

## **5.29—WELLNESS POLICY**

The health and physical well-being of students directly affects their ability to learn. Childhood obesity increases the incidence of adult diseases occurring in children and adolescents such as heart disease, high blood pressure and diabetes. The increased risk carries forward into their adulthood. Research indicates that a healthy diet and regular physical activity can help prevent obesity and the diseases resulting from it. It is understood that the eating habits and exercise patterns of students cannot be magically changed overnight, but at the same time, the Board of Directors believes it is necessary to strive to create a culture in our schools that consistently promotes good nutrition and physical activity.

The problem of obesity and inactivity is a public health issue. The Board of Directors is keenly aware that it has taken years for this problem to reach its present level and will similarly take years to correct. The responsibility for addressing the problem lies not only with the schools and the Arkansas Department of Education (ADE), but with the community and its residents, organizations and agencies. Therefore, the District shall enlist the support of the larger community to find solutions that improve the health and physical activity of our students.

### **Wellness Committee**

To enhance the district's efforts to improve the health of our students, a School Nutrition and Physical Activity Advisory Committee (SNPAAC) shall be formed. It shall be structured in a way to ensure age-appropriate recommendations are made that correlate to the District's grade configurations.<sup>1</sup> The SNPAAC shall have the powers and responsibilities delegated to it by statute and Rule and are incorporated into this policy by reference.<sup>2</sup> The overarching goal of the committee shall be to promote student wellness by monitoring how well the District is doing at implementing this policy. The SNPAAC shall use modules 1, 2, 3, 4, and 8 of the Centers For Disease Control' (CDC) School Health Index as a basis for annually assessing each school's progress toward meeting the requirements of this policy. The results of the annual assessment shall be included in each school's ACSIP, provided to each school's principal, and reported to the board. Goals and objectives for nutrition and physical activity shall also be included in the ACSIP.

The SNPAAC shall be made up of Individuals from the following groups to the extent interested persons from each group desire to be included in the development, implementation, and periodic review of the District's wellness policy:<sup>3</sup>

- Members of the District's Board of Directors;
- School administrators;
- School nutrition personnel;
- Teacher organizations;
- Teachers of physical education;
- Parents;
- Students;
- Professional groups (such as nurses);

- School health professionals (such as school nurses, school counselors, and social workers); and
- Community members.

The SNPAAC shall provide written recommendations to the District's Child Nutrition Director concerning menus and other foods sold in the school cafeteria. Such recommendations shall be based, at least in part, on the information the Committee receives from the District on the requirements and standards of the National School Lunch Program and from menus for the National School Lunch Program and other food sold in the school cafeteria on a quarterly basis.<sup>4</sup>

The SNPAAC will meet at least quarterly. Meeting dates for the SNPAAC will be placed on the District's calendar.

### **School Health Coordinator**

To assist the SNPAAC in ensuring that the District fulfills the requirements of this policy, a District level School Health Coordinator (Designated District Official) shall be appointed. In addition, a school level School Health Coordinator shall be appointed who shall be responsible for assisting the District level School Health Coordinator in ensuring that each school fulfills the requirements of this policy.<sup>5</sup>

### **Goals**

In its efforts to improve the school nutrition environment, promote student health, and reduce childhood obesity, the District will adhere to the ADE Rules Governing Nutrition and Physical Activity Standards And Body Mass Index For Age Assessment Protocols. To promote nutrition, physical activity, and other school based activities that will improve student wellness, the District, working with the SNPAAC, has established the following goals:<sup>6</sup>

1. Implement a grade appropriate nutrition education program that will develop an awareness of and appreciation for nutrition and physical activity throughout the curriculum;
2. Enforce existing physical education requirements and engage students in healthy levels of vigorous physical activity;
3. Strive to improve the quality of physical education curricula and increase the training of physical education teachers;
4. Follow the Arkansas Physical Education and Health Education Frameworks in grades K-12;
5. Not use food or beverages as rewards for academic, classroom, or sports performances;
6. Establish class schedules and bus routes that do not directly or indirectly restrict meal access;
7. Provide students with ample time to eat their meals in pleasant cafeteria and dining areas;
8. Abide by the current allowable food and beverage portion standards;

9. Meet or exceed the more stringent of Arkansas' or the U.S. Department of Agriculture's (USDA) Nutrition Standards for reimbursable meals and a la' carte foods served in the cafeteria;<sup>7</sup>
10. Restrict access to competitive foods as required by law and Rule;
11. Conform new and/or renewed vending contracts to the content restrictions contained in the Rules and reduce district dependence on profits from the sale of competitive foods.
12. Provide professional development to all district staff on the topics of nutrition and/or physical activity;<sup>8</sup>
13. Utilize the School Health Index available from the CDC to assess how well the district is doing at implementing this wellness policy and at promoting a healthy environment for its students.

### **Food and Beverages Outside of the District's Food Service Programs**

The District will insure that drinking water is available without charge to all students throughout the school including, but not limited to, in the District's food service areas.

All food and beverages sold to students on school campus during the school day by school administrators or school non-licensed or licensed staff (principals, coaches, teachers, club sponsors, etc.); students or student groups; parents or parent groups; or another person, company, or organization associated with the school shall meet the Federal Smart Snacks requirements and Arkansas Nutrition Standards at a minimum.<sup>9</sup> These restrictions include, but are not limited to, food and beverages sold in vending venues (machines, ice chests, cabinets) in school stores or as part of school fundraisers.

All food and beverages provided , but not sold, to students on the school campus during the school day by school administrators or school non-licensed or licensed staff (principals, coaches, teachers, club sponsors, etc.); students or student groups; parents or parent groups; or another person, company, or organization associated with the school shall meet the Federal Smart Snacks requirements and Arkansas Nutrition Standards at a minimum.<sup>9</sup> These restrictions include, but are not limited to, food and beverages provided in vending venues (machines, ice chests, cabinets) in school stores or as part of school fundraisers.

Up to a maximum of nine (9)<sup>10</sup> times per school year, school administration may schedule school wide events where food and beverages provided to students are not required to meet the Federal Smart Snacks standards during the scheduled time. The schedule of the events shall be by school, approved by the principal, and shall be part of the annual school calendar.

Food and beverages outside of the District's food service programs may not be sold, served, or provided to students in the District's food service areas during meal times.

Elementary students shall not have in-school access to vending machines.

The District does not place nutrition restrictions on food or beverages brought from home that are intended for personal consumption only.<sup>9</sup>

## **Advertising**

In accordance with the USDA regulations, oral, written, or graphic statements made for the purpose of promoting the sale of a food or beverage product that are made by the producer, manufacturer, seller, or any other entity with a commercial interest in the product shall only be permitted on school campus during the school day if they meet or exceed the Federal Smart Snacks standards.<sup>11</sup> This restriction does not apply to:

- Materials used for educational purposes in the classroom, including, but not limited to:
  - The use of advertisements as a media education tool; or
  - Designing and implementing the health or nutrition curriculum;
- Clothing, apparel, or other personal items used by students and staff;
- The packaging of products brought from home for personal consumption; and
- Currently existing advertisements on school property, including but not limited to, the exterior of vending machines, posters, menu boards, coolers, trash cans, cups used for beverage dispensing, and other food service equipment; however, all future contracts and replacement items shall meet the Federal Smart Snacks standards.

## **Community Engagement**

The District will work with the SNPAAC to:

- a. Encourage participation in extracurricular programs that support physical activity, such as walk-to-school programs, biking clubs, after-school walking etc.;
- b. Encourage the implementation of developmentally appropriate physical activity in after-school childcare programs for participating children;
- c. Promote the reduction of time youth spend engaged in sedentary activities such as watching television and playing video games; and
- d. Encourage the development of and participation in family-oriented community-based physical activity programs.

The District will annually inform the public:

- Of the web address where the policy is located;
- Of any changes made to this policy since the previous year;
- Of the health and wellness priority goals in the District's ACSIP;
- That a printed copy of the policy may be picked up at the District's central office; and
- The amounts and specific sources of funds received and expenditures made from competitive food and beverage contracts.

## **Assessment of District's Wellness Policy**

At least once every three years,<sup>12</sup> with input from the SNPACC, the District shall assess both the District as a whole and individual schools' status in regards to the implementation and compliance of the goals of this policy, including the health and wellness goals in the District's ACSIP. The assessment shall be based, at least in part, on:

- The extent to which District schools are in compliance with this policy;
- The extent to which this policy compares to other model local school wellness policies;

- The annual reviews of this policy based on modules 1, 2, 3, 4, and 8 of the CDC's School Health Index; and
- A description of the progress made in attaining the goals of this policy.

On the years the assessment occurs, the assessment results shall be reported to the public, including parents, students, and other members of the community as part of the District's annual report to the public.

The District will update the wellness policy based on the results from the three (3) year<sup>12</sup> assessment.

### **District Website**

The District will place on its website:

- The name, District phone number, and District email address for the District Level School Health Coordinator;
- The names, district phone numbers, and district email addresses for the School Level School Health Coordinators;<sup>5</sup>
- The names of the members of the SNPAAC;
- Meeting dates for the SNPAAC;
- Information on how community members may get involved with the SNPAAC;
- A copy of this policy;
- A copy of the annual review of this policy based on modules 1, 2, 3, 4, and 8 of the CDC's School Health Index; and
- A copy of the most recent three (3) year<sup>12</sup> assessment of this policy.

Notes: First and foremost, remember that this policy is to be developed with input from the Wellness Committee (SNPAAC). There are very specific powers, duties, and responsibilities given to the committee.

Additional information on requirements and suggestions for local wellness policies are available from the USDA at <http://healthymeals.nal.usda.gov/school-wellness-resources>. Commissioner's Memos CNU-17-010, CNU-17-013, and CNU-17-016 have several additional resources.

8.01.2 of the ADE Rules Governing Nutrition and Physical Activity Standards And Body Mass Index allows a school to serve or provide to students during the school day, outside of the meal period, a serving of food and beverages that complies with the Federal Smart Snacks requirements as demonstrated by using the Alliance for a Healthier Generation Smart Snacks Calculator, including a copy of the Smart Snacks Calculator product compliance screen and a copy of the nutrition fact label of the product. This is a local control issue and does not have to be included in the policy, but you should be aware that it is an option and is on the ADE Wellness Policy Review Checklist.

As part of the Federal review, districts will be required to provide records demonstrating compliance with the regulations that include, but are not limited to:

- A copy of the wellness policy;
- Documentation demonstrating compliance with community involvement requirements, including requirements to make the local school wellness policy and triennial assessments available to the public, which may include, but are not limited to: a copy of the district/school Web page where the local school wellness policy has been posted or a copy of the school newsletter/local newspaper;
- Documentation of the three (3) year assessment for each school; and
- Documentation to demonstrate compliance with the public notification requirements.

<sup>1</sup> The Rules Governing Nutrition and Physical Activity allow three options for accomplishing this requirement:

1. Establish a School Nutrition and Physical Activity Advisory Committee at each school in addition to the district committee;
2. Establish subcommittees of the district Committee, representing the appropriate age and grade configurations for your district; or
3. Include representatives from each appropriate grade level group (elementary, middle, junior and senior high) on the membership of the district committee.

Select the option you will use and rewrite the sentence to reflect your choice.

<sup>2</sup> The statutory powers are codified at A.C.A. § 20-17-135(e)(1) and repeated in the Rules starting at 6.01. The powers delegated solely through the Rules can be found starting at 6.06.

<sup>3</sup> The Healthy, Hunger-Free Kids Act of 2010 requires the groups listed in this paragraph to be permitted to participate (rather than "must"). There is no mention in the Act of limitations to the numbers of individuals included in each category for the policy's oversight, but some limitation to the overall size of this review team may be necessary for efficiency purposes. As part of the review process, districts will be required to demonstrate attempts were made to recruit individuals even if no one in that particular group agrees to participate.

<sup>4</sup> This paragraph is intended to meet the requirements of A.C.A. § 6-20-709 and the ADE advises that WRITTEN documentation that this requirement has been met will be required during the administrative review of the child nutrition program.

<sup>5</sup> While the new Federal terminology is "designated district official", the responsibilities remain the same; i.e. ensuring compliance with the Wellness Policy. Indistar refers to this position as "Wellness Chair"; we choose not to make the title of this individual the "Wellness Chair" because we believe that it should be up to the SNPAAC to select the member to be its chair rather than having it set in policy.

You are not required to appoint school level School Health Coordinators. If you choose not to appoint the school level school health coordinators, remove the sentence appointing them.

<sup>6</sup> The goals included in this policy are those specifically required by rule. Additional goals should be listed upon the advice of the SNPAAC and the consent of the Board. The USDA requires that the final policy include specific measurable goals for nutrition promotion and education, physical activity, and other school-based activities that promote student wellness. When setting the goals, districts are required to review and consider evidence-based strategies. At a minimum, districts are expected to review the “Smarter Lunchroom” tools and strategies; a copy may be found at <http://www.fns.usda.gov/healthierschoolday/tools-schools> under the “School Nutrition Improvement” heading.

<sup>7</sup> The ADE uses Commissioner's Memos to inform districts of many wellness policy issues concerning nutrition in general, serving portion sizes, drinking water availability, etc. The SNPAAC should be kept abreast of such applicable Memos. You have the choice to exceed the state or federal requirements. If you choose to meet and not exceed those mandated by government, you should delete “or exceed” at the start of the sentence. Currently, some of the state’s requirements are more stringent than the federal requirements, but this could change. By mentioning both governments in the policy, you’ll still be covered. If you do choose to exceed existing requirements you will need to specify what they are in this policy.

<sup>8</sup> The Rules require all staff to receive professional development, but, at this time, there is no provision for how much or what it is to consist of. ADE is currently in the process of creating professional development covering several nutrition and physical education areas that will be accessible through Arkansas IDEAS.

<sup>9</sup> Foods and beverages sold or provided outside of the food service areas being required to meet the Federal Smart Snacks Standards is the minimum required by law. If you choose to exceed the minimum, you will need to include the standards that must be met in the policy.

<sup>10</sup> Nine (9) is simply the maximum allowed by rule. You may insert a lower number if you choose.

<sup>11</sup> This language is the minimum required by law. You have the option to be more restrictive on what level of nutritional value food and beverage advertisements must meet to be on school property. If you choose to be more restrictive, keep in mind that the First Amendment requires that the exceptions for educational uses; clothing, apparel, and other personal items; and packaging brought from home still be included.

<sup>12</sup> The USDA refers to this as the “Triennial Assessment” and requires that the district’s wellness policy be assessed in depth at least once every three (3) years to determine the district’s progress on reaching the goals set in the policy. If you wish to assess the policy more regularly, replace this language with your desired timeline.

The first of the in depth three (3) year assessments must be completed by no later than the end of the 2017-2018 school year.

Legal References: Richard B. Russell National School Lunch Act 42 U.S.C. § 1751 et seq. as amended by PL 111-296 (Section 204) of 2010. (Section 204 is codified at 42 U.S.C. § 1758(b))

Child Nutrition Act of 1966 42 U.S.C. § 1771 et seq.  
7 C.F.R. § 210.18  
7 C.F.R. § 210.31  
A.C.A. § 6-20-709  
A.C.A. §§ 20-7-133, 134, and 135  
ADE Rules Governing Nutrition and Physical Activity Standards And Body Mass Index For Age Assessment Protocols  
Allowable Competitive Foods/Beverages - Maximum Portion Size List for Middle, Junior High, and High School  
Commissioner's Memo CNU-17-010  
Commissioner's Memo CNU-17-013  
Commissioner's Memo CNU-17-016  
Nutrition Standards for Arkansas Public Schools

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