



POLICY 2.035

4-E I recommend that the Board adopt the proposed revised Policy 2.035, entitled “Wellness Promotion.”

[Contact: Steve Bonino and Paula Triana, PX 52017 and PX 52026.]

Adoption

CONSENT ITEM

- The Board approved development of this revised Policy at the development reading on August 26, 2009.
- This Policy was formerly numbered and entitled “Policy 1.11 Wellness Promotion.” That policy is being simultaneously repealed with the adoption of this policy and a separate policy 8.025 being adopted regarding physical education.
- This Policy is intended to fulfill the requirement under Public Law 108-265 § 204 (2004) (42 U. S.C. § 1751 Note) and Florida Statutes Section 1003.453(1) that school districts shall have a local “school wellness policy” to promote student health and reduction of childhood obesity, as well as to promote wellness for District employees.
- The District’s Wellness Promotion Goals and Objectives, which are incorporated into the Policy by reference, are attached for the Board’s review.
- Revisions to the Policy and Goals and Objectives are noted within the documents. The revisions include clarifications to the existing Policy, adopting related forms by reference, adding new wellness promotion goals and objectives, and deleting certain physical education goals and objectives and inserting them into a separate policy 8.025 for physical education.
- The Employee Wellness Informed Consent form (PBSD 2319) and the Alliance for a Healthier Generation’s Beverage and Snack Memorandum of Understanding and its related Amendment are attached for ease of reference.
- The word “department” was added to the Wellness Promotion Goals and Objectives, in sections 2(xiv), 3 and 3(b)(v) and the phrase “and workshops” was added to section 3(b)(v). These changes appear in green.

POLICY 2.035

WELLNESS PROMOTION

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Purpose:

1. This Policy is intended to fulfill the requirement under Public Law 108-265 § 204 (2004) (42 U. S.C. § 1751 Note) and Florida Statutes Section 1003.453(1) that school districts shall have a local "school wellness policy" to promote student health and reduction of childhood obesity, as well as to promote wellness for District employees.

Policy:

2. The District school system will engage students, parents, teachers, food service professionals, health professionals, and other interested community members in implementing, monitoring, and reviewing District-wide nutrition and physical activity policies, and recommending the development of amendments to this Policy or the development of additional wellness policies.
3. The Board is committed to providing a school environment that enhances learning and development of lifelong wellness practices. The District school system shall promote school environments that encourage and protect children's health, well-being, and ability to learn, by supporting healthy nutrition and physical activity.
4. The school environment should be safe, comfortable, and aesthetically pleasing; and schools should allow ample time and space for eating meals. Food and/or physical activity should not be used as a reward or punishment, unless it is detailed in a student's Individualized Education Plan (IEP); this statement, however, is not intended to prohibit or limit such school activities as honors breakfasts or dinners or extra physical activities such as field trips that would involve student's participating in physical activity.
5. Child nutrition programs in the District shall comply with federal, state, and local requirements. Qualified child nutrition professionals shall provide healthful foods that are affordable, nutritious, appealing, and are accessible to all children. Child nutrition programs shall promote good health to foster student attendance and education.
 - a. To the maximum extent practicable, all schools in the District will participate in available federal school meal programs (including the School Breakfast Program, National School Lunch Program (including after-school snacks), Summer Food Service Program, and Child and Adult Care Food Programs).
 - b. Child nutrition programs shall comply with federal, state, and local

- 36 requirements for food safety and security guidelines to include: Hazard
37 Analysis and Critical Control Points (HACCP), Department of Education
38 procedures, the Palm Beach County Health Department inspections, and
39 ServeSafe.
- 40 6. Sequential and interdisciplinary nutrition education should be provided and
41 promoted, in accordance with the Goals and Objectives incorporated by reference
42 in this Policy.
- 43 7. In addition to providing healthful meals in the cafeteria, schools should also
44 promote wellness by including more healthful selections when foods or beverages
45 are otherwise available on campus during the school day (e. g., in vending
46 machines, concession stands, a la carte, student stores, parties/celebrations, or
47 fundraisers), consistent with health information in the USDA Dietary Guidelines for
48 Americans (at [Dietary Guidelines](#)).
- 49 8. Schools should instill patterns of meaningful physical activity connected to
50 students' lives outside of physical education; and all school-based activities, to the
51 extent practicable, should be consistent with the wellness goals of this Policy and
52 [Policy 8.025 on Physical Education](#).
- 53 9. The Superintendent will ensure compliance with the Board's nutrition and physical-
54 activity wellness policies through the designated employees. The Superintendent
55 hereby designates the School Food Service Director, and each principal shall
56 designate an Assistant Principal and/or Wellness Champion at each school, to
57 oversee the implementation and evaluation of this Policy to ensure that the schools
58 comply with this Policy.
- 59 10. The Superintendent or designee will utilize a plan for measuring the
60 implementation of this Policy, as outlined in the Wellness Promotion Goals and
61 Objectives incorporated herein by reference, and will prepare a summary report
62 annually on District-wide compliance. The annual report will be provided to the
63 School Board and also distributed to all school health councils, parent/teacher
64 organizations, school principals, and school health services personnel in the
65 District.
- 66 11. Additionally, the School District will encourage the promotion of good health and
67 well-being of every staff member by enlightening the awareness and support of
68 healthy lifestyles.
- 69 12. [The District supports and promotes the idea of individual environmental](#)
70 [stewardship](#).
- 71 13. The Superintendent shall recommend revision of this Policy as needed and shall
72 develop work plans to facilitate implementation. The Wellness Promotion Goals
73 and Objectives (available online at [Wellness Promotion Goals and Objectives](#)) are

74 incorporated herein by reference as if set forth fully herein.

75 14. The Memorandum and any PBSB forms that are mentioned within the District's
76 Wellness Promotion Goals and Objectives are incorporated herein by reference as
77 part of this policy and will be made available through the District's Public Affairs
78 Department. The PBSB forms can be located on the [District's forms web site](#).

79 STATUTORY AUTHORITY: Fla. Stat. §§ 1001.32(2); 1001.41(1) & (2); 1001.42(26);
80 1001.43(1) & (6)

81 LAWS IMPLEMENTED: Fla. Stat. §§ 1001.32(2); 1001.41(3); 1001.42(8) & (16);
82 1003.453; 1003.455; 42 U. S.C. § 1751

83 HISTORY: 5/31/2006; 7/9/2008 (as Policy 1.11); ___/___2009

Legal Signoff:

The Legal Department has reviewed proposed Policy 2.035 and finds it legally sufficient for development by the Board.

Attorney

Date

SCHOOL DISTRICT OF PALM BEACH COUNTY

Mission: The Wellness Promotion Policy (~~4.11~~ 2.035) creates a forum to educate the District and community partners to successfully collaborate in promoting healthier lives. With the District's ultimate goal of improving student performance, the direction of the Wellness Promotion Task Force **Committee** is to encourage a proactive approach to holistically address the health and wellness for all school children and staff, ~~their~~ parents, and the community.

Wellness Promotion Goals and Objectives

~~April 2008~~ July 2009

To achieve the goals of Policy 1.11 2.035, the following goals and objectives are to be used by the Wellness Promotion Task Force to evaluate the strengths, weaknesses, and resources of the School District. The District is encouraging a positive and proactive approach to this exciting opportunity to impact students' health and their school environment. In all aspects of wellness promotion, District personnel should act as role models for good nutrition and physical activity behaviors.

1. NUTRITION EDUCATION

- a. Goal: To promote nutrition education with the objective of improving students' health and reducing childhood obesity.
- b. Objectives:
 - i. The staff responsible for nutrition education should be adequately prepared and participate regularly in professional development activities to effectively deliver an accurate nutrition education program as planned. Preparation and professional development activities should provide basic knowledge of nutrition combined with skill practice in program specific activities and instructional techniques and strategies designed to promote healthy eating habits.
 - ii. Nutrition education information should be reviewed by a qualified and credentialed professional (e.g. School Food and Nutrition Specialist (SFNS), a Registered and/or Licensed Dietitian (R.D., and/or L.D. /N), who is specialized in school-based childhood nutrition).
 - iii. The school cafeteria should serve as a "learning library" to allow students to apply critical thinking skills taught in the classroom.

- iv. Nutrition education should involve sharing information with families and the broader community to positively impact students and the health of the community.
- v. ~~Nutrition education should be provided for all staff members. The District should establish and maintain a staff wellness committee. The committee should develop, promote, and oversee a multifaceted plan to promote staff health and wellness.~~
- vi. The District should provide wellness information, including nutrition education, to students, staff and the community through such means as the District's website. ~~families that encourage them to teach their children about health and nutrition and to provide nutritious meals for their families.~~
- vii. Students should be encouraged to start each day with a healthy breakfast.

2. PHYSICAL ACTIVITY

- a. Goal: To promote physical activity with the objective of improving students' health and reducing childhood obesity.
- b. Objectives:
 - i. To the degree that funding is provided, daily physical activity should be integrated across the curriculum and throughout the school day for Pre-K – 12th grades. ~~The District will follow statutory requirements for providing physical education to students including those requirements of 2007 Florida House Bill 967, as to providing 150 minutes of physical education each week for all elementary school students grades K-5.~~
 - ii. The District will follow statutory requirements for providing to students physical education, as defined within Florida Statutes Section 1003.01(16) and as provided within School Board Policy 8.025.
 - iii. ~~Physical education courses should be the environment where students learn, practice, and are individually assessed on developmentally appropriate motor skills, social skills, and knowledge, which will support life-long benefits of physical activity.~~
 - iv. It is the recommendation of the Wellness Promotion Task Force that State-certificated physical education instructors shall teach all physical education classes.

- v. Recess periods for elementary grades should be encouraged, but should not be used as a punishment or a reward and not to be counted toward the 150 minutes of daily physical education. Consider planning recess before lunch since research indicates that physical activity prior to lunch can increase the nutrient intake.
- vi. Physical activity participation should take into consideration the "balancing equation" of food intake and physical activity.
- vii. ~~Physical education should include the instruction of individual activities as well as competitive and non-competitive team sports to encourage life-long physical activity which provides outlets for stress-reduction.~~
- viii. ~~The school should provide a physical, social, and emotional environment that encourages safe and enjoyable activity for all students and staff including those who are not athletically gifted.~~
- ix. Information should be provided to staff and families to help them incorporate physical activity into their students' lives.
- x. Principals should be encouraged to provide students, staff, and communities the use of school physical activity facilities outside of the normal school day. Such activities shall be limited to those that do not negatively impact the instruction of students, are conducted in a safe and supervised manner, and have minimal negative impact on the school buildings, grounds, equipment, or school budget.
- xi. Schools should offer extracurricular physical activity programs such as physical activity clubs or intramural programs. Schools should offer a wide range of activities that meet the needs of all students.
- xii. Schools should encourage staff, families, and community members to institute programs that support physical activity such as a walk to school program.
- xiii. The District shall encourage the expansion of selected programs and initiatives that enhance the nutrition education and physical fitness for students, staff and families.
- xiv. Schools and departments are encouraged to participate in selected community-based physical activity events.

3. OTHER SCHOOL AND DEPARTMENT-BASED ACTIVITIES

- a. Goal: To promote the health and wellness of students and staff.
- b. Objectives:
 - i. ~~Principals should be encouraged to provide students, staff, and communities the use of school physical activity facilities outside of the normal school day. Such activities shall be limited to those that do not negatively impact the instruction of students, are conducted in a safe and supervised manner, and have minimal negative impact on the school buildings, grounds, equipment, or school budget.~~
 - ii. Employees are ~~shall be~~ encouraged to engage in daily physical activity and nutrition services before and after work hours in site sponsored programs or, through the District's health insurance carrier, as part of discounted membership in facilities where available. Prior to participating in a District wellness program, the employee shall complete and sign an Employee Wellness Informed Consent form—PBSD 2319.
 - iii. The District ~~has should~~ established and maintained a staff wellness committee. The committee should develop, promote, and oversee a multifaceted plan to promote staff health and wellness.
 - iv. After-school programs should encourage physical activity and health-habit formation.
 - v. Wellness-Promotion Policy goals should be considered in planning all school and department-based activities (such as school events, field trips, dances, ~~and~~ assemblies, and workshops).
 - vi. Support for the physical, social, and emotional health of all students and staff should be demonstrated by hosting health clinics, health screenings, and helping to enroll eligible children in Medicaid, local, and /or other state children's health insurance programs.
 - vii. Schools should organize wellness-promotion committees comprised of families, teachers, administrators, school health staff, and students to plan, implement, and improve nutrition and physical activity in the school environment. Each school should designate one employee as the Wellness Champion to oversee the organized wellness committee and may serve as the ~~WPP~~ Wellness Promotion Policy designee.
 - viii. ~~Schools should organize wellness-promotion committees comprised of families, teachers, administrators, school health staff,~~

~~and students to plan, implement, and improve nutrition and physical activity in the school environment.~~

- ix. School health services and school psychological/social services should promote the Wellness Promotion Policy goals as demonstrated by health screenings, and as an example, support groups for eating disorders, stress-reduction, and other activities.
- x. The District should cooperate and collaborate with certain community agencies to promote health and wellness for its students, families, and staff.
- xi. The District and each worksite shall provide information about wellness resources and services to assist in identifying and supporting the health, safety, and well-being of all students and staff.
- xii. The School District will work with the local Health Department and the Health Care District who will provide many students with basic health screenings.
- xiii. The School District will engage in partnerships with local agencies that may address social, emotional, and/or behavioral health issues that create barriers to learning. These partnerships should provide opportunities for the agency, the school and the family to work together.
- xiv. The School District will implement the school counselors' Student Development Plan for the District in all schools to attempt to meet the academic, personal, and/or social/emotional needs of students.
- xv. The school counselors' Student Development Plan will be shared with the school's faculty to provide information about the array of available resources that can be offered to assist students.
- xvi. The School District has developed policies addressing the prohibition of bullying and unlawful harassment including cyber stalking, as defined within Florida Statutes Section 784.048(1) (d), with a paramount goal to ensure a safe, secure and civil learning environment for all students. The School District has made public its expectations for student conduct which promotes respect for self and others as well as for property and provides programming that teaches and assists students in developing the social-emotional competencies necessary to build positive relationships and reduce incidents of violence.

- xvii. The School District provides alcohol, tobacco, and other drug prevention and intervention initiatives and programs at schools. Schools may select those programs and initiatives that attempt to best-meet the needs of their student population.

4. NUTRITION STANDARDS

- a. Goal: To promote nutrition guidelines, a healthy eating environment, Child Nutrition Programs, and food safety and security on each school campus with the objective of promoting student health and reducing childhood obesity.

The objectives are stated below:

- b. Nutrition Guidelines for All Foods on Campus
- i. In addition to providing healthful meals in the cafeteria, schools are encouraged to provide healthy selections of foods and beverages on campus (e.g. in vending machines, concession stands, a la carte, student stores, parties/celebrations, and fundraising) during the school days and to promote consistent health information that is current with the Dietary Guidelines for Americans.
 - ii. Food providers should take measures to ensure that student access to foods and beverages meet federal, state, and local laws and guidelines. Food providers should offer a variety of age appropriate healthy food and beverage selections for elementary, middle, and high schools.
 - iii. Nutrition information for products served via the cafeteria should be available for reference at the School Food Service Office and on the School Food Service website.
 - iv. The School Food Service Department will ~~investigate~~ continue the procurement of fresh locally grown vegetables, from local farmers, to incorporate into the District menus. The partnership will provide an additional avenue for Nutrition Education.
 - v. Vending companies will be encouraged to provide up-to-date nutrition information to educate consumers.
 - vi. ~~Families, teachers, students, and school officials should be encouraged to be engaged and educated in choosing the competitive food selections for their school sites.~~
 - vii. District vending companies which have machines accessible to students should have all items aligned nutritionally with the Alliance for a Healthier Generation's Beverage and Snack Memorandum of Understanding that can be found at: http://www.healthiergeneration.org/uploadedFiles/For_Schools/School_Beverage_Guidelines/Beverage%20MOU.pdf and the related Amendment that can be found at:

<http://www.healthiergeneration.org/uploadedFiles/Amended%20MOU%20Final.pdf> and are incorporated herein by reference as part of this Policy.

- viii. The sale of foods and beverages on school grounds shall be limited to those provided by the School Food Service Department, except as follows:
1. Competitive foods and beverages may be available, in middle and high schools of the School District, up to one hour before the beginning of breakfast and one hour after the last lunch period.
 2. Competitive foods and beverages shall not be sold during the school day at any elementary school in the School District. "Competitive foods and beverages" shall mean any food or beverage item sold to students that compete with the school district's operation of the National School Lunch and School Breakfast Programs. Items include those sold in vending machines or those sold by students, parents or school administrative staff, or any other person, company or organization.
- ix. Promotional activities (such as for foods, physical-fitness programs, or wellness activities), should be limited to programs that are requested by school officials to support teaching and learning. All promotional activities in schools should be connected to activities that encourage physical activities, academic achievement, or positive youth development and be in compliance with local guidelines.
- x. Food providers should be sensitive to the school environment in displaying their logos and trademarks on school grounds.
- xi. Classroom snacks provided by the school should be healthy snacks. Families should be educated and encouraged to provide healthy snacks/choices.
- xii. Nutrition education should be incorporated during classroom snack times and not just during meals. Foods and beverages sold at fundraisers should include healthy choices and provide age appropriate selections for elementary, middle, and high schools.
- xiii. Advertising messages should be consistent with and reinforce the objectives of the education and nutrition environment goals of the school.
- xiv. Advertising (ideally, educational information only) of foods or beverages in the areas accessible to students during meal times should be consistent with established nutrition environment standards.

c. Eating Environment

- i. In compliance with applicable laws, each elementary, middle, and high school shall make a breakfast meal available if a student arrives at school on the school bus less than 15 minutes before the first bell rings and shall allow the student at least 15 minutes to eat the breakfast.
- ii. Students should be provided adequate time to eat lunch, at least ~~40 minutes for breakfast and~~ 20 minutes for lunch, from the time the student is seated.
- iii. Breakfast periods should be scheduled to provide enough time for students to eat. An additional option should be an in-class breakfast program.
- iv. Lunch periods should be scheduled as near the middle of the school day as possible. Recess for elementary grades should be scheduled before lunch.
- v. Cafeterias should provide enough serving areas so that students do not have to spend too much time waiting in line.
- vi. Dining areas should be attractive and have enough space for seating the students who will be dining.
- vii. Drinking water should be available for students at meals.
- viii. Food should not be used as a reward or a punishment for student behaviors, unless it is detailed in a student's Individualized Education Plan (IEP); this statement, however, is not intended to prohibit or limit such school activities as honors breakfasts or dinners.
- ix. Schools should make every effort to eliminate any social stigma attached to, and prevent the overt identification of, students who are eligible for free and reduced-price school meals.

d. Child Nutrition Operations

- i. The child nutrition program should aim to be financially self-supporting. However, the program is an essential educational support activity. Budget neutrality or profit generation should not take precedence over the nutritional needs of the students. If subsidy of the child nutrition fund is needed, it should not be from the sale of foods that have minimal nutritional value and/or compete nutritionally with program meals.
- ii. The child nutrition program should ensure that all students have affordable access to the varied and nutritious foods they need to stay healthy and learn well.

- iii. The school should strive to increase participation in the available federal Child Nutrition programs (e.g. school lunch, school breakfast, after-school snack, and summer food service programs).
- iv. Schools in which 50% or more of students are eligible for free or reduced-price school meals with activities on campus should sponsor the Summer Food Service Program during the summer months based on the District's calendar.
- v. The District should employ a School Food Service Director who is qualified to administer the school food service program and satisfy reporting requirements.
- vi. All food service personnel should have adequate pre-service training in food service operations.
- vii. A child's need for nutrients does not end when the school session ends. Therefore, effort should be made to offer meals during breaks in the school calendar and to coordinate with other agencies and community groups to operate or assist with operating, a summer food service program for children and adolescents who are eligible for federal program support.
- viii. Students are encouraged to start each day with a healthy breakfast. The District should encourage that all children have breakfast either at home or at school in order to meet their nutritional needs and enhance their ability to learn. Schools should operate a breakfast program. Schools should, to the extent possible, arrange bus schedules and utilize methods to serve school breakfast that encourage participation. This includes serving breakfast in the classroom, a "grab-and-go breakfast," breakfast during morning break or recess, and to the extent practicable, providing Provision II Breakfast. The District and/or school should notify parents and students of the availability of the School Breakfast Program.

e. Food Safety/Food Security

- i. The foods made available on campus provided by the School Food Authority, should comply with the state and local food safety and sanitation regulations. Hazard Analysis and Critical Control Points (HACCP) plans and guidelines should be implemented to prevent food illness in schools. www.haccpalliance.org/alliance/haccpqa.html
- ii. For the safety and security of the food and facility, access to the food service operations should be limited to Child Nutrition staff and authorized personnel. For further guidance see the U.S. Department of Agriculture food security guidelines (available at

[www.fsis.usda.gov/Food Security & Emergency Preparedness/index.asp](http://www.fsis.usda.gov/Food_Security_&_Emergency_Preparedness/index.asp)).

5. CALL TO ACTION

- a. Childhood obesity is a health crisis in Florida and throughout the United States. The epidemic begins with unhealthy eating and physical inactivity patterns established when children are very young. All segments of society have a role to play in solving this complicated health issue. The School District of Palm Beach County's "Wellness Promotion Plan Policy" is only one part of the solution.
- b. However, the PlanPolicy can become a highly visible part of the solution. It can have far reaching effects on what students eat in school and how change occurs in families and communities. Students and families who improve eating patterns are also likely to increase physical activity which is another contributor to obesity prevention. Effective action will require vigorous support by families, school and community leaders, and policy makers. Be Part of the Solution!

6. WELLNESS PROMOTION TASK FORCE -- ~~The Wellness Promotion Task Force Committee is established and members include but are not limited to: School District Department Heads, School Administrators' Association Executive Board, Board Members, Children Services Council, Community Food Alliance, Health Care District, Health Department, Quantum Foundation, Inc., representatives from the food industry, parents and all others as deemed appropriate by existing Task Force Committee. WPP Task Force Meetings are held throughout the school year either at Fulton Holland Educational Services Center Board Room or at the School Food Service Administrative Office. The Wellness Promotion Task Force has established a diverse membership which includes School District employees, community partners and parents. Wellness Promotion Task Force meetings are held throughout the school year usually at Fulton Holland Educational Services Center in the School Board Room.~~

7. WELLNESS PROMOTION PLAN ~~FORMAT/WORKSHEET DOCUMENTATION~~

- a. The Wellness Promotion Task Force should recognize that many of the recommended objectives will need phase-in time to implement. These recommended objectives will be included in the Wellness Promotion Task Force meeting minutes.

The plan-meeting minutes should ~~include~~ be divided into the following three sections:

- i. Those recommended objectives that can be implemented as immediate action priorities.

- ii. Those recommended objectives that can be implemented as short-term (one to two years) action priorities.
 - iii. Those recommended objectives that can be implemented as long-term (two years or more) action priorities.
- b. The recommended objectives ~~include should be listed under each of~~ the following goals:
- i. Nutrition Education
 - ii. Physical Activity
 - iii. Other School-based
 - iv. Nutrition Standards
- ~~c. Under each of these goals, the recommended objectives will be referenced on worksheets which should further divide under the following headings: District-wide, elementary school level, middle school level, high school level and be addressed using the following format:~~
- i. ~~Strategy(s)~~
 - ii. ~~Responsible Party(s)~~
 - iii. ~~Implementation Timeline~~
 - iv. ~~Estimated Cost~~
 - v. ~~Evaluation~~
- c. The Wellness Promotion ~~Plan Format/Worksheets Task Force minutes~~ will serve as a ~~broad~~ tool for documenting the objectives and strategies. Each objective and strategy will be implemented, evaluated and measured within the Wellness Promotion Policy Annual Report, by the Wellness Promotion Task Force.



THE SCHOOL DISTRICT OF PALM BEACH COUNTY
RISK AND BENEFITS MANAGEMENT

Employee Wellness Informed Consent

I, the undersigned, wish to participate in the _____, wellness program at The Palm Beach County School District. I certify that I have fully and accurately completed this form. I have read this form and understand all of its agreements.

I realize that my participation in this physical activity, as part of the wellness program involves risks such as muscle injuries, accidents, heart disorders, and other injuries not specifically listed. However being aware of these dangers and risks, I hereby voluntarily choose to attend and participate in the activities. Additionally, I assume all risks of injury, and even risk of death, which could occur by reason of my participation.

I agree that the School Board of Palm Beach County shall not be liable or responsible for any injuries to me resulting from my participation in the program. In consideration of my participation, I on behalf of myself, my heirs, executors and administrators, release, acquit and forever discharge the School Board of Palm Beach County, its respective agents, officers and employees, from any and all actions, causes of action, claims, damages and costs or expenses arising from my participation in the above wellness program. I understand that this waiver includes any claims based on negligence, acts, or omissions of the School Board, its agents, officers or employees.

I agree to protect, defend, indemnify and hold harmless the School Board, its agents, elected officials and employees from and against all claims, actions, liabilities, losses (including economic losses), costs arising out of any actual or alleged bodily injury, sickness, disease or death, or damage to or destruction of tangible property including the loss of use resulting there from, or any other damage or loss arising out of and claimed to have resulted in whole or in part from participating in the wellness program.

I _____ have read, understood, and completed this consent.

Print Name of Participant

Signature of Participant

Date



MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (MOU) sets forth the agreement among

- The Alliance for a Healthier Generation;
- The American Heart Association;
- The William J. Clinton Foundation;
- The American Beverage Association;
- Cadbury Schweppes Americas Beverages, a subsidiary of Cadbury Schweppes plc;
- The Coca-Cola Company; and
- PepsiCo, Inc.

regarding a new school beverage policy.

Overview

The Alliance for a Healthier Generation ("Alliance"), a joint initiative of the American Heart Association and the William J. Clinton Foundation, under the leadership of President William J. Clinton and Governor Mike Huckabee, has joined with representatives of the American Beverage Association (ABA) and Cadbury Schweppes Americas Beverages, a subsidiary of Cadbury Schweppes plc; The Coca-Cola Company; and PepsiCo, Inc. (the three signatory companies) to create a new school beverage policy in the United States that will supersede current policy.

Fifty-four million children attend nearly 123,000 schools nationwide. Influencing and helping school districts and schools to provide healthy environments is one of the most efficient and effective ways of shaping the health, education and well-being of America's children. The purpose of this new policy is to accelerate the shift to lower-calorie and nutritious beverages that children consume during the regular and extended school day. This new policy shifts the focus to calories and the educational environment in which those calories are consumed.

The ABA and the three signatory companies will make diligent efforts to encourage their bottlers to adopt this policy as soon as possible for beverage sales to school children through vending machines, a la carte lines, and school stores, in full compliance with the law and their existing contract obligations. Moreover, the Alliance, the ABA and these companies will also make diligent efforts to encourage other members of the beverage industry to adopt this policy and to sell to schools only the product mix it outlines.

School Beverages Elementary School

- Water
- ≤ 8 oz servings of milk and juice
- Fat free or low fat milk and nutritionally equivalent (per USDA) milk alternatives
- Fat free or low fat nutritionally equivalent flavored milk with ≤ 150 cal/8 oz
- 100% juice with no added sweeteners, ≤ 120 cal/8 oz & $\geq 10\%$ DV for ≥ 3 micronutrients

Middle School

- Same as elementary school with the following exceptions: juice and milk that meet the elementary school criteria may be available in 10 oz servings.
- As a practical matter, if middle school and high school students have common access to areas where beverages are sold on a common campus or in common buildings, then the school community has the option to adopt the high school standard.



High School

- Water
- No or low calorie beverages with ≤ 10 cal/8 oz (e.g., diet sodas, unsweetened or diet teas, low calorie sports drinks, fitness waters, flavored waters, seltzers)
- < 12 oz servings of milk, light juice, juice and sports drinks
- Fat free or low fat milk and nutritionally equivalent (per USDA) milk alternatives
- Fat free or low fat nutritionally equivalent flavored milk with ≤ 150 cal/8 oz
- 100% juice with no added sweeteners, ≤ 120 cal/8 oz, and $\geq 10\%$ DV for ≥ 3 micronutrients
- Light juices and sports drinks with ≤ 66 cal/8 oz
- $\geq 50\%$ of beverages are water and no or low calorie options (≤ 10 cal/8oz)

Time of Day

This school beverage policy applies to beverages sold on school grounds during the regular and extended school day when events are primarily under the control of the school or third parties on behalf of the school. The extended school day can be defined as the time before or after the official school day that includes activities such as clubs, yearbook, band and choir practice, student government, drama, and childcare / latchkey programs.

This beverage policy does not apply to School-Related Events where parents and other adults are a significant part of an audience or are selling beverages as boosters during intermission, as well as immediately before or after such school-related events. Examples of these events include interscholastic sporting events, school plays, and band concerts.

Implementation Goals

The three signatory companies will make diligent efforts with their bottlers to ensure that only beverages described in this policy will be included in all future school contracts. In order to accelerate migration to lower-calorie and nutritious beverages in schools, the Alliance, as well as the ABA and three signatory companies working with their bottlers will work with schools and school districts in the spirit of mutual financial fairness to amend the terms of existing contracts to change the product mix described therein to include only the beverages outlined in this policy.

We recognize that some sales of beverages to schools are currently made by independent food and beverage distributors and contract operators in response to tenders issued by school districts. We also recognize some beverages are purchased by schools from retail locations for sale through a la carte lines and school stores. The Alliance, the ABA, and the three signatory companies will make diligent efforts to encourage independent food and beverage distributors and contract operators to adopt this policy within three years. Together we will also seek to encourage those organizations whose members comprise the individuals in school food service who develop RFPs to adopt and promote this policy to its members within 1 year.

It is the goal of the parties to achieve implementation of this policy for 75% of schools under contract with bottlers prior to the beginning of the 2008-2009 school year. The parties will strive to achieve implementation of the policy for all schools prior to the beginning of the 2009-2010 school year¹.

¹ Provided schools and school districts are willing to amend school contracts in existence at the time of this MOU

Reporting

Beginning in August 2007, and annually every year thereafter, the signatories to this MOU will support an annual analysis that will disclose the impact and status of this policy. This information will be made public by ABA on its website and/or by press release. The analysis will include the following:

1. Beverage sales to students in schools through all venues, similar to the Wescott study dated November 28, 2005. It shall include beverages children purchase at schools through vending machines, a la carte lines, school stores, or other venues. It would ideally distinguish between beverages supplied directly to schools by bottlers for consumption during the regular and extended school day, versus those supplied for School-Related Events or indirectly through other channels, such as food and beverage distributors and contract operators.
2. For contracts executed after signing this MOU, the percent of then valid contracts that comply with this policy on the following basis:
 1. Percent of school district contracts.
 2. Percent of elementary school contracts.
 3. Percent of middle school contracts. Companies will list middle schools that follow the high school standard with a valid justification for their exception.
 4. Percent of high school contracts that comply with this policy.
3. For contracts executed before signing this MOU, the percent of then valid contracts that have been amended to comply with this policy.
 1. Percent of school district contracts.
 2. Percent of elementary school contracts.
 3. Percent of middle school contracts. Companies will list middle schools that follow the high school standard with a valid justification for their exception.
 4. Percent of high school contracts that comply with this policy.

Healthy Schools Program Standard and Other Standards

This policy will represent the only beverage standard used for school recognition that is part of the Alliance for a Healthier Generation's Healthy Schools Program.

We do, however, recognize that some state legislation, district policy, or other standards may be different than this policy. This policy does not undo those efforts or usurp the authority of parents, educators, and their elected representatives. It is not the intent of this policy to undermine any local initiatives to set standards or change any laws.

Communications

All parties will actively support the new policy and their commitment to the standards of the policy, including the beverages provided in schools, on an ongoing basis.

All use of names or representations in association with this agreement of President Clinton, Governor Huckabee, the American Heart Association, and the Alliance for a Healthier Generation must be approved in writing in advance by the Clinton Foundation, Governor Huckabee, the American Heart Association, and the Alliance for a Healthier Generation respectively. This agreement does not permit the usage of the American Heart Association trademarks or service marks without prior written permission.

All use of names and representations with this agreement of Cadbury Schweppes Americas Beverages, The Coca-Cola Company, PepsiCo, as well as their products, and the American



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Beverage Association must be approved in writing in advance by the American Beverage Association on behalf of these companies. This agreement does not permit the usage of the Cadbury Schweppes, Coca-Cola or PepsiCo trademarks or service marks without prior written permission.

Organizations who are signatories to this agreement will develop and jointly approve standard language and terms of use for each to use to represent their support of this policy.

Changes to Policy

All parties recognize that compelling new scientific evidence may arise at any time that could cause us to revisit this policy.

[Signatures of Authorized Representatives of Parties to this MOU appear on next page.]

ACCEPTED

Alliance for a Healthier Generation
55 West 125th Street
New York, NY 10027

By: _____
Printed Name: Robert S. Harrison
Title: Executive Director
Date: May 3, 2006

American Heart Association
7272 Greenville Avenue
Dallas, TX 75231

By: _____
Printed Name: Robert H. Eckel, MD
Title: President
Date: May 3, 2006

Clinton Foundation
55 West 125th Street
New York, NY 10027

By: _____
Printed Name: Ira C. Magaziner
Title: Chairman, Clinton Foundation Policy Board
Date: May 3, 2006

American Beverage Association
1101 16th Street NW
Washington, DC 20036

By: _____
Printed Name: Susan K. Neely
Title: President & CEO
Date: May 3, 2006



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Cadbury Schweppes Americas Beverages
5301 Legacy Drive
Plano, TX 75086
By: _____

Printed Name: Gilbert Cassagne
Title: President & CEO
Date: May 3, 2006

The Coca-Cola Company
P.O. Box 1734
Atlanta, GA 3030

By: _____
Printed Name: Donald Knauss
Title: President, Coca-Cola North America
Date: May 3, 2006

PepsiCo, Inc.
700 Anderson Hill Road
Purchase, N.Y. 10577

By: _____
Printed Name: Dawn Hudson
Title: President & CEO, Pepsi-Cola North
America
Date: May 3, 2006

AMENDMENT TO MEMORANDUM OF UNDERSTANDING FOR SCHOOL BEVERAGE GUIDELINES

This AMENDMENT is to the Memorandum of Understanding regarding School Beverage Guidelines of May 3, 2006, (hereinafter "School Beverage MOU") between the Alliance for a Healthier Generation, a joint initiative of the American Heart Association and the William J. Clinton Foundation, and the American Beverage Association, Cadbury Schweppes Americas Beverages, the Coca-Cola Company, and PepsiCo, Inc.

WHEREAS the parties to the School Beverage MOU have launched an initiative to accelerate the shift to lower-calorie and nutritious beverages that children consume during the regular and extended school day.

WHEREAS the parties to the School Beverage MOU recognized that the nutritional guidelines for beverages may change from time to time.

NOW THEREFORE, the School Beverage MOU is amended by the substitution of the following provision as the third item listed under the "High School" heading (with the changes in italics):

≤12 oz servings of milk, juice and certain other drinks

- Fat free or low fat milk and nutritionally equivalent (per USDA) milk alternatives
- Fat free or low fat nutritionally equivalent flavored milk with ≤150 cal/8 oz
- 100% juice with no added sweeteners, ≤120 cal/8 oz, and ≥10% DV for ≥3 micronutrients
- *Other drinks with ≤66 cal/8 oz (e.g., flavored waters, light juices and sports drinks)*

NOW THEREFORE, the School Beverage MOU is amended by the substitution of the following provision as the fourth item listed under the "High School" heading (with the changes in italics):

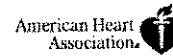
≥50% of *non-milk* beverages are water and no or low calorie options (≤10 cal/8oz)

Except as otherwise specified herein, all other terms and conditions of the School Beverage MOU remain in full force and effect.

This Amendment shall be effective upon the signature of the parties below.

IN WITNESS WHEREOF, this Amendment has been executed by a duly authorized officer of the Alliance for a Healthier Generation and the parties to the School Beverage MOU.

Alliance
for a
**Healthier
Generation**



ACCEPTED

Alliance for a Healthier Generation
55 West 125th Street
New York, NY 10027

By: _____
Printed Name: Bob Harrison
Title: Executive Director
Date: _____, 2007

Cadbury Schweppes Americas Beverages
5301 Legacy Drive
Plano, TX 75086

By: _____
Printed Name: _____
Title: _____
Date: _____, 2007

American Beverage Association
1101 16th Street NW
Washington, DC 20036

By: _____
Printed Name: Susan K. Neely
Title: President & CEO
Date: _____, 2007

The Coca-Cola Company
P.O. Box 1734
Atlanta, GA 3030

By: _____
Printed Name: _____
Title: _____
Date: _____, 2007

PepsiCo, Inc.
700 Anderson Hill Road
Purchase, N.Y. 10577

By: _____
Printed Name: _____
Title: _____
Date: _____, 2007