

## OFFICE OF THE BOARD OF EDUCATION

1000 Broadway, Suite 680  
Oakland, CA 94607-4099  
510.879.8199 w • 510.879.2299 f • 510.879.2300 TTY / TDD  
www.ousd.org  
e-mail: boe@ousd.org



**OAKLAND UNIFIED  
SCHOOL DISTRICT**

*Community Schools, Thriving Students*

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### BOARD OF EDUCATION 2016

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James.Harris@ousd.org

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Nina.Senn@ousd.org

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Jody.London@ousd.org

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Aimee.Eng@ousd.org

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Jumoke.HintonHodge@ousd.org

**Roseann Torres**, District 5  
Roseann.Torres@ousd.org

**Shanthi Gonzales**, District 6  
Shanthi.Gonzales@ousd.org

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To: Board of Education

From: Nina Senn

Date: September 14, 2016

Re: **Support – City of Oakland Measure HH – Ordinance To Impose A 1 Cent Per Ounce Tax On the Distribution of Sugar-Sweetened Beverages**

#### **ACTION REQUESTED:**

Approval by the Board of Education of Resolution No. 1617-0050 - Support - City of Oakland Measure HH - Ordinance To Impose A 1 Cent Per Ounce Tax On the Distribution of Sugar-Sweetened Beverages.

#### **BACKGROUND:**

Board Policy 5030 - Students – Wellness was adopted over ten years ago on June 11, 2006 (“Policy”). The Policy requires that all foods and beverages served and sold in the District meet or exceed State and Federal Requirements and that no candy or sugar sweetened beverages shall be sold or served anywhere on OUSD campuses.

The Policy also required the District provide health education and collaborate with community organizations, parents, students and staff to ensure their input into District’s meal services programs.

Families and community members at large must continue to be informed, through a variety of means, of the health benefits related to the decreased consumption of sugar-sweetened beverages in order to have a significant impact over the long term.

The Oakland City Council, having acknowledged that the City of Oakland and the rest of the country faces a health crisis when one third of all children and nearly one half of African-American and Latino children are predicted to develop diabetes during their lives and that 37% of Oakland adolescents are overweight or obese\*, has placed on the November 8, 2016 General Election Ballot Measure HH – An Ordinance To Impose a 1 Cent Per Ounce Tax on the Distribution of Sugar-Sweetened Beverages.

The general tax, if adopted by voters, will be applicable to sodas, sports drinks, sweetened teas, energy drinks, but exempt, milk products, 100% juice, baby formula, diet drinks, or drinks taken for medical reasons; and provide an exemption for small businesses.\*

The City Council, if the ordinance is enacted, will also form a Community Advisory Board to advise and make recommendations on how and to what extent the City Council should establish and/or

fund programs to prevent or reduce the health consequences of the consumption of sugar sweetened beverages in Oakland communities, including but not limited to programs and projects to improve community nutrition, reduce childhood obesity and tooth decay, increase physical activity and prevent diabetes in children and families, especially those most affected by health disparities. \*

Let us join with other city leaders, healthcare experts and community members in supporting Measure HH, which if enacted, will enable the provision of health and wellness initiatives aligned with Board Policy 5030 –Students – Wellness.

**RECOMMENDATION:**

Approval by the Board of Education of Resolution No. 1617-0050 - Support - City of Oakland Measure HH - Ordinance To Impose A 1 Cent Per Ounce Tax On the Distribution of Sugar-Sweetened Beverages.

**NS:er**

Cc: Antwan Wilson, Superintendent  
Marion McWilliams, General Counsel

Attachment – Resolution No. 1617-0050 - Support – City of Oakland Measure HH – Ordinance To Impose A 1 Cent Per Ounce Tax On the Distribution of Sugar-Sweetened Beverages

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\*Oakland City Council Resolution No 86161 CSM, adopted May 3, 2016.

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**BOARD  
OF  
EDUCATION  
OF THE  
OAKLAND UNIFIED SCHOOL DISTRICT**

**Resolution No. 1617-0050**

**Support - City of Oakland Measure HH - Ordinance To Impose A 1 Cent Per Ounce Tax On the Distribution of Sugar-Sweetened Beverages**

**WHEREAS**, the Oakland Unified School District (OUSD) is committed to ensuring that students have access to healthy food and beverages and eliminate the consumption of sugar-sweetened beverages on OUSD campuses; and,

**WHEREAS**, Board Policy 5030 - Students – Wellness was adopted over ten years ago on June 11, 2006 and states that: “No candy or sugar sweetened beverages shall be sold or served anywhere on OUSD campuses.”; and,

**WHEREAS**, we are currently facing a public health crisis in Oakland and across the country; and,

**WHEREAS**, one third of all children and nearly half of African-American and Latino children are predicted to develop diabetes in their lifetimes; and,

**WHEREAS**, more than 37% of Oakland adolescents are overweight or obese, which puts them at risk of developing diabetes and other chronic diseases; and,

**WHEREAS**, the costs for diabetes related healthcare in Alameda County alone was estimated at \$560 million dollars in 2010; and,

**WHEREAS**, soda and sugary drinks are the number one source of added sugar in the American diet, they account for half of all consumed sugar but have no nutritional value and there is growing scientific evidence that it is the most dangerous way to consume added sugar; and,

**WHEREAS**, drinking just one 12-oz can of soda per day can increase a person’s risk of dying from heart disease by nearly one-third, people who drink one to two sugar-sweetened beverages per day have a 26% higher risk of developing Type 2 diabetes, and every additional sugary beverage consumed daily increases a child’s risk for obesity by 60%; and,

**WHEREAS**, the Soda Tax will help to offset the extra costs borne by society for extra medical and dental care, waste, pollution and even greenhouse gases associated with the production of sugary drinks; and,

**WHEREAS**, taxing sugar sweetened beverages is considered by many public health experts and policymakers to be one of the best strategies to improve the nation's nutrition, raise revenue for health programs and recover the medical and insurance costs of treating diet-related diseases; and,

**WHEREAS**, since 2009, policymakers in approximately 24 states and 6 cities have proposed Sugar Sweetened Beverages taxes, more than 25 national and state organizations have recommended or endorsed them and some countries, including Denmark, Finland, France, and Hungary, have taxes on Sugar Sweetened Beverages. In 2014, 76% of Berkeley voters supported the sugar sweetened beverages tax on the ballot; and,

**WHEREAS**, programs funded by the Soda Tax can improve community nutrition, reduce childhood obesity and tooth decay, increase physical activity and prevent diabetes in children and families, especially those most affected by health disparities; and,

**WHEREAS**, the proposed Soda Tax has wide community support and has been endorsed by a long list of community members, local businesses, public health organizations, and the health and dental communities in Oakland and across Alameda County. On May 3, 2016, the Oakland City Council unanimously supported the inclusion of the Soda Tax on the November 8, 2016 ballot; and,

**WHEREAS**, the Soda Tax is estimated to generate \$6-8 million per year and all tax revenue will go into the city's general fund. Accountability is written into the measure: the measure creates a Community Advisory Board with representatives from health, dental care, and nutrition, as well as parents from the Oakland Unified School District and residents of communities most impacted by the negative health effects of sugary drink consumption. The Community Advisory Board will make recommendations to the City Council about funding programs that improve children's health and will issue annual public reports detailing the impact of funded programs; and,

**NOW, THEREFORE, BE IT RESOLVED**, that the Oakland Unified School District finds and determines the forgoing recitals are true and correct and hereby adopts and incorporates them into this Resolution; and

**BE IT FURTHER RESOLVED**, that the Oakland Unified School District adopts a resolution endorsing the Soda Tax.

**PASSED AND ADOPTED** by the Board of Education of the Oakland Unified School District this 14<sup>th</sup> day of September, 2016, by the following vote, to wit:

AYES: Jody London, Jumoke Hinton Hodge, Roseann Torres, Shanthi Gonzales,  
Vice President Nina Senn and President James Harris

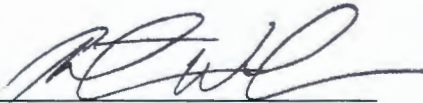
NOES: None

ABSTAINED: None

ABSENT: Aimee Eng

**CERTIFICATION**

I, Antwan Wilson, Superintendent and Secretary of the Board of Education of the Oakland Unified School District, Alameda County, State of California, do hereby certify that the foregoing Resolution was duly approved and adopted by the Board of Education of said district at a meeting thereof held on the 14<sup>th</sup> day of September, 2016 with a copy of said Resolution being on file in Office of the Board of Education of said District.



Antwan Wilson

File ID Number: 16-1965  
Introduction Date: 9-14-16  
Enactment Number: 16-1514  
Enactment Date: 9-14-16  
By: