



# POLICY DEVELOPMENT NEWS

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Issue 17-18-2    December 2017

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**PLEASE NOTE:** The contents of MSMA sample policies and other resource materials do not necessarily reflect official Association policy. They are intended neither for verbatim replication nor to replace the advice of the local board's legal counsel.

MSMA recommends a careful analysis of the need and purpose of any policy and a thorough consideration of the content's application and suitability to the individual school system. Rarely does one board's policy statement serve exactly to address the concerns and needs of all units. Sample policies are most appropriately used as a basis or beginning for a board's policy development on specific topics.

## A NEW LOOK AT WELLNESS

As the holiday feasting season ends, it's a good time for boards and school administrators to ask how schools can make the New Year an even healthier one for the students they serve. With that goal in mind, it's also a good time for reviewing and updating the required local student wellness policy (JL).

The local school wellness policy is the required document that guides the local education agency's (LEA) or school district's efforts to establish a school environment that promotes students' health, well-being, and ability to learn.

It may be hard to believe, but it's been ten years since MSMA distributed its original sample student wellness policy and boards adopted their first student wellness policies!

A very brief history: The wellness policy requirement was established by the United States Congress when it passed the Child Nutrition and Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) Reauthorization Act of 2004. The Act provided that each school unit participating in the Richard B. Russell National School Lunch Act or the Child Nutrition Act of 1966 (the Act that created the School Breakfast Program) had to establish a local school wellness policy that met certain minimal standards "no later than the first day of the school year beginning after June 30, 2006." The original MSMA sample policy reflected these standards.

The wellness policy requirements were further strengthened by the Healthy Hunger-Free Kids Act of 2010 (HHFKA). The HHFKA added more requirements for public participation, "transparency," and implementation, including goals for nutrition promotion. A handy chart comparing the major features of the 2004 vs. 2010 requirements can be found at <https://fns-prod.azureedge.net/sites/default/files/lwpcomparisonchart.pdf>. This chart was developed jointly by the US Department of Agriculture's Food and Nutrition Service (USDA FNS), the US Department of Education (ED), and the US Department of Health and Human Services Centers for Disease Control and Prevention (CDC).

On July 29, 2016, the USDA Food and Nutrition Service (FNS) issued its final rule requiring school units to begin developing a revised local school wellness policy during the 2016-2017 school year, with the date for full compliance with the requirements of the final rule by June 30, 2017.

At a minimum, wellness policies are to include:

- Specific goals for nutrition promotion and education, physical activity and other school-based activities that promote student wellness. School units are required to review and consider “evidence-based strategies” in determining these goals.
- Standards and nutrition guidelines for all foods and beverages sold to students during the school day that are consistent with Federal regulations for school meal and “Smart Snacks in School” nutrition standards. (School meal standards can be found at <https://www.fns.usda.gov/school-meals/nutrition-standards-school-meals> and Smart Snacks standards are summarized on page 8 of the document found at <https://fns-prod.azureedge.net/sites/default/files/tn/USDASmartSnacks.pdf>.)
- Standards for foods and beverages provided but not sold to students during the school day (e.g., in classroom parties).
- Policies for food and beverage marketing that allow marketing and advertising of only those foods and beverages that meet the Smart Snacks in School nutrition standards.
- Planning for public involvement, public updates, policy leadership, and evaluation.

Other features of the final rule:

- The school unit must establish wellness policy leadership, designating authority and responsibility for ensuring that each school complies with the policy.
- At a minimum, school units must permit participation by the public and school community (including parents, students, and representatives of the school food authority, teachers of physical education, school health professionals, the board, and school administrators) in the wellness policy process.
- There is a requirement for a “Triennial Assessment” - school units must conduct an assessment of the wellness policy every three years, at a minimum. The assessment is to determine a) compliance with the wellness policy; b) how the wellness policy compares to “model wellness policies;” and c) progress made in attaining the goals of the wellness policy. The USDA FNS cites the *Alliance for a Healthier Generation* model/template as the exemplar. This document is available at [https://www.healthiergeneration.org/take\\_action/schools/wellness\\_committees\\_policies/](https://www.healthiergeneration.org/take_action/schools/wellness_committees_policies/) (then click on “Alliance’s model Wellness Policy”).
- The school unit must make the wellness policy and any updates available to the public on an annual basis (at a minimum). The Triennial Assessment must also be made available to the public. We suggest that both can be accomplished through the school unit’s website and other appropriate means.

The rule directs the State agency responsible for child nutrition to perform administrative reviews of school units’ wellness policies and implementation.

In an effort to assist School Boards in their governance and oversight role and Superintendents/designees in complying with the Federal regulations, MSMA has revised its sample policy JL, Student Wellness. As in the original version, we have included the elements required for compliance, but we have also suggested some goals. We asked the Maine Department of Education's Child Nutrition Team to look at the sample policy to be sure that it would satisfy an administrative review and we express thanks to Stephanie Staumbach and Michele Bisbee for their assistance.

MSMA's revised sample policy JL, Student Wellness can be accessed by clicking [here](#). It is provided in Word format for the convenience of the Board and Superintendents.

Board members and superintendents should keep in mind that while certain elements are required, goals may differ from one school unit to another. Also, since the implementation will be carried out by school administrators and other school unit personnel, allowing for a great deal of creativity in individual schools. Wellness plans and information presented on the school unit's website would be expected to include more detail (and be far more colorful) than the Board's policy.

The wellness policy and school activities associated with it are a great way to involve parents and the community. We urge boards to take advantage of opportunities to showcase their efforts to promote nutrition, physical activity, and other aspects of a healthy lifestyle.

For readers who want to learn more, the websites for the USDA's Child Nutrition Programs <https://www.fns.usda.gov/school-meals/child-nutrition-programs> and the Alliance for a Healthier Generation (<https://www.healthiergeneration.org/>) are good places to start. And, all politics aside, Let's Move is still an inspirational concept, at <https://letsmove.obamawhitehouse.archives.gov/>.