Local Wellness Policies: A briefing paper for NEA ESPQ in response to NBI 34

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What are Local Wellness Policies?

As a requirement of the federal legislation (currently the Healthy, Hunger-Free Kids Act of 2010) that authorizes and regulates the major school meal programs—breakfast and lunch—every participating school district (referred to as a Local Education Agency or LEA\(^1\)) is required to have a Local Wellness Policy (LWP). The requirement for these policies was first included in the Child Nutrition and WIC Reauthorization Act of 2004 with the first policies to be place in the 2006-2007 school year. In 2010 the legislation called for the policies be updated with regulations requiring that the updates be completed by for this update was set June 2017 has helped to focus new attention on them. A LWP is a written document that directs the LEA’s actions to establish environments in schools that promote students’ health, well-being, and ability to learn. The Healthy, Hunger-Free Kids Act set the requirements for the areas each district must address in their policy.

The law places the responsibility for developing, implementing, and evaluating the policy with the local district. The goal is to have policies developed to meet the unique requirements of that district, while still meeting basic requirements and complying with the federal regulations of the school food program. The state agency that manages school meal programs (usually the state education agency\(^2\)) is responsible for oversight. This agency, in turn, reports to the U.S. Department of Agriculture (USDA). It is important to note that this oversight allows the state agency to look at areas that are normally not covered by the USDA meal program regulations. USDA says that the state agency can “…assess how areas of the local educational agency, other than the school food service, implement their local school wellness policy responsibilities, as applicable.”\(^3\)

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\(^1\) Charter schools may be considered separate LEAs or may be covered by the policy of the district in which they are located.

\(^2\) In several states (Florida, Nevada, New Jersey, and Texas) the program is administered by another agency.

Why Local Wellness Policies?

The requirements for LWP originated in the early 2000s in response to the growing concern about obesity and overweight among children and adults. In 2001, The Surgeon General’s Call to Action to Prevent and Decrease Overweight and Obesity identified schools as one of the most important social sectors for fostering good health in young people. The report made many recommendations, but noted that it was at the local level that the specific policies and practices should be decided on. Following on that report, the LWP requirement was included in the 2004 Child Nutrition Act, and districts enacted their first policies by the beginning of the 2006 school year. And while the 2010 Healthy, Hunger-Free Kids Act expanded some of the required content areas, the responsibility of crafting wellness policies still rests with school districts.

The link between health and learning is very well established and can be summed up in the understanding that healthy kids learn better. With more and more districts embracing the idea of supporting the whole student (referred to in many uses as the whole child), the LWP offers an important vehicle to link the various elements required to support a holistic approach. NEA’s School Checklist (http://myschoolmyvoice.nea.org/your-school-checklist/) can be a good starting point in discussing this connection and digging deeper into what the school’s policies and practices are.

The requirement for stakeholder involvement provides a structure for engaging a wide range of stakeholders in the process of creating, implementing, evaluating, and revising the LWP. This can then be extended to broader consideration of the areas that are involved in creating a healthy, welcoming school.

What must the policy cover?

At a minimum, the policy must include:

- These required content areas:
  - Specific goals for nutrition promotion and education, physical activity, and other school-based activities that promote school wellness. Districts must review and consider “evidence-based strategies” in setting these goals. (See below for resources for finding these strategies.)
○ Standards and nutrition guidelines for all foods and beverages sold to students on campus during the school day\(^4\). These standards must be consistent with federal regulations for school meals and Smart Snacks in Schools.

○ Standards for all food and beverages provided, but not sold, to students during the school day. These can include classrooms parties, parent- or staff-provided snacks, or any foods used as incentives.

○ Policies for marketing of foods and beverages that allow marketing only of those items that meet the Smart Snacks in Schools standards.

- A description of the public involvement, public updates, policy leadership, and evaluation plan (see below).

- An identified leader: School districts must identify one or more officials who are responsible for ensuring that each school in the district complies with the policy. It is important that these leaders have not only the responsibility but also the authority to move this forward.

- A process of genuine public involvement: Local education agencies must permit participation by the school community and the general public in the policy process. This includes, but is not limited to, parents, students, school staff (particularly those responsible for school meals, physical education, and health), and administrators.

- A process for evaluation and documentation: The state agency with oversight over the child nutrition programs must determine whether districts are in compliance with the policy requirements. This must happen as part of the administrative review of the food service program every three years. During the administrative review, the state will examine:
  ○ The content of the policy.

\(^4\) The federal law does not address food served on school property, but before/after school hours. However, states or LEAs can add these foods to their policies.
- Documentation of how the policy and the district assessments are made available to the public.
- The most recent district assessment (see below).
- Documentation of the process of reviewing and updating the policy, including who was involved and how stakeholders were informed of their right to participate.

- Local agencies must also conduct an assessment of their policy at least every three years. This must include:
  - Compliance with the policy at the school level.
  - How the policy compares to model wellness policies (see below for resources on model policies).
  - Progress made in attaining the goals of the wellness policy.

- Districts must make provision to update or modify the policy as appropriate.

- LEAs must make available to the public on an annual basis (at least) the policy and any updates made to it. They must also make available the district’s most recent assessment.

**What else can the policy cover?**

In addition to the required areas described above, school districts should consider incorporating other requirements that can promote health, well-being, and the ability to learn. This can include addressing areas such as mental health and wellness programs, school safety, restorative justice, expanded meal program participation, green cleaning, and/or expanding student health services. Some districts may also choose to include opportunities for staff wellness in their policy. Regardless of the specific issues addressed, the LWP should address the staff professional development and family/community engagement needed to effectively implement the policy.

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5 Staff wellness is also an important component of any collective bargaining agreement and/or employer provided insurance program, so the LWP should not be the only place it is addressed.
Who is responsible for the Local Wellness Policy?

As noted above, each district must identify one or more officials with the authority to ensure that all schools comply with the policy. Because the policy crosses many different departments, as well as covering all schools in the district, it is important that those in the person filling this role understand all the elements. She should also have the authority necessary to bring people together across departments and to be an active advocate for the policy. While some districts have assigned this responsibility to the district food service director (because of the USDA oversight), many other districts have identified a high-level administrator with cross-cutting responsibilities. Other districts include this in the responsibilities for a school health coordinator (or similar title).

At the building level, the principal has the overarching responsibility for making sure that the policy is implemented in her building. Of course, each department whose work is addressed by the policy has a role. Schools can also put together a school health or wellness committee to help support this work. This committee should be representative of all the staff in the school and should also include parents/guardians.

Where can we find model policies?

Districts are required to compare their policy to model policies. NEA members, families, and community members can also use model policies to help in their advocacy for good policies. One model policy that has been vetted by the USDA is from the Alliance for A Healthier Generation. It can be found at:

https://www.healthiergeneration.org/take_action/schools/wellness_committees__policies/local_wellness_policy_final_rule/

Another resource for understanding LWP is the Action for Healthy Kids Policy Tool. It can be found here: http://www.actionforhealthykids.org/step-1-build-a-strong-team#build

Some state agencies offer online resources and support for the districts in their state. These sites will also contain information about any additional requirements from that state. Examples of this type of support include this resource from Pennsylvania:
How can we tell if a policy is strong or weak?

The ability of a policy to drive change is only as good as the strength of the policy and in its implementation. The federal standards referenced in the LWP requirements set the minimum that every LEA must meet. Some states may have additional requirements (for example, Rhode Island has added the requirement that districts address staff wellness in their policies). When that happens, it can set a new minimum for districts to meet. The districts can then, if they follow the required process, set additional standards.

Bridging the Gap\(^6\), a research program that analyzed LWP over a number of years, classified policies as strong or weak. Strong polices use words like: *shall*, *might*, *will*, *require*, *comply*, and/or *enforce*. Weak policies use words like: *should*, *might*, *encourage*, *some*, or *make an effort*.

It is also important that policies be reasonable. For example, if a policy sets out to ban the marketing of unhealthy food choices to children in school, consider whether this includes newspapers used in learning. What about the clothing students wear? These are the type of questions that make it important for staff and families to be involved in creating the policy as well as in its implementation.

How can the LWP connect to academic plans and school improvement efforts?

As discussed above, many of the areas that the LWP covers are crucial to student success in school and to supporting the whole child/student. Some districts make this explicit, such as Denver, Colorado, where the district requires that a “whole child” focus be embedded in every school’s Unified Improvement Plan. In Los Angeles, wellness (including the Local Wellness

\(^6\) Bridging the Gap was a Robert Wood Johnson Foundation funded nationally recognized research program dedicated to improving the understanding of how policies and environmental factors influence diet, physical activity and obesity among youth, as well as youth tobacco use.
Policy) is part of the district’s Strategic Plan through the enhancement of school climate\(^7\). In Kentucky, the state Department of Education recommends that the LWP be included in the Comprehensive School and District Improvement Plans. Like Denver and Los Angeles, this guidance includes an explicit link between all the requirements of the LWP and the idea of supporting the whole child\(^8\).

Another example of a holistic approach that incorporates the LWP into broader efforts can be found in Nebraska. In 2010 the Nebraska State Board of Education adopted a policy in support of coordinated school health. This policy was updated in 2017 to include references to the Whole School, Whole Community, Whole Child (WSCC) framework (developed by ASCD and Centers for Disease Control and Prevention). This framework (see Resources below) addresses all the areas covered by the LWP requirements and goes beyond to take a holistic view of child development. To quote the Nebraska policy:

> The Nebraska State Board of Education believes that education and health are intertwined. Healthy children learn better; children must be healthy mentally, physically, and socially. To achieve maximum success schools, families and communities must work together. A coordinated school health approach within the Whole School, Whole Community, Whole Child Model is designed to coordinate services, emphasize partnerships, and promote the physical, social, and cognitive development of children leading to improved student learning.\(^9\)

Nebraska is just one of many states and districts use the WSCC framework. WSCC is an excellent tool for expanding the LWP to address an important range of student (and staff) issues, as well as the condition of the physical plant of the school (see CDC in Resources below).

**What is the role of educators in developing and implementing the LWP?**

As noted above, some groups of educators are required by the law to be part of the stakeholder process. However, there is nothing to prevent a district from engaging all groups of staff in the development, implementation, and review of the policies. Because the policies address areas that

\(^7\) [https://achieve.lausd.net/site/handlers/filedownload.ashx?moduleinstanceid=754&dataid=591&FileName=LAUSD_Strategic%20Plan16-17_vr19F.pdf](https://achieve.lausd.net/site/handlers/filedownload.ashx?moduleinstanceid=754&dataid=591&FileName=LAUSD_Strategic%20Plan16-17_vr19F.pdf)


cut across all the jobs in a school, all should be able to offer input throughout the process. Here are some examples of areas where it is particularly important for staff to be involved.

- **Food service:** While the involvement of district food service staff is required, it is at the building level that staff can provide information on things such as the food choices students are making, whether food is going to waste, or how to do in-building nutrition promotion.

- **Building service:** Custodians may also have insights into what is being eaten and what is being thrown out. And, since they are responsible for the physical plant of the school, they can offer insights that can inform a healthier building or safe facilities for recess and other physical activities.

- **Classrooms:** Teachers and paraeducators are involved in creating classrooms that can promote students’ opportunities to be active during the day. If the LWP addresses the use of food as a reward, it is important that all instructional staff understand that part of the policy and know how to use non-food alternatives to reinforce positive behavior.

- **Physical Education and physical activity:** PE teachers are among the required constituencies during the development process. As districts strengthen their PE programs, professional development for all teachers is crucial. Any staff who supervise recess (teachers and/or paraeducators) should get professional development in how to promote active and safe recess.

- **School safety including bullying prevention** (see for example, http://www.nea.org/home/neabullyfree.html). All staff have a role to play, and whole school/district policies and practices are particularly important here. A lot of bullying may occur where teachers are not, so custodians, technical staff, and bus drivers (among others) can be crucial in helping to define and respond to problems.

- **Family and community engagement.** Parents are one of the groups required to be involved in the LWP process. As the policy is implemented, it is important for the district and schools to keep families and the community involved and engaged. Sometimes the policy can lead to a change in some long-standing practices, such as how birthdays and holidays are recognized, or in fundraising. All staff have a role in helping parents and community members understand the new policy.
Two additional important issues

While there are many topics that LWP can address, the areas of food allergies and school breakfast can make a big difference for students, and NEA might want to highlight these

- Allergic reactions, including food allergies, can happen anywhere. An untreated allergic reaction can be life-threatening. All staff in the school should know what to do, and every school should have an allergy management plan. The district LWP should consider food allergies in its policies about food sold and/or provided to students\(^\text{10}\).
- School breakfast: Many students come to school hungry, and a hungry student is not ready to learn. The LWP can be a great place for districts to highlight their commitment to ensuring that every child starts the day with a healthy breakfast. Many districts have developed innovative practices to promote and expand participation in school breakfast. More information is available from the NEA Foundation.

Resources

There are many good resources on Local Wellness Policies. The resources listed below are some of the best.

- USDA information on Local Wellness Policies. As the federal agency with oversight, USDA is a great place to start in identifying resources.
  - Final Rules. This page provides a link to all of the USDA rules affecting the child nutrition programs: [https://fns-prod.azureedge.net/sites/default/files/tn/LWPsummary_finalrule.pdf](https://fns-prod.azureedge.net/sites/default/files/tn/LWPsummary_finalrule.pdf)
  - Team Nutrition is a USDA initiative that supports efforts to promote lifelong healthy food choices and physical activity by improving the nutrition practices of the Child Nutrition Programs. It provides resources to schools, child care settings, and summer

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meal sites that participate in these programs. [https://www.fns.usda.gov/tn/about-team-nutrition](https://www.fns.usda.gov/tn/about-team-nutrition)

- Team Nutrition Local Wellness Policy Resources include additional information about the requirements, as well as links to an outreach tool kit and model policy information. [https://www.fns.usda.gov/tn/local-school-wellness-policy](https://www.fns.usda.gov/tn/local-school-wellness-policy)

- State agency contacts. For specific information on the appropriate person in a particular state agency, USEA provides a list of contacts. [https://www.fns.usda.gov/school-meals/school-meals-contacts](https://www.fns.usda.gov/school-meals/school-meals-contacts)


- The Centers for Disease Control and Prevention (CDC) through the School Health Bureau partners with USDA to support the development and implementation of LWP. It also has extensive resources about the Whole School, Whole Community, Whole Child (WSCC) framework, which is used in many states and districts. The CDC Division of Adolescent and School Health has additional resources, including data on youth behaviors and school health policies.
  - Healthy Schools overview: [https://www.cdc.gov/healthyschools/index.htm](https://www.cdc.gov/healthyschools/index.htm)
  - Local Wellness Policies: [https://www.cdc.gov/healthyschools/npao/wellness.htm](https://www.cdc.gov/healthyschools/npao/wellness.htm)
  - WSCC: [https://www.cdc.gov/healthyschools/wsc/index.htm](https://www.cdc.gov/healthyschools/wsc/index.htm)
  - CDC’s School Health Index offers a confidential online self-assessment and planning tool (also available in a downloadable, printable version) that schools can use to improve their health and safety policies and programs
    [https://www.cdc.gov/healthyschools/shi/index.htm](https://www.cdc.gov/healthyschools/shi/index.htm)
  - Division of Adolescent and School Health: [https://www.cdc.gov/healthyyouth/](https://www.cdc.gov/healthyyouth/)

- Action for Healthy Kids is a national non-profit. It works with schools and communities to develop and implement sustainable school health policies and practices.
Their Local Wellness Policy Tool helps walk teams through the process of developing, implementing, evaluating, and revising their policies.
http://www.actionforhealthykids.org/tools-for-schools/revise-district-policy

With the permission of CDC, Action for Healthy Kids has adapted the School Health Index to help schools prepare for the USDA Healthier US School Challenge.
http://www.actionforhealthykids.org/tools-for-schools

- Alliance for a Healthier Generation is a national non-profit. It works with schools and communities to develop and implement sustainable school health policies and practices. This includes a model policy vetted by USDA and a tool kit to support the process of developing, implementing, evaluating, and revising their policies. These can be found here:
  https://www.healthiergeneration.org/take_action/schools/wellness_committees__policies/

  http://www.nea.org/assets/docs/HHFKA_fact_sheet-final(1).pdf

- This session from the February 2017 NEA National Leadership Summit references the importance of wellness in student-centered advocacy.
  https://www.nea.org/assets/docs/LOP329_MIZIALKO_Educator-Led_Cohorts_with_the_MTEA.pdf

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