

Final Rule: Local School Wellness Policy Implementation under the Healthy, Hunger-Free Kids Act of 2010

February 2017



Presentation Overview

- Background on local school wellness policies
- Wellness policy leadership and stakeholders team
- Required wellness goals and nutrition standards for all foods and beverages at school
- Policies for food and beverage marketing
- Review and transparency provisions
- Recordkeeping and monitoring
- Resources



Legislative Background

- 2004 Child Nutrition and WIC Reauthorization Act
 - Required participating local education agencies (LEA) to establish a local school wellness policy by school year (SY) 2006.
- 2010 Healthy, Hunger-Free Kids Act (HHFKA)
 - Focused on local school wellness policy implementation and transparency.
 - Final rule released July 28, 2016 with implementation required by June 30, 2017.



Background

- By SY 2010-2011, 99 percent of students in public schools were enrolled in a district that had a wellness policy in place.
- Variability exists in the strength and policy enforcement of local school wellness policies.
- Policy goals are often general and implementation is difficult to measure.
- The HHFKA strengthens the requirements for the local school wellness policies and puts more emphasis on policy implementation, periodic review, and updates.



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Wellness Policy Team: Leadership

- Required to designate one or more LEA officials or school officials to ensure that each school complies with the local school wellness policy. **(New*)**
- Required to identify the position of the LEA official(s) or school official(s) responsible for the implementation and oversight of the wellness policy. **(New*)**



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Wellness Policy Team: Public Involvement

- Local school wellness policy must permit certain groups to participate in the development, implementation*, review*, and update* of the policy: **(New*)**
 - Parents
 - Students
 - School food authority representatives
 - Physical education teachers*
 - School health professionals*
 - School board
 - School administrators
 - General public
- LEAs must include in the written policy a plan for involving all the required stakeholders. **(New*)**
- LEA has some discretion in implementation.



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Goals in the Wellness Policy: Overview

- The wellness policy must include specific goals for:
 - Nutrition education
 - Nutrition promotion (**New***)
 - Physical activity
 - Other school-based activities to promote student wellness
- LEAs must review and consider evidence-based strategies and techniques in developing goals for the wellness policy. (**New***)



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Required Goals: Nutrition Education

Activity ideas for nutrition education:

- Offer nutrition education as part of a comprehensive health education program.
- Integrate nutrition into other core subjects.
- Teach nutrition literacy and skills development.
- Reinforce lifelong lifestyle balance by linking nutrition education and physical activity.



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Required Goals: Nutrition Promotion

Activity ideas for nutrition promotion (**New***):

- Offer taste-testing and surveys in the cafeteria.
- Provide health and nutrition resources to families to encourage healthy meals at home.
- Promote consistent nutrition messages via posters, classroom lessons, and social media messages.



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Required Goals: Physical Activity

Activity ideas for physical activity:

- Offer opportunities for physical activity such as recess, before and after school programs, intramurals, sports, etc. to help students meet the recommended 60 minutes of physical activity daily.
- Provide physical education classes on a certain number of days per week or for a specified number of minutes per week.
- Neither require nor withhold physical activity as a form of punishment.



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Required Goals: Other School-Based Activities

Activity ideas for other school-based goals that promote wellness:

- Apply for the HealthierUS School Challenge or other recognition.
- Offer staff wellness training to inspire them to serve as role models.
- Sponsor health fairs.
- Incorporate school gardens and Farm to School initiatives.
- Ensure adequate time for students to sit and eat school meals.



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Required Goals: Integrating Evidence-Based Strategies

- LEAs must review and consider evidence-based techniques and strategies in developing goals. (***New**)
- Evidence-based strategies and techniques have been evaluated, studied and peer-reviewed.
- Policy templates from Pennsylvania School Boards Association (expected March 2017) and Alliance for a Healthier Generation (updated September 2016) include evidence-based goals.



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Nutrition Guidelines for all Foods Available in School

- The wellness policy must include nutrition standards for all foods and beverages available to students during the school day on each participating school campus under the jurisdiction of the LEA.
- "School campus" means any area of property under the jurisdiction of the school that students may access during the school day.
- "School day" means the period from midnight before school begins until 30 minutes after the end of the official school day.



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Nutrition Guidelines for all Foods Available in School

Your written policy must include:

- Reimbursable school meals are compliant with federal meal pattern requirements;
- All foods and beverages sold outside of the reimbursable school meal comply with the federal Smart Snacks in School nutrition guidelines; and
- Any foods and beverages provided, but not sold, to students must meet standards that are specified in your local written policy.



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Updates to Nutrition Standards: Smart Snacks

- Examples of foods and beverages that must comply with Smart Snacks nutrition standards include items available:
 - As a la carte items sold in the cafeteria
 - In vending machines
 - In school stores and snack carts
 - At in-school fundraisers
- Nutrition standards for sold foods and beverages different from the Smart Snacks standards must be removed from your policy and replaced with a reference to Smart Snacks. **(*New)**
- The Nutrition Standards for Competitive Foods in Pennsylvania Schools should not be referenced in your wellness policy. **(*New)**



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Updates to Nutrition Standards: Food Fundraisers

- Food fundraisers that occur during the school day are required to meet the federal Smart Snacks nutrition standards.
- However, the Pennsylvania Department of Education (PDE) permits schools to allow a limited number of "exempt" fundraisers each school year that do not have to meet Smart Snacks.
- Your policy should include information about "exempt" fundraisers.



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Updates to Nutrition Standards: Non-Sold Items

- Non-sold foods and beverages commonly include items offered or available:
 - As shared classroom snacks,
 - At classroom celebrations and birthday parties, and
 - As food rewards or incentives.
- Examples of policy language for non-sold items:
 - "Food shall not be used as a reward or incentive in district schools. The district will provide a list of suggested non-food rewards to offer as an alternative to food rewards via the district website and/or district-wide communication."
 - "Classroom parties/celebrations with food will be limited to no more than one per month in each classroom."



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Policies for Food and Beverage Marketing

- Local school wellness policies must permit the marketing of only foods and beverages that are consistent with the Smart Snacks standards. **(*New)**
- Marketing that occurs at events outside of school hours is not restricted by the final rule.



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Food and Beverage Marketing Examples

Applies to:

- Exterior of vending machines
- Posters
- Menu boards
- Coolers
- Trash cans
- Cups used for beverage dispensing

Does not apply to:

- Personal clothing
- Personal items
- Packaging of products brought from home
- Educational tools



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Triennial Assessment

- The LEA must conduct an assessment of the wellness policy every three years at a minimum. **(*New)**
- The results of the triennial assessment must be made available to the public in an accessible and easily understood manner. **(*New)**
- The assessment measures the implementation of the policy, including:
 - Compliance of schools in the LEA with the policy;
 - How the local wellness policy compares to model wellness policies; and
 - A description of the progress made in attaining policy goals.



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Updating the Wellness Policy

- LEAs must update or modify the local school wellness policy as appropriate based on the triennial assessment. **(*New)**



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Informing the Public

- LEAs are required to inform the public about the content and implementation of the local school wellness policy. **(*New)**
- Any updates to the policy must be made available to the public on an annual basis. **(*New)**
- Fall 2017: Schools and LEAs will need to inform the community about the updates made to the wellness policy to be compliant with the new federal regulations.



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Recordkeeping

LEAs must maintain records to document compliance, including:

- The written local school wellness policy;
- Documentation of annually informing the public about the content of the wellness policy and any updates to the policy;
- Documentation demonstrating compliance with community involvement (i.e., actively inviting and including required stakeholders); and
- Documentation of the triennial assessment and notification of the results to the public.



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State Agency Monitoring and Oversight

- The wellness policy is included as part of PDE's Administrative Review of the LEA.
- Will be reviewed at least once every three years.



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State Agency Monitoring and Oversight

During the Administrative Review, LEAs must:

- Provide a copy or appropriate web address of the current local school wellness policy.
- Provide documentation to demonstrate how the public knows about the local school wellness policy.
- Explain and document when and how they review and update their local wellness policy.



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State Agency Monitoring and Oversight (cont.)

During the Administrative Review, LEAs must:

- Describe who is involved in reviewing and updating the local school wellness policy.
- Demonstrate how potential stakeholders are made aware of their ability to participate in the development, review, update, and implementation of the wellness policy.
- Provide a copy of the most recent assessment on the implementation of the local school wellness policy and document how the results were made known to the public.



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Implementation

- LEAs must comply with these requirements by June 30, 2017.



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Key Information for Updating Written Wellness Policies

- PDE has collaborated with the Pennsylvania School Boards Association (PSBA) to update the PSBA wellness policy template for compliance with the new regulations.
- PSBA and PDE will release the new template as soon as it is finalized – estimated by March 2017.
- The Wellness Policy section of Download Forms in the Child Nutrition Program Electronic Application and Reimbursement System (PEARS) continues to be updated with information and resources.



www.pears.ed.state.pa.us



Technical Assistance and Resources from USDA

School Nutrition Environment and Wellness Resources

The Healthy, Hunger-Free Kids Act of 2010 (DHFFKA) requires all local educational agencies participating in federal Child Nutrition programs to establish and implement, for all schools under its jurisdiction, local school wellness policies that meet minimum standards designed to promote sound nutrition, student health, reduce childhood obesity, and provide transparency to the public on the school nutrition environment.

This web site is dedicated to helping local educational agencies find the resources they need to meet recommendations in these areas. View the "school nutrition environment and wellness resources" site map here.

Local School Wellness Policy Process
Follow these steps to put your local school wellness policy into action to impact students' health and lifelong choices.

Wellness Policy Elements
Looking for resources to help implement some of the wellness policy elements? You'll find some right here.

Success Stories/Best Practices
Looking for samples or more ideas? Check out these examples and stories to boost your wellness efforts.

Grants / Funding Opportunities
Find information on specific grants related to child nutrition and physical activity as well as resources to locate grants and information on the grant writing process.

Trainings
Find trainings that will assist you in developing, implementing, and monitoring your school's wellness policies.

<https://healthymeals.fns.usda.gov/local-wellness-policy-resources/school-nutrition-environment-and-wellness-resources-0>



Technical Assistance and Resources from USDA

Local School Wellness Policy Outreach Toolkit



<https://www.fns.usda.gov/tn/local-school-wellness-policy-outreach-toolkit>



PDE Contact Information

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For more information on the School Nutrition Programs, please visit PDE's website at www.education.pa.gov/dfn

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