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

What is a local school wellness policy?

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

The wellness policy requirement was established by the Child Nutrition and Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) Reauthorization Act of 2004 and further strengthened by the Healthy, Hunger-Free Kids Act of 2010 (HHFKA). It requires each LEA participating in the National School Lunch Program and/or School Breakfast Program to develop a wellness policy. The final rule expands the requirements to strengthen policies and increase transparency. The responsibility for developing, implementing, and evaluating a wellness policy is placed at the local level, so the unique needs of each school under the LEA's jurisdiction can be addressed.

Provisions of the Final Rule

On July 29, 2016, the USDA Food and Nutrition Service (FNS) finalized regulations to create a framework and guidelines for written wellness policies established by LEAs. The final rule requires LEAs to begin developing a revised local school wellness policy during School Year 2016-2017. LEAs must fully comply with the requirements of the final rule by June 30, 2017.

Content of the Wellness Policy

At a minimum, policies are required to include:

- **Specific goals for** nutrition promotion and education, physical activity, and other school-based activities that promote student wellness. LEAs 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 on the school campus during the school day that are consistent with Federal regulations for:
  - School meal nutrition standards, and the
  - Smart Snacks in School nutrition standards.
- **Standards for all foods and beverages provided, but not sold, to students** during the school day (e.g., in classroom parties, classroom snacks brought by parents, or other foods given as incentives).
- **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.
- **Description of public involvement, public updates, policy leadership, and evaluation plan.**

Wellness Leadership

LEAs must establish **wellness policy leadership** of one or more LEA and/or school official(s) who have the authority and responsibility to ensure each school complies with the policy.

Public Involvement

At a minimum, LEAs must:

- **Permit participation** by the general public and the school community (including parents, students, and representatives of the school food authority, teachers of physical education, school health professionals, the school board, and school administrators) in the wellness policy process.

Triennial Assessments

The final rule requires State agencies to assess compliance with the wellness policy requirements as a part of the general areas of the administrative review every 3 years.

LEAs must conduct an assessment of the wellness policy every 3 years, at a minimum. This assessment will determine:

- Compliance with the wellness policy,
- How the wellness policy compares to model wellness policies, and
- Progress made in attaining the goals of the wellness policy.

Documentation

The State agency will examine records during the Administrative Review, including:

- Copy of the current wellness policy,
- Documentation on how the policy and assessments are made available to the public,
- The most recent assessment of implementation of the policy, and
- Documentation of efforts to review and update the policy, including who was involved in the process and how stakeholders were made aware of their ability to participate.

Updates to the Wellness Policy

The final rule requires that LEAs update or modify the wellness policy as appropriate.

Public Updates

The rule requires that LEAs must make available to the public:

- The wellness policy, including any updates to and about the wellness policy, on an annual basis, at a minimum, and
- The Triennial Assessment, including progress toward meeting the goals of the policy.

Regulation

The proposed rule was published in the Federal Register, and the 60-day public comment period closed on April 28, 2014. FNS received 57,838 public comments that were considered in developing the final rule.

The final rule was published on July 29, 2016 and can be found online at: **http://www.fns.usda.gov/tn/local-school-wellness-policy**.

Resources

USDA Food and Nutrition Service's "School Nutrition Environment and Wellness Resources" Web site has information and resources on:

- Local school wellness policy process,
- Wellness policy elements,
- Success stories,
- Grants/funding opportunities, and
- Trainings.

Check it out! **http://healthymeals.nal.usda.gov/school-wellness-resources**

Model Wellness Policy – Thoroughly reviewed by USDA FNS, the Alliance for a Healthier Generation's model policy template is in compliance with the requirements set forth in the proposed rule and will be updated per the final rule.

Putting Local School Wellness Policies Into Action: Stories From School Districts and Schools – The Centers for Disease Control and Prevention and USDA developed a compilation of 11 stories to help LEAs and schools implement wellness policies.

National Wellness Study Briefs – Bridging the Gap's research briefs highlight areas of opportunity for State agencies, LEAs, and schools to strengthen wellness policy components.