

Local Wellness Policies Frequently Asked Questions

What is a Local Wellness Policy?

The Local Wellness Policy requirement is established by Section 204 of Public Law 108-265, the Child Nutrition and WIC Reauthorization Act of 2004. The law requires each Local Education Agency (LEA) participating in the National School Lunch Program (NSLP) and/or School Breakfast Program (SBP) to develop a local wellness policy that promotes the health of students and addresses the growing problem of childhood obesity.

The wellness policy must include measurable goals for nutrition education, physical activity, food provided on school campus, and other school-based activities designed to promote student wellness. The goals set forth in the policy will establish regulations for a la carte foods, fundraisers, vending machines, classroom parties, and food used as rewards.

Who should help write the policies?

The law requires that students, parents, representatives of the school food authority, school board, school administration, and the public be a part of the development process. The public can include community members, representatives of local businesses or service organizations (American Cancer Society, YMCA, Kiwana's), and health professionals (pediatrician, dietitian, physical therapist, social worker). Other school professionals can be included as well, such as school nurses, teachers (physical education, health education, family and consumer science), curriculum coordinator, guidance counselor, or members of an existing school health committee. It is advantageous to include persons interested in supporting teamwork and not promoting their own personal agenda.

Are the policies district-wide or must each building have one?

The Wellness Policy is district-wide. The LEA is responsible for writing a policy, which will be implemented in each school within the district. The policy (or subsequent Administrative Guidance/Action Plans) should address circumstances that are unique to different school buildings within the district.

Does the Child Nutrition Reauthorization Act require our school district to develop a wellness policy and a school health (wellness) council?

The Child Nutrition Reauthorization Act requires school districts to develop a wellness policy, but does not require school districts to develop a school health council.

Must the school board approve the policy?

All public schools are expected to have their policies adopted by their school boards. Non-Public Schools, Residential Child Care Institutions, and Vocational Technical Schools (not under the auspices of a school board), are expected to follow their policy making process. This may require seeking approval or having the policy adopted by a board of directors, Joint Operating Committee, or CEO.

How often must the policy be reviewed/renewed?

The law does not specify how frequently the policy needs to be reviewed/ revised, but an effective policy is not static. A policy should be reviewed and revised as warranted by changes in the environment.

Should the public have the opportunity to comment on the policy?

The Child Nutrition and WIC Reauthorization Act mandates that the public be involved in the development of the wellness policy. The school district may determine the appropriate individuals to represent the public. The general public may be provided with an opportunity to comment on the policy during a school board meeting.

The Pennsylvania Department of Education (PDE), Division of Food and Nutrition (DFN), indicated they would make a “checklist” available for LEAs. Should LEAs wait until the checklist is available before developing their Wellness Policy?

The checklist is currently available on the Division of Food and Nutrition’s website at www.pde.state.pa.us/food_nutrition. The “checklist” does not provide LEAs with further instructions on developing their policy. The checklist is a standard form that the Division of Food and Nutrition uses to review policies. This checklist ensures that all policies are reviewed consistently.

When do the policies have to be completed, and to whom do they have to be submitted?

Policies must be established and implemented by July 1, 2006. The Division of Food and Nutrition will be collecting and reviewing all local wellness policies. LEAs that are new to the NSLP will be assigned a due date by the DFN for submitting their policy. The Chief Administrator at each LEA will be sent a letter, which includes the specific due date for that LEA. LEAs are strongly encouraged to use the Model Wellness Policy Template, which is available from the Pennsylvania School Boards Association (PSBA). The Model Wellness Policy was developed in partnership with the Division of Food and Nutrition and incorporates language from wellness policy resources developed by PDE. LEAs can select or modify the policy language from the Model Wellness Policy to most appropriately meet the needs of their school. The template is available at <http://www.w1w.cc/psba/pnn/246V3SD.pdf>.

What happens if we are late in submitting our school wellness policy?

The consequences of not creating and submitting a local wellness policy are similar to non-compliance with other National School Lunch Program regulations. Federal law mandates developing a school wellness policy. The PDE, DFN can withhold school meals reimbursements if the school district does not establish and submit a school wellness policy.

The law establishes that the Local Wellness Policy include a plan for measuring implementation. Is it required that the policy goals be measurable?

The goals must be measurable. In order to be measurable, the goals may need to be supported by Action Plans, Procedures, or Administrative Guidance/Regulations. If the

goal, as it is written in the Local Wellness Policy is not measurable, the Procedures, Action Plans or Administrative Guidance/Regulations must contain specific enough direction to make the goal measurable. PSBA and the Division of Food and Nutrition will be developing Administrative Regulation Templates to assist schools with the implementation and measurability of their Local Wellness Policy. The templates will be developed using language from PSBA's Model Wellness Policy. The templates will not be available until the 2006-2007 School Year.

Will the Department of Education, Division of Food and Nutrition, be collecting Action Plans, Procedures, Administrative Guidance/Regulations, etc. along with the actual Wellness Policy?

The Division of Food and Nutrition will be collecting the policies from each NSLP sponsor, however, the Division will not be collecting the supporting documentation (Action Plans, Procedures, Administrative Guidance/Regulations, etc.). LEAs are encouraged to use PSBA's Model Wellness Policy Template.

What are the evaluation criteria for our wellness policy?

The Division of Food and Nutrition will review policies based on meeting the requirements of the law. The Checklist will provide a method to review each policy consistently.

Will we get feedback on our wellness policy?

Yes, the Division of Food and Nutrition will continue to provide technical assistance prior to and after the effective implementation date of July 1, 2006. LEAs will be notified by the DFN within six months of their due date if their policy was approved or not approved.

Can we redo our policy if PDE doesn't accept it?

Yes, if the Division of Food and Nutrition reviews the policy and finds that it does not meet the requirements of the law, the LEA will be notified. The LEA will be required to follow-up with a written corrective action plan and revise policy.

What are the consequences if our school district does not create a wellness policy?

The Division of Food and Nutrition will work with schools and make every effort to assist schools in meeting the requirements of the law. However, the consequences of not creating a wellness policy are similar to non-compliance with other National School Lunch Program regulations. Developing a wellness policy is mandated by federal law and the PDE, DFN can withhold school meals reimbursement if the school district does not establish and submit a school wellness policy.

Does the Wellness Policy need to cover foods sold at fundraisers and concessions that are available after school?

The law does not require fundraisers and concession stands that are operative after the school day (food sales that are sold and picked up outside the school day, concession stands at athletic events, etc.) to be included in the wellness policy. However, since the health of children needs to be addressed across the continuum of home, community and

school, the wellness policy is an opportunity for LEAs to promote the importance of healthy eating and physical activity beyond the school day. LEAs should encourage organizations that operate functions outside of the school day to align with the LEAs efforts to promote student health.

Private/parochial schools are often considered an LEA. However, frequently they participate in NSLP and SBP as a site under a sponsor. Is the NSLP sponsor required to develop the Wellness Policy for all of the private/parochial LEAs (NSLP sites) that it sponsors, or is each private/parochial school (LEA) responsible for developing its own Wellness Policy?

The law specifically states that all LEAs that participate in the NSLP or SBP must develop a Local Wellness Policy. Therefore, each private/parochial school that is considered an LEA must develop and implement a Local Wellness Policy by July 1, 2006. The NSLP Sponsor **may** coordinate the development of a policy for all of the sites it serves.

Can LEAs from counties and/or Intermediate Units (IU) develop a Local Wellness Policy that can be applied to all LEAs within that county or IU?

If a county or IU develops a policy, and the required representation was not included for each LEA being represented (i.e., parent representatives for each LEA, student representatives for each LEA, etc.), the wellness policy that is developed out of the collaboration can only serve as a resource for the LEAs. The required representatives from each LEA must review the suggested policy in order to determine if the policy appropriately addresses the needs and concerns of that particular LEA. LEAs are encouraged to communicate and share resources.

If an LEA contracts with a Food Service Management Company (FSMC), should the FSMC be involved on the Wellness Committee?

The law requires that the School Food Authority (SFA) be involved in the development of the Local Wellness Policy. The SFA representative must be an employee of the school district. Since FSMC's are contracted with the school district, they may not represent school food service as the SFA. However, the FSMC should be represented on the Wellness Committee and be involved in the development of the Wellness Policy.

Will the Department of Education, Division of Food and Nutrition, review drafts of the individual LEA policies before they are submitted to the school board for adoption?

The Division of Food and Nutrition is unable to review drafts of policies; however, the Division can be contacted at anytime with specific questions. Questions can be directed by e-mail to Vonda Fekete at vfekete@state.pa.us or Cheryl Oberholser at coberholse@state.pa.us.

Does PDE recommend writing the policy using the 2008 column ("Best" column) of the Nutritional Standards for Competitive Foods in Pennsylvania Schools right away, so the policy does not need to be revised each year?

The nutrition guidelines component of the Local Wellness Policy can be written so changes are made gradually and phased in over time. The Nutrition Standards for Competitive Foods were written with this in mind in order to allow time for schools and the food industry to adapt to the changes. LEAs may elect to adopt a specific year of the Nutrition Standards, adopt the Nutrition Standards in their entirety and phase them in, or develop their own nutrition guidelines. The PSBA Model Wellness Policy Template also allows LEAs to select a specific year or to phase the standards in over a period of three years.

Where can I find sample policies or policy language?

The Pennsylvania School Boards Association developed a Model Wellness Policy Template that incorporates resources from the Pennsylvania Department of Education, Division of Food and Nutrition. The Model Wellness Policy can be downloaded at <http://www.w1w.cc/psba/pnn/246V3SD.pdf>.

In addition, the following resources are also available to assist sponsors:

Pennsylvania Specific Resources

- Nutritional Standards for Competitive Foods in PA Schools
http://www.pde.state.pa.us/food_nutrition
- Local Wellness Policy Resources and Examples of Policy Language
http://nutrition.psu.edu/projectpa/CCNPLR/html/CCNPLR_Materials.html

USDA Resource

http://www.fns.usda.gov/tn/Healthy/wellnesspolicy_examples.html

Action for Healthy Kids

http://www.actionforhealthykids.org/resources_wp.php

SNA School Nutrition Association - Template

www.schoolnutrition.org

NANA National Alliance for Nutrition and Activity - Template

www.schoolwellnesspolicies.org