legal policy adoption. The business manager, along with the campus administrators, shall be designated as the school officials to ensure that each school complies with the Local Wellness Policy. The board of trustees shall formally review and approve updates to the wellness manual as needed.

Mission Statement:

Alba-Golden ISD is committed to providing a school environment that enhances learning and development of lifelong wellness through example, curriculum, nutrition education, and physical activity.

Alba-Golden ISD-Goals for Student Wellness

Goals: [Related Policies and Regulation are noted below each goal]

Sequential and interdisciplinary physical, health, and nutrition education is promoted and provided in curriculum approved by TEA, meeting all essential knowledge and skills requirements. Nutrition information is shared with parents to encourage them to teach their children about health and nutrition. [Policy Online, EHAA & EHAB Legal]

- Patterns of meaningful physical activity connect to students' lives outside of physical education. Physical activities should be integrated across curricula and throughout the school days. [Policy Online, EHAA & EHAB Legal]
- Time allotted for physical activity will be consistent with state standards. [Policy Online, EHAB Legal]
- All school-based activities are consistent with local wellness policy goals. Support for the health of all students is demonstrated by schools hosting Health Fairs, Screenings and other health care assistance. [Policy Online, CO-Legal]
- Child Nutrition Programs comply with federal, state and local requirements. Child Nutrition Programs are accessible to all children. . [Policy Online, CO-Legal]
- All foods and beverages made available on campus (including vending, concessions, a la carte, student stores, parties, and fundraising) during the school day are consistent with the current Dietary Guidelines for Americans, Healthy, Hunger-Free Kids Act, and USDA Smart Snacks Rules. [Policy online at www.squaremeals.org]
- All foods made available on campus adhere to food safety and security regulations, Hazard Analysis and critical Control Points (HACCP) plans and guidelines are implemented. [Policy Online, CO-Legal]
- The school environment is safe, comfortable, pleasing, and allows ample time for eating meals. Food and/or physical activity is not used as a reward or punishment.

The SHI (School Health Index) will be used at least tri-annually to assess the level of implementation of a Coordinated School Health Program at each campus. An annual report on student wellness will be presented to the Student Health Advisory Committee (SHAC). The report will include implementation of wellness events and the health status of Alba-Golden ISD students. The SHAC coordinator, or designee, shall report to the board of trustees at least tri-annually. [Policy Online, EHAA-Legal]


The Alba-Golden Independent School District Board of Trustees reviewed and approved updates to the District Wellness Policy on the 8th day of June, 2020.

Signature: 
Board of Trustees, President

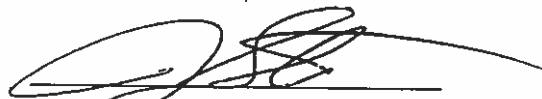
Date: 6/8/2020


Board of Trustees, Secretary

The Alba-Golden Independent School District Board of Trustees reviewed and approved updates to the District Wellness Policy on the 9th day of October, 2017.

Signature: 
Board of Trustees, President

Date: 10/9/17


Board of Trustees, Secretary

Policies Attached

Local Wellness Policy Checklist

CO(LEGAL)

CO(LOCAL)

EHAA(LEGAL)

EHAB(LEGAL)

Local Wellness Policy (LWP) Checklist

For Contracting Entities (CEs) Operating the National School Lunch Program (NSLP) and/or the School Breakfast Program (SBP)

Complete this form using the attached directions.

[Note: The directions provide detailed explanations of requirements and options.]

Contracting Entity (CE) Information

CE Name:

Alba-Golden ISD

CE Identification Number (CE ID):

01175

Schools Operating Under the Local Wellness Policy (LWP):

Alba-Golden Elementary, Alba-Golden Secondary

I. Structure

Requirement: The CE must develop a LWP that applies to all NSLP and/or SBP schools. The LWP must be approved by the board of trustees or governing board.

Check the boxes below to indicate that the CE has met each requirement.

A. All schools operating NSLP and/or SBP

B. Approval

If the CE has not implemented a LWP in all schools operating NSLP and/or SBP and does not have board approval for its LWP, explain why in the space below.

II. Nutrition Education and Promotion

Requirement: The CE must address nutrition education and promotion in its LWP:

- *Activities that foster student health, wellbeing, and ability to learn*
- *Nutritional guidelines for all food and beverages available to be sold or given to students on the school campus during the school day*

Check each element that is addressed in the CE's local wellness plan.

A. Activities to promote health, wellbeing, and students' ability to learn

A.1 Physical activities

- For students For parents
 For staff For community members

A.2 School-based activities

- For students For parents
 For staff For community members

A.3 Community-based activities

- For students For parents
 For staff For community members

B. Nutrition guidelines for all food and beverages available on school campuses during the school day

B.1 Sold in schools

- To students To adults

B.2 Given away in schools

- To students To adults

C. Special Situations:

(Including, but not limited to, food or beverages given or provided to a student by an adult acting on behalf of a student's parent or guardian or food or beverages delivered by businesses to students on the school campus)

If the CE's LWP does not include nutrition education and promotion and nutrition guidelines in its LWP, provide an explanation for why the CE did not in the space below.

III. Stakeholder Engagement

Requirement: The CE must engage stakeholders in developing and implementing its LWP. Stakeholders must include, but are not limited to, the following groups:

- Administrators, district and/or school
- Community members
- Parents
- Representatives of the CE or school(s)
- Representatives of the board of trustees or governing body
- School health professionals
- School nutrition staff
- Students

Check each stakeholder group that will be or is involved in the development and implementation of the LWP.

- A. Administrators, district and/or school
- B. Community members (local service organizations or other appropriate representatives)
- C. Parents
- D. Representatives of the CE or school(s)
- E. Representatives of the board of trustees or governing body
- F. School health professionals
- G. School nutrition staff
- H. Students
- I. Other

If the CE did not involve stakeholders in developing and implementing its LWP (including those groups that are required to be involved), provide an explanation for why the CE did not in the space below.

IV. Triennial Assessment and Publication of Assessment Results

Requirement: Every three years, the CE (1) must measure the effectiveness of its LWP implementation and (2) must distribute the results of the assessment to the public.

The assessment must assist the CE in determining if the implementation of the LWP has achieved the following:

- If the CE and the schools are in compliance with the LWP
- If the CE's LWP aligns to model evidence-based strategies for LWP
- If the CE has made progress in attaining the goals described in its LWP

Check each element that is addressed in the CE's LWP.

- A. Triennial (every three years) assessment

Record the frequency of assessment in the space below:

every 3 years

- A.1 Compliance with the CE's Written LWP
- A.2 Alignment to model evidence-based strategies for LWP
- A.3 Progress made toward attaining the goals described in LWP

- B. Publication of assessment results

Record the date the CE last published the results of its assessment the LWP in the space below:

Oct 9, 2017

If the CE does not include methods to assess its LWP and share the results of assessments with the public, provide an explanation for why the CE did not in the space below.

V. Marketing at School Operating NSLP and /or SBP

Requirement: The CE must describe (1) the current types and methods of marketing that will be allowed for foods and beverages sold on the school campus during the school day and (2) the process or strategies the CE will use to ensure that, as of July 1, 2017, all future marketing for food and beverages marketed and sold on the school campus during the school day meet the Competitive Food Nutrition Standards.

Check each element that is addressed in the CE's LWP.

- A. Current marketing
- B. Future marketing

If the CE has not addressed current and future marketing guidelines for foods and beverages sold to students in its LWP, provide an explanation for why the CE did not in the space below.

VI. Assigned Responsibilities

Requirement: CEs must assign a staff position or positions to be responsible for managing the following:

- Assessment of the LWP
- Development of the LWP
- Implementation of the LWP
- Update of the LWP

Check each statement that describes an action for which the CE has identified and assigned a specific person to be responsible for managing the implementation of the following:

- A. Development of LWP
- B. Implementation of LWP
- C. Assessment of LWP
- D. Update of LWP
- E. Other:

If the CE has not assigned responsibilities for ensuring that the LWP is developed, implemented, assessed, and updated as appropriate, provide an explanation for why the CE did not in the space below.

VII. Records Retention

Requirement: The CE must retain documentation that demonstrates its compliance with the LWP requirements.

Check the statement that describes the action a CE has taken or will take to retain records related to its LWP.

- A. Establish a system for maintaining all required records.
- B. Establish a system to ensure that documentation is retained for the proper period of time.

If the CE does not have a system to retain records for the proper period of time, provide an explanation for why the CE did not in the space below.

**Texas Department of
Agriculture Authority**

The Texas Department of Agriculture (TDA) 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. *Agriculture Code 12.0025*

Note: Regulations applicable to federal nutrition programs are found at the following:

7 C.F.R. 210: National School Lunch Program

7 C.F.R. 215: Special Milk Program for Children

7 C.F.R. 220: School Breakfast Program

7 C.F.R. 225: Summer Food Service Program

7 C.F.R. 245: Free and Reduced Price Eligibility

Program Compliance

TDA shall require that school food authorities (SFAs) comply with the applicable provisions 7 C.F.R. Part 210. TDA shall ensure compliance through audits, administrative reviews, technical assistance, training guidance materials or by other means. *7 C.F.R. 210.19(a)(3)*

[For the definition of "school food authority," see COA(LEGAL).]

**Administrative
Review**

TDA must conduct administrative reviews of all SFAs participating in the NSLP (including the Afterschool Snacks and the Seamless Summer Option) and SBP at least once during a 3-year review cycle, provided that each SFA is reviewed at least once every 4 years.

"Administrative reviews" means the comprehensive off-site and/or on-site evaluation of all SFAs participating in the specified programs. The term administrative review is used to reflect a review of both critical and general areas in accordance with 7 C.F.R. 210.18(g) and (h), as applicable for each reviewed program, and includes other areas of program operations determined by TDA to be important to program performance.

7 C.F.R. 210.18

**School Nutrition
Professional
Standards**

An SFA that operates the NSLP or the SBP must establish and implement professional standards for school nutrition program directors, managers, and staff. *7 C.F.R. 210.30(a)*

**Minimum Standards
for Program
Directors**

Each SFA must ensure that all newly hired school nutrition program directors meet minimum hiring standards and ensure that all new

and existing directors have completed the minimum annual training/education requirements for school nutrition program directors, as set forth in 7 C.F.R. 210.30. 7 C.F.R. 210.30(b)

Note: All school nutrition program directors hired on or after July 1, 2015, must meet the required minimum educational requirements based on student enrollment. See *Summary of School Nutrition Program Director Professional Standards by Local Educational Agency Size chart*, 7 C.F.R. 210.30(b)(2).

Exempt Fundraisers

Schools that participate in the NSLP or SBP may sell food and beverages that do not meet nutritional standards outlined in 7 C.F.R. Parts 210 and 220 as part of a fundraiser, during the school day, for up to six days per school year on each school campus, provided that no specially exempted fundraiser foods or beverages may be sold in competition with school meals in the food service area during the meal service. 4 TAC 26.2

Definitions

"School day" means the midnight before, to 30 minutes after the end of the official school day.

"School campus" means all areas of the property under the jurisdiction of the school that are accessible to students during the school day.

4 TAC 26.1

Unpaid Meal Charges

State Law

The board of a district that allows students to use a prepaid meal card or account to purchase meals served at schools in the district shall adopt a grace period policy regarding the use of the cards or accounts. The policy:

1. Must allow a student whose meal card or account balance is exhausted or insufficient to continue, for a period determined by the board, to purchase meals by:
 - a. Accumulating a negative balance on the student's card or account; or
 - b. Otherwise receiving an extension of credit from the district;
2. Must require the district to notify the parent of or person standing in parental relation to the student that the student's meal card or account balance is exhausted;
3. May not permit the district to charge a fee or interest in connection with meals purchased under item 1, above; and

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4. May permit the district to set a schedule for repayment on the account balance as part of the notice to the parent or person standing in parental relation to the student.

Education Code 33.908

Federal Law

An SFA operating a NSLP and/or SBP must:

1. Have a written and clearly communicated meal charge policy in order to ensure a consistent and transparent approach to the issue of how students who pay the full or reduced price cost of a reimbursable meal are impacted by having insufficient funds on hand or in their account to purchase a meal.
2. Include policies regarding the collection of delinquent meal charge debt in the written meal charge policy.
3. Ensure that the policy is provided in writing to all households at the start of each school year and to households that transfer to the school during the school year.
4. Provide the meal charge policy to all school or SFA-level staff responsible for policy enforcement, including school food service professionals responsible for collecting payment for meals at the point of service, staff involved in notifying families of low or negative balances, and staff involved in enforcing any other aspects of the meal charge policy.

Excerpts from *USDA Memo SP 46-2016, Unpaid Meal Charges: Local Meal Charge Policies*¹ (July 8, 2016)

Lauren's Law

A 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:

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(l-3)(2)

Donation of Food

A district may allow a campus to donate food to a nonprofit organization through an official of the nonprofit organization who is affiliated with the campus, including a teacher, counselor, or parent of a student enrolled at the campus. The donated food may be received, stored, and distributed on the campus. Food donated by the campus may include:

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1. Surplus food prepared for breakfast, lunch, or dinner meals or a snack to be served at the campus cafeteria, subject to any applicable local, state, and federal requirements; or
2. Food donated to the campus as the result of a food drive or similar event.

The type of food donated may include packaged and unpackaged unserved food, packaged served food if the packaging is in good condition, whole uncut produce, wrapped raw produce, and unpeeled fruit required to be peeled before consumption.

Food donated to a nonprofit may be distributed at the campus at any time. Campus employees may assist in preparing and distributing as volunteers of the nonprofit organization.

A district may adopt a policy under which the district provides food at no cost to a student for breakfast, lunch, or dinner meals or a snack if the student is unable to purchase such meals or snack.

Education Code 33.907

¹ USDA Memo *Unpaid Meal Charges: Local Meal Charge Policies:*
<https://fns-prod.azureedge.net/sites/default/files/cn/SP46-2016os.pdf>

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Food Donation

The Superintendent shall be authorized to develop regulations for the District to donate or otherwise dispose of leftover food in accordance with law.

Meal Charges

State Law

As established by the Board, a student with an exhausted or insufficient balance on his or her meal card or meal account shall be allowed to continue to purchase meals for up to five school days. The Superintendent shall develop administrative regulations for this grace period to address:

1. The District's processes for parent notification during the grace period, including a schedule for repayment; and
2. Whether the student will be limited to certain foods or beverages during this grace period, and, if so, the District's efforts to minimize overt identification of the student.

No fees or interest shall be charged by the District for meals purchased during the grace period.

Federal Law

For each campus that participates in the federal school breakfast or lunch programs under which students may incur a meal charge, the District's administrative regulations shall also address procedures for a student who has insufficient funds to purchase a meal following exhaustion of the grace period described above. The procedures shall address:

1. The parameters under which meals shall be served to the student;
2. The District's efforts to minimize overt identification of the student; and
3. How the District will attempt to collect unpaid debt in order to maintain the financial integrity of the food service account.

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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. A 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, a 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)*

A 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

Foundation
Curriculum

A district that offers kindergarten through grade 12 shall offer a foundation curriculum that includes:

1. English language arts and reading;
2. Mathematics;
3. Science; and
4. 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

A district that offers kindergarten through grade 12 shall offer an enrichment curriculum that includes:

1. 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;
2. Health, with emphasis on:
 - a. Physical health, including the importance of proper nutrition and exercise;

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- b. Mental health, including instruction about mental health conditions, substance abuse, skills to manage emotions, establishing and maintaining positive relationships, and responsible decision-making; and
 - c. Suicide prevention, including recognizing suicide-related risk factors and warning signs;
- 3. Physical education;
 - 4. Fine Arts;
 - 5. Career and technical education;
 - 6. Technology applications;
 - 7. Religious literature, including the Hebrew Scriptures (Old Testament) and New Testament, and its impact on history and literature; and
 - 8. Personal financial literacy.

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

Digital Citizenship

The State Board of Education by rule shall require each district to incorporate instruction in digital citizenship into the district's curriculum, including information regarding the potential criminal consequences of cyberbullying.

"Cyberbullying" has the meaning assigned by Education Code 37.0832. [See FFI]

"Digital citizenship" means the standards of appropriate, responsible, and healthy online behavior, including the ability to access, analyze, evaluate, create, and act on all forms of digital communication.

Education Code 28.002(z)

Local Credit

A 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

A district's local instructional plan may draw on state curriculum frameworks and program standards as appropriate. A 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, a district must use a process that:

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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

A 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. A 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)*

Scope and Sequence

In adopting a recommended or designated scope and sequence for a subject in the required curriculum under Education Code 28.002(a) in a particular grade level, a district shall ensure sufficient time is provided for teachers to teach and students to learn the essential knowledge and skills for that subject and grade level [see DG]. *Education Code 28.0027(a)*

Coordinated Health Programs

TEA shall make available to a 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)

A 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 districts and that meet TEA criteria may be approved and made available as approved programs. Districts must use materials that are

	<p>proven effective, such as TEA-approved textbooks or materials developed by nationally recognized and/or government-approved entities. <i>19 TAC 102.1031(c)</i></p>
Physical Education	<p>Each 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.</p> <p>A physical education course shall:</p> <ol style="list-style-type: none">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; and3. Be an enjoyable experience for students. <p>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.</p>
Student/Teacher Ratio	<p>The objectives and goals shall include, to the extent practicable, student/teacher ratios [see EEB] that are small enough to enable the district to:</p> <ol style="list-style-type: none">1. Carry out the purposes of and requirements for the physical education curriculum; and2. Ensure the safety of students participating in physical education. <p>If a 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.</p> <p><i>Education Code 25.114, 28.002(d); 19 TAC 74.37</i></p>
Classification for Physical Education	<p>A district shall classify students for physical education on the basis of health into one of the following categories:</p> <ol style="list-style-type: none">1. Unrestricted—not limited in activities.2. Restricted—excludes the more vigorous activities. Restricted classification is of two types:<ol style="list-style-type: none">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**

A 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, including suicide, 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 e-cigarettes, as defined by Health and Safety Code 161.081, and tobacco;
 - f. School health services;
 - g. Counseling and guidance services;
 - h. A safe and healthy school environment; and
 - i. School employee wellness;

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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;
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;
6. Appropriate grade levels and curriculum for instruction regarding opioid addiction and abuse and methods for administering an opioid antagonist; and
7. Strategies to increase parental awareness regarding:
 - a. Risky behaviors and early warning signs of suicide risks and behavioral health concerns, including mental health disorders and substance abuse disorders; and
 - b. Available community programs and services that address risky behaviors, suicide risks, and behavioral health concerns.

Education Code 28.004(c), (n)

Policy
Recommendations

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 unstructured 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. *Education Code 28.004(l)*

The SHAC shall make policy recommendations to the district to increase parental awareness of suicide-related risk factors and warning signs and available community suicide prevention services. *Education Code 28.004(o)*

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**Content of Human
Sexuality Instruction**

The board shall determine the specific content of a district's instruction in human sexuality. *Education Code 28.004(h)*

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:

1. Present abstinence as the preferred choice of behavior for unmarried persons of school age;
2. Devote more attention to abstinence than to any other behavior;
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;
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
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.

Education Code 28.004(e)

Condoms

A district may not distribute condoms in connection with instruction relating to human sexuality. *Education Code 28.004(f)*

Separate Classes

If a district provides human sexuality instruction, it may separate students according to sex for instructional purposes. *Education Code 28.004(g)* [See FB regarding single-sex classes under Title IX]

Notice to Parents

Before each school year, a 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:

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- 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**

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

Character Education

A district must adopt a character education program that includes the following positive character education traits:

1. Courage;
2. Trustworthiness, including honesty, reliability, punctuality, and loyalty;
3. Integrity;
4. Respect and courtesy;
5. Responsibility, including accountability, diligence, perseverance, and self-control;
6. Fairness, including justice and freedom from prejudice;
7. Caring, including kindness, empathy, compassion, consideration, patience, generosity, and charity;
8. Good citizenship, including patriotism, concern for the common good and the community, and respect for authority and the law;
9. School pride; and
10. Gratitude.

In developing or selecting a character education program under Education Code 29.906, a district shall consult with a committee

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**BASIC INSTRUCTIONAL PROGRAM
REQUIRED INSTRUCTION (ALL LEVELS)**

**EHAA
(LEGAL)**

selected by the district that consists of parents of district students, educators, and other members of the community, including community leaders.

The provisions above do not require or authorize proselytizing or indoctrinating concerning any specific religious or political belief.

Education Code 29.906

BASIC INSTRUCTIONAL PROGRAM
REQUIRED INSTRUCTION (ELEMENTARY)

EHAB
(LEGAL)

**Essential Knowledge
and Skills**

A district that offers kindergarten through grade 5 must provide instruction in the required curriculum as specified in 19 Administrative Code 74.1 (Essential Knowledge and Skills).

A district shall ensure that sufficient time is provided for teachers to teach and students to learn English language arts, mathematics, science, social studies, fine arts, health, physical education, technology applications, and to the extent possible, languages other than English.

19 TAC 74.2

**Daily Physical
Activity**

A district shall require students in kindergarten through grade 5 to participate in moderate or vigorous daily physical activity for at least 30 minutes throughout the school year, as part of the district's physical education program or through structured activity during a campus's daily recess.

If a district determines, for any particular grade level, that requiring moderate or vigorous daily physical activity is impractical due to scheduling concerns or other factors, the district may as an alternative require a student in that grade level to participate in moderate or vigorous physical activity for at least 135 minutes during each school week.

A district must provide an exemption for a student who is unable to participate in the required physical activity because of illness or disability.

Education Code 28.002(f)

Grade 6 Fine Arts

A district that provides instruction for grade 6 in a self-contained elementary class as part of elementary school shall provide instruction for students in grade 6 in all of the Middle School 1 TEKS for art, dance, music, and theatre as specified in 19 Administrative Code Chapter 117. *Education Code 28.002(c-1); 19 TAC 74.2(b)*

**Kindergarten–
Grade 3 Reading
Program**

A district shall provide for the use of a phonics curriculum that uses systematic direct instruction in kindergarten through third grade to ensure all students obtain necessary early literacy skills.

A district shall certify to the Texas Education Agency (TEA) that the district prioritizes placement of highly effective teachers in kindergarten through second grade and has integrated reading instruments used to diagnose reading development and comprehension to support each student in prekindergarten through third grade.

Education Code 28.0062(a)(1), (a)(3) [See DMA for early literacy personnel requirements]