

The Child Nutrition and Women, Infants and Children (WIC) Reauthorization act of 2004 requires each local educational agency that received funding for a U. S. Department of Agriculture Child Nutrition Programs to establish a local school wellness policy by the beginning of the 2006-2007 school year. Additionally, House Bill 319 and Senate Bill 2602 were approved by the Governor with an effective date of July 1, 2006, and both require the adoption and implementation of a school wellness plan and the establishment of school health councils beginning with the 2006-2007 school year.

Revised: 2017

## *WELLNESS POLICY FOR BROOKHAVEN SCHOOL DISTRICT*

### Rationale:

The link between nutrition, physical activity, and learning is well documented. Healthy eating and activity patterns are essential for students to achieve their full academic potential, full physical and mental growth, and lifelong health and well-being. Healthy eating and physical activity, essential for a healthy weight, are also linked to reduced risk for many chronic diseases, like Type 2 diabetes. Schools have a responsibility to help students learn, establish, and maintain lifelong, healthy eating and activity patterns. Well-planned and effectively implemented school nutrition and fitness programs have been shown to enhance students' overall health, as well as their behavior and academic achievement in school. Staff wellness also is an integral part of a healthy school environment, since school staff can be daily role models for healthy behaviors.

### Goal:

All students in the Brookhaven School District School shall be provided the opportunity to gain the knowledge and skills necessary to make nutritious food choices and enjoyable physical activity choices for a lifetime. All staff in the Brookhaven School District are encouraged to model healthful eating and physical activity as a valuable part of daily life.

To meet this goal, the Brookhaven School District adopts this school wellness policy with the following commitments to nutrition, physical activity, comprehensive health education, marketing, and implementation. This policy is designed to effectively utilize school and community resources and to equitably serve the needs and interests of all students and staff, taking into consideration differences in culture.

### Commitment to Nutrition

The Brookhaven School District will:

- Offer a school lunch program with menus that meet the meal patterns and nutrition standards established by the U.S. Department of Agriculture and the Mississippi Department of Education, Office of Child Nutrition Programs.
- Offer school breakfast and snack programs (where approved and applicable) with menus that meet the meal patterns and nutrition standards established by the U. S. Department of Agriculture and the Mississippi Department of Education, Office of Child Nutrition Programs.
- Promote participation in school meal programs to families and staff.
- Operate all Child Nutrition Programs with school foodservice staff who are properly qualified according to current professional standards (Mississippi Board of Education Policy, Code 2001)
- Include goals for nutrition promotion, nutrition education, physical activity and other school-based activities that promote student wellness

- Implement Nutrition Standards as adopted by the State Board of Education in accordance with the MS Healthy Students Act (State Board of Education Policy 4011),
  - a. Healthy food and beverage choices in accordance with the Healthy Hunger-Free Kids Act to ensure all meals are reimbursable by USDA standards;
  - b. Healthy food preparation.
  - c. Marketing healthy food choices to students, staff and parents;
  - d. Food preparation ingredients and products;
  - e. Minimum and Maximum time allotted for students and staff lunch and breakfast which is 24 minutes for lunch and 10 minutes for breakfast for students;
  - f. Availability of food items during the lunch and breakfast periods of the Child Nutrition Breakfast and Lunch Programs by following State Board of Education Policies on competitive foods and extra food sales;
  - g. Methods to increase participation in the Child Nutrition School Breakfast and Lunch Programs.
  
- Establish guidelines in accordance with USDA Smart Snacks in Schools for all foods available on the school campus during the school day with the objective of promoting student health and reducing childhood obesity. (see Nutrition Environment and Services section of the *Tools That Work – Your Guide to Success for Building a Healthy School* Toolkit that is found on the Office of Healthy Schools website at [www.mde.k12.ms.us/ohs/home](http://www.mde.k12.ms.us/ohs/home) )
- Establish guidelines in accordance with USDA Smart Snacks in Schools for the sale of food items for fundraising.
- Use Smart Snacks Resources to educate the school community about the importance of offering healthy snacks for students and staff members.
- <http://www.fns.usda.gov/healthierschoolday/tools-schools-focusing-smart-snacks>  
Smart Snacks Product Calculator:
- The Alliance for a Healthier Generation Smart Snacks Product Calculator is an effective online instrument that has been determined by the USDA, Food and Nutrition Service to be accurate in assessing product compliance with the federal requirements for Smart Snacks in Schools. The calculator can be used for food and beverage products.  
[https://www.healthiergeneration.org/take\\_action/schools/snacks\\_and\\_beverages/smart\\_snacks/alliance\\_product\\_calculator/](https://www.healthiergeneration.org/take_action/schools/snacks_and_beverages/smart_snacks/alliance_product_calculator/)
- Link to Smart Snack Product calculator can be found at [www.olebrookcafe.org](http://www.olebrookcafe.org).
- Use Smarter Lunchroom techniques to increase participation, and increase consumption of healthy school food.

## Commitment to Food Safe Schools

The Brookhaven School District will:

- Implement a food safety program based on HACCP principles for all school meals, as required by USDA, MS Department of Education, Office of Child Nutrition and ensure that the food service permit is current for the school site.

- Develop a food safety education plan for all staff and students, consistent with Fight Bac ([www.fightbac.org](http://www.fightbac.org)) and other national standards for safe food handling at home and in schools.
- Ensure that all staff has viewed the video developed by the Office of Healthy Schools to support food safety on campus. For compliance with the Nutrition Standards all staff must complete and sign pre and post test developed by the Office of Healthy Schools and maintain documentation of completion. The video and Pre/Post Test can be downloaded at: [www.mde.k12.ms.us/ohs/home](http://www.mde.k12.ms.us/ohs/home). The video can also be found on [www/olebrookcafe.org](http://www/olebrookcafe.org), click Food Safety on left side of screen to view video and take tests.
- All school personnel will receive copies of the Local School Wellness Policy to include food safety policies and procedures and relevant professional development.
- Adequate access to hand-washing facilities and supplies will be available whenever and wherever students, staff and families prepare, handle or consume food.
- The food safety assurance plan must address strategies that minimize the risks for students and staff who have food allergies and intolerances. The Brookhaven School District follows the guidelines in Feeding Children with Special Dietary Needs.

### *Commitment to Physical Activity*

#### *The Brookhaven School District will:*

- Provide 150 minutes per week of activity-based instruction for all students in grades K-8 (in accordance with Section 37-13-134, Mississippi Code of 1972, ann., reference -2014 Mississippi Public Schools Accountability Standards 27.1).
- Provide Physical Education/Activity in accordance with the Physical Education Rules and Regulations as approved by the State Board of Education in compliance with the Mississippi Healthy Students Act (State Board of Education Policy 4012).
- Require fitness testing for all 5<sup>th</sup> grade students.
- Require fitness testing for high school students; during the year they acquire the ½ Carnegie unit in physical education as required for graduation by the Mississippi Healthy Students Act (State Board of Education Policy 4012).
- Offer a planned sequential program of physical education instruction incorporating individual and group activities, which are student centered and taught in a positive environment.
- Instruction must be based on 2013-2014 Mississippi Physical Education Frameworks.
- Implement the requirements of the Mississippi Healthy Students Act of 2007 (Senate Bill 2369).
- Graduation requirements for 9<sup>th</sup> through 12<sup>th</sup> grade students shall include ½ Carnegie unit in physical education.

- Beginning with 9<sup>th</sup> graders in school year 2015-2016, provide instruction in Cardiopulmonary Resuscitation (CPR) and use of Automated External Defibrillator (AED) for students in grades 9-12 in the school year they earn their ½ Carnegie Unit for physical education or health Education. MS Code 37-13-134 (Senate Bill 2185)
- Address concussions by adopting and implementing a policy for students in grades 7-12 who participate in activities sanctioned by the Mississippi High School Activities Association (MHSAA). This policy will include a concussion recognition course that has been endorsed by the Mississippi Department of Health. This course will provide information on the nature and risk of concussions for students participating in athletics. Also included in the policy, parents/guardians will be provided with a concussion policy before the start of regular school athletic season. (House Bill 48)

### Commitment to Comprehensive Health Education

#### The Brookhaven School District will:

- Provide ½ Carnegie unit of comprehensive health education for graduation (2004 Mississippi Public School Accountability Standard 20, Appendix A).
- Instruction must be based on the Mississippi Contemporary Health for grades 9-12 (2012 Mississippi Public School Accountability Standard 20, Appendix A).
- Implement the requirements of the Mississippi Healthy Students Act of 2007, which requires 45 minutes per week of health education instruction as defined by the State Board of Education for grades K through 8.
- Instruction must be based on the Mississippi Contemporary Health for grades K-8.
- Implement the requirements of MS Code 37-13-171, which requires the development of a sex related education policy and instruction on medically accurate or evidenced based abstinence-only or abstinence-plus curricula.
- Beginning with 9<sup>th</sup> graders in school year 2015-2016, provide instruction in Cardiopulmonary Resuscitation (CPR) and use of Automated External Defibrillator (AED) for students in grades 9-12 in the school year they earn their ½ Carnegie Unit for health education or physical education. MS Code 37-13-134 (Senate Bill 2185).  
BSD School Board policy: Student Athletic Concussion Policy, JGEB, 7/22/2014.

### Commitment to a Healthy School Environment

#### The Brookhaven School District will:

- Ensure that there are no pad locks or chains on exit doors; exits should never be obstructed (in accordance with Mississippi State Fire Code). Ensure that all exit signs are illuminated and clearly visible.
- Ensure that all chemicals are stored properly (in accordance with the Material Safety Data Sheet [www.msdssearch.com](http://www.msdssearch.com)).
- Refer to the U.S. Consumer Product Safety Commission's Handbook for Public Playground Safety ([www.cpsc.gov](http://www.cpsc.gov)); for federal guidelines for playground safety.
- Ensure that fire extinguishers are inspected each year and properly tagged.

- Complete yearly maintenance of the heating and cooling system in your school; check coils, filters, belts, etc. in order to maintain safe operation and healthy air quality.
  - Conduct at least one emergency evacuation drill per month.
  - Every school will have an anti-bullying policy that outlines procedures for dealing with bullying situations in the school.
  - Ensure that two means of egress are available in each classroom in case of an emergency; if there is only one door, designate a window (properly sized) as a means of egress.
  - Never use extension cords as a permanent source of electricity anywhere on a school campus.
- Comply with the applicable rules and regulations of the State Board of Education in the operation of its transportation program (in accordance with the MS Code 37-41-53; State Board of Education Policies 7903, 7904, and 7909; and Accreditation Standard #29).
- Inspect all buses on a quarterly basis and ensure that they are well maintained and clean.
  - Require that all bus drivers have a valid bus driver certificate and a commercial driver's license and operates the bus according to all specified safety procedures. Maintain a record of yearly motor vehicle reports on each bus driver and evidence that each driver has received two hours of in-service training per semester. (SB Policy 7903)
  - Ensure arrival of all buses at their designated school sites prior to the start of the instructional day.
  - Conduct bus evacuation drills at least two times each year. (SB Policy 7904)

Provide facilities that meet the criteria of: (MS Code 37-7-301 (c) (d) (j); 37-11-5, 49 and 45-11-101; and Accreditation Standard #36).

- Provide facilities that are clean.
- Provide facilities that are safe.
- Provide proper signage that explains tobacco, weapons, and drugs are prohibited on the school campus and at school functions.
- Provide operational facilities that are equipped and functional to meet the instructional needs of students and staff (in accordance with the Mississippi School Design Guidelines at <http://www.edi.msstate.edu/guidelines/design.php>)
- Provide air conditioning in all classrooms, Code §37-17-6(2) (2000).

Comply with the requirements for Safe and Healthy Schools:

- Maintain a comprehensive School Safety Plan on file that has been approved annually by the local school board. (MS Code 37-3-81 and 37-3-82(2); and Accreditation Standard #37.1); see the School Safety Manual and the MDE School Occupational Safety and Crisis Response Plan at: <http://www.mde.k12.ms.us/safe-and-orderly-schools/school-safety>
- State Board Policy EBB (1990) prohibits the possession of pistols, firearms or weapons by any person on school premises or at school functions. Code §37-11-18 (1996) requires any student who possesses a knife, a handgun, other firearm or any other instrument considered to be dangerous and capable of causing bodily harm or

who commit a violent act on educational property be subject to automatic expulsion for one calendar year. The superintendent of the school is authorized to modify the period of time for expulsion on a case-by-case basis.

- Prohibits students from possessing tobacco on any educational property, Criminal Code §97-32-9 (2000). Code §97-32-29 (2000) further prohibits the use of tobacco on any educational property for adults who, if in violation, would be subject to a fine and issued a citation by a law enforcement officer. Educational property is defined as any public school building or bus, campus, grounds, athletic field, or other property used or operated during

## Commitment to Quality Health Services

The Brookhaven School District will:

- Ensure all school nurses are working under the guidelines of the 2013 *Mississippi School Nurse Procedures and Standards of Care*.
- Provide for teachers and staff training regarding signs and symptoms of asthma. (MS Code Sections 37-11-71 and 73-25-37)
- Every child who has been diagnosed with asthma must have an asthma action plan on file in the school office.
- Know the district anaphylaxis policy. Providing training by healthcare professional, preferably a school nurse, for the individuals responsible for implementing the policy at the school site. (MS Code Sections 37-11-71 and 73-25-37)

## Commitment to Providing Counseling, Psychological and Social Services

- Adhere to the details outlined in the Licensure Guidelines (436 or 451) when hiring guidance counselors and psychologists. The state does not have a policy specifically outlining the requirements for a school social worker. For licensure as a social worker in the state of Mississippi, a candidate must: provide verification of a baccalaureate degree in social work from a college or university accredited by the Council on Social Work Education (CSWE) or Southern Association of Colleges and Schools (SACS) and scores a minimum of 70 on the ASWB basic exam.
- Abide by Mississippi Code 37-9-79 (Amended 2014) as the school provides for counseling and guidance for students.
- Hire school guidance counselors with a minimum of a Master's Degree in Guidance and Counseling, or in an emergency situation, an appropriate certification as determined by the Commission on Teacher and Administrator Education, Certification and Licensure and Development. MS Code 37-9-79 – (Amended 2014-Senate Bill 2423)
- Hire school counselors who agree to abide by the American School Counselor Association Code of Ethics.

- Ensure that all school guidance counselors provide comprehensive counseling services such as:
  - Academic and personal/social counseling.
  - Student assessment and assessment counseling.
  - Career and educational counseling.
  - Individual and group counseling.
  - Crisis intervention and preventive counseling.
  - Provide all licensed teachers and principals with in-service suicide prevention training as directed by MS Code 37-3-101. In- service video is on school district web-page.
  - Referrals to community agencies.
  - Educational consultations and collaborations with teachers, administrators, parents and community leaders.
  - Education and career placement services.
  - Follow-up counseling services.
  - Conflict resolution.
  - Professional school counselors must spend a minimum of 80 % of their contractual time to the delivery of services to students as outlined by the American School Counselor Association.

## Commitment to Family and Community Involvement

The Brookhaven School District will:

- Invite parents and community members to participate in school health planning by serving on the local School Health Council.

## Commitment to Implementation

The Brookhaven School District will:

- Establish a plan for implementation of the school wellness policy.
- Designate one or more persons to insure that the school wellness policy is implemented as written.
- Establish and support a School Health Council (SHC) that addresses all aspects of a coordinated school health program, including a school wellness policy (Mississippi Code of 1972 Annotated, Section 37-13-134).



- Conduct a review of the progress toward school wellness policy goals each year to identify areas for improvement.
- Prepare and submit a yearly report to the school board regarding the progress toward implementation of the school wellness policy and recommendations for any revisions to the policy as necessary.

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- (1) mail: U.S. Department of Agriculture  
Office of the Assistant Secretary for Civil Rights  
1400 Independence Avenue, SW  
Washington, D.C. 20250-9410;
- (2) fax: (202) 690-7442; or
- (3) email: [program.intake@usda.gov](mailto:program.intake@usda.gov).

*SUMMARIES OF LEGISLATION MANDATING ADOPTION OF POLICY*

House Bill 319 - directs school districts to establish a local school health council for every school by November 1, 2006, to offer guidance on the development and implementation of school wellness plans. The bill also requires local school boards to adopt school wellness plans, which shall promote a healthy life-style for Mississippi's school children and staff, beginning in the 2006-2007 school year. The school health councils may also recommend age appropriate curriculum and hours of instruction for health and physical education and recommend appropriate practices that may include a coordinated school health program to prevent obesity and other health risks. The bill directs the State Department of Education to monitor and act as a clearinghouse for activities of the local school health councils. The bill clarifies there is no prohibition or limit to the sale of food or beverages through fundraisers conducted by students, teachers, school groups or parent groups when the items are sold off school campus.

**Effective Date: July 1, 2006**

**Approved by Governor**

(See Section 18 of SB 2602)

Senate Bill 2602 - creates the Mississippi Education Reform Act of 2006.

## **Section 2**

- Provides that, if funds are available, the Legislature may authorize funds for additional base compensation for teachers in critical teacher shortage areas and critical subject areas.
- Provides that, only after MAEP is fully funded and if funds are available, the Mississippi Performance Based Pay (MPBP) plan may be established to reward teachers, administrators and nonlicensed personnel at schools showing improvement in student test scores. The State Board of Education shall develop the MPBP policies and procedures and report to the Legislature and Governor by December 1, 2006. Individual schools shall submit a plan to the local school board for approval before each school year beginning July 1, 2008.
- Provides that, beginning in the 2006-2007 school year and subject to fund availability, two mentor teachers in each middle school will each be paid \$1,000 per year only if the school has a classroom management program approved by the local school board. Middle school is defined as any school composed individually or of some composite of Grades 6 through 8. Local school districts may provide additional salary supplements for more than 2 mentor teachers. The State Department of Education may develop an implementation process that fairly distributes these funds for consideration by the Legislature.

## **Section 3**

- Requires the State Department of Education to provide a standard five-year license to any teacher from any state meeting the federal definition of highly qualified under the No Child Left Behind Act.

## **Section 4**

- Provides that a teacher or group of teachers with an approved spending plan for classroom supply funds may carry over such funds when they are not expended in the year of allocation. However, effective July 1, 2006, classroom supply funds, which are not reserved in an approved spending plan and remain unspent on March 31 of the fiscal year when funds were allotted, must be used by the school where the teacher is employed for instructional supply and equipment purposes.

## **Section 5**

- Grants Home Rule to *all* school districts, which will allow school boards to adopt any orders, resolutions or ordinances regarding school district affairs, property

and finances which are not inconsistent with the State's Constitution, MS Code of 1972, or any other state statute or law. The bill provides that the powers granted to school boards are complete without the existence of or reference to any specific authority granted in any other state statute or law. The bill clarifies that, unless such actions are specifically authorized by another state statute or law, a school board shall not be authorized to: levy taxes of any kind or increase the levy of any authorized tax; issue bonds of any kinds; or enter into collective bargaining agreements.

NOTE: In 1995, the Attorney General issued an opinion interpreting the language of the Home Rule statutes for county boards of supervisors (19-3-40) and for governing boards of municipalities (21-17-5) in the following manner: "A political subdivision can not pass an ordinance upon a matter which the state has preempted, either through express language or through regulation of a particular topic." The language in the school board Home Rule statute is identical to these statutes. A district's activity, resolution or ordinance can not be inconsistent with existing statutes whether addressed through expressed language or through regulation of a particular topic.

### **Sections 6, 7 and 8**

- Create the Office of Dropout Prevention within the State Department of Education, which shall be responsible for a statewide dropout prevention program and for the Office of Compulsory School Attendance Enforcement. The Office of Dropout Prevention shall establish graduation rate benchmarks for each two-year period from the 2008-2009 school year through the 2018-2019 school year, which will serve as guidelines for increasing the graduation rate for cohort classes to 85% by the 2018-2019 school year. Each school district is required to implement a Dropout Prevention Program, approved by the Office of Dropout Prevention, by the 2008-2009 school year.

### **Section 9**

- Similar budgeting/auditing provisions are contained in and superceded by House Bill 1119.

### **Section 10**

- Authorizes establishment of the Mississippi Virtual Public School Program to offer additional educational resources to students for academic achievement and gives approval authority for all coursework and policy of a virtual school to the State Board of Education.

### **Section 11**

- Provides that dual enrollment and dual credit options be available for students who meet postsecondary enrollment criteria while in school. It is the intent of the

dual enrollment program to make it possible for every student who desires to earn a semester's worth of college credit in high school to do so. A qualified dually enrolled high school student must be allowed to earn an unlimited number of college or university credits for dual credit as long as a B average is earned on the first 2 approved dual credit courses. If a B average is not maintained after the completion of the student's first 2 dual credit courses, the student may not continue in the dual credit program.

## **Section 12**

- Requires the State Board of Education to establish clear training guidelines that require teachers of advanced placement courses and pre-advanced placement courses to obtain a recognized advanced placement authority endorsed training. The bill requires school districts to offer pre-advanced placement courses and requires the State Board to approve all classes designated as pre-advanced placement courses. The bill provides that, for the 2007-2008 school year and subject to appropriation, all sophomores may take a test to measure their ability to succeed in Advanced Placement (AP) courses. The bill requires all high schools to offer at least four AP courses (one in each of the four core areas of math, English, science and social studies) beginning in 2007-2008. The use of the state's on-line AP program is an appropriate alternative for this course delivery.

## **Section 13**

- Establishes a Lifelong Learning Commission to study relevant educational issues.

## **Section 14**

- Requires the State Department of Education and the Board of Trustees of the State Institutions of Higher Learning to jointly prepare an annual report to the Governor and Legislature before December 1 of each year beginning in 2006, using existing data that may be used to create a rating system that measures the state's teacher education program performance.

## **Section 15**

- Directs the State Department of Education and the Regional Education Service Agencies (RESAs) to jointly prepare a report on their plan for partnerships.

## **Sections 16 and 17**

- Provide that the Office for Children and Youth in the Department of Human Services will develop and implement a pilot voluntary Quality Rating System (QRS) to be phased in, subject to appropriation, over the next 5 years beginning July 1, 2006. The purpose of the pilot program is to improve the quality of all licensed early childhood education and after-school programs. The bill also

requires the Office for Children and Youth to conduct a needs assessment to determine the need for an incentive program for teachers/directors in participating early care and education programs to make educational advancements.

### **Section 18**

- Requires the State Board of Education to develop a wellness curriculum, which shall include the value of exercise, proper diet and abstinence from tobacco and alcohol, for use by each school district and to establish rules and regulations that districts follow in implementing the wellness curriculum.
- Requires the State Board of Education to adopt regulations for districts' compliance regarding what products may be sold in vending machines on campus and when they can be sold.

Act is repealed on June 30, 2009.

**Effective Date: July 1, 2006**

**Approved by Governor**