

Commissioner's Memo
12/4/2019

USDA Wellness Policy Requirements: Is Your District Due for a Triennial Assessment?

Memo Information

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Memo Type Regulatory

Unit Child Nutrition

Regulatory Authority Child Nutrition Reauthorization Act of 2004 (Sec. 204 of Public Law 108-265); Healthy, Hunger-Free Kids Act of 2010 (Sec. 204 of Public Law 111-296); United States Department of Agriculture Food and Nutrition Services Final Rule on Local Wellness Policy Implementation (July 21, 2016); Arkansas Act 1220 of 2003 and the Arkansas Department of Education Rules Governing Nutrition, Physical Activity, and BMI, updated May 2016

Response Required NO

Attention Superintendents; Principals; Child Nutrition Directors/Managers

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Memo Text

ATTENTION: SUPERINTENDENTS, CO-OP DIRECTORS, PRINCIPALS, CHILD NUTRITION DIRECTORS, WELLNESS CHAIRS AND MEMBERS

Local school wellness policies are an important tool for parents, local educational agencies (LEAs) and school districts in promoting student wellness, preventing and reducing childhood obesity, and providing assurance that school meal nutrition guidelines meet the minimum federal school meal standards and the Arkansas nutrition standards.

In 2004, Congress passed the Child Nutrition and Special Supplemental Nutrition Program for Women, Infants and Children (WIC) Reauthorization Act (Sec. 204 of [Public Law 108-265](#)). This act required by law that all districts participating in the National School Lunch Program or other child nutrition programs create local school wellness policies by School Year 2006. The legislation places the responsibility of developing a district wellness policy at the local level so the individual needs of each district can be addressed.

In 2010, Congress passed the Healthy, Hunger-Free Kids Act of 2010 (Sec. 204 of Public Law 111-296), and added new provisions for local school wellness policies related to implementation, evaluation, and publicly reporting on progress of local school wellness policies.

On July 21, 2016, the United States Department of Agriculture (USDA) Final Rule on Local Wellness Policy Implementation was published in the Federal Register. The final rule strengthens the requirements on public involvement, transparency, implementation, and evaluation among other topics.

Overview of Wellness Policy Requirements

- As of School Year 2006-2007, all districts were required to establish a local school wellness policy.
- The USDA Final Rule required districts to develop and adopt a revised local school wellness policy during School Year 2016-2017.
- Districts were to fully comply with the requirements of the final rule by June 30, 2017. These requirements are still current, and include:
 - Permitting parents, students, representatives of the school food authority, teachers of physical education, school health professionals, the school board, school administrators, and the general public to participate in the development, implementation, review, and update of the local wellness policy.
 - Identifying wellness policy leadership of one or more district and/or school official(s) who have the authority and responsibility to ensure each school complies with the policy.
 - Informing and updating the public (including parents, students, and others in the community) about the content and implementation of the local wellness policy.
 - Ensuring the wellness policy includes all of the required components:
 - 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.
 - Nutrition guidelines for all foods and beverages available or for sale on the school campus during the school day that are consistent with regulations for:
 - Federal school meal nutrition standards;
 - Federal Smart Snacks in School nutrition standards; and,
 - Arkansas Nutrition Standards.
 - Policies for other foods and beverages available on the school campus 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.

The content of wellness policies will be reviewed during Child Nutrition Administrative Reviews conducted in the district every three years, and superintendents and Child Nutrition directors will attest to the compliance of the district's wellness policy in the annual Child Nutrition Agreement.

Evaluation – the Triennial Assessment

All districts must assess their wellness policy at least once every three years on the extent to which schools are in compliance with the district policy, the extent to which the local wellness policy compares to model local school wellness policies, and the progress made in attaining the goals of the local wellness policy. Districts must make their most recent assessment available to the public on an annual basis.

Districts who updated their policies in 2017 are due for an assessment and possible update of the wellness policy in 2020.

Step 1 of the Triennial Assessment: Wellness Committee Checklist Part 1

The Triennial Assessment requires districts to assess their compliance with the Wellness Policy. In order to meet this mandate, districts are required to complete the Wellness Committee Checklist (attached) to assess implementation and compliance. This tool may also be used to track annual activities to provide documentation of wellness committee responsibilities.

Step 2 of the Triennial Assessment: Wellness Committee Checklist Part 2

Secondly, the Triennial Assessment requires districts to compare their wellness policy to model wellness policies. Many sample policies are available through non-profit and professional organizations. These sample policies can help with language selection when schools are developing or expanding their own policies. However, in order to document compliance with this area of the Triennial Assessment, districts are required to complete the Wellness Committee Checklist “Included in Policy?” section (last column on the right of the form – attached) and update the Wellness Policy as needed. The checklist includes federal requirements (in gray) and state requirements that will be the outline to all Arkansas Wellness Policies.

Step 3 of the Triennial Assessment: School Improvement Plan / SHI / BMI

Finally, the Triennial Assessment requires districts to document progress made in attaining the goals of the Wellness Policy. Arkansas schools will continue to meet these requirements by completing the Health and Wellness Priority in their School Improvement Plans, including a review of Body Mass Index (BMI) data and required modules of the School Health Index (SHI) in the plans annually. The Arkansas Department of Education, Division of Elementary and Secondary Education, School Health Services will continue to review and make suggestions to the Health and Wellness Priorities of the School Improvement Plans for all schools and districts, and the Child Nutrition Unit will ensure the required pieces of Step 3 of the Triennial Assessment are documented during and Administrative Review.

Public Updates:

Districts are required to make the Triennial Assessment, including progress toward meeting the goals of the policy, available to the public annually. Posting the most recent assessment, including the most recent school improvement plan that includes goals for nutrition education and promotion, physical activity, and other wellness topics will meet this requirement.

Preparing for an Administrative Review with Child Nutrition:

All documentation related to wellness policies, wellness committees, and the Triennial Assessment will be reviewed during the district's Child Nutrition Administrative Review. Failure to meet the federal and state requirements will result in a finding and will require a corrective action plan.

Resources

USDA Summary of Local Wellness Policy Final Rule – see attached

USDA Wellness Policy Tools: <http://www.fns.usda.gov/tn/local-school-wellness-policy>

USDA Nutrition Standards for School Meals: <http://www.fns.usda.gov/school-meals/nutrition-standards-school-meals>

USDA Smart Snacks: <https://www.fns.usda.gov/school-meals/tools-schools-focusing-smart-snacks>

Arkansas Department of Education Rules Governing Nutrition, Physical Activity, and BMI (updated May 2016) – see attached

Triennial Assessment Cheat Sheet – see attached

Wellness Committee Checklist for Implementation and Compliance – see attached

If you have questions or need assistance, please contact your district's area specialist at the Arkansas Child Nutrition Unit (501) 324-9502 or the School Health Services unit at (501) 683-3604.

Attachments

- [Arkansas_Department_of_Education_Rules_Governing_Nutrition,_Physical_Activity,_and_BMI_\(updated_May_2016\)_111240.pdf](#)
- [Triennial_Assessment_Cheat_Sheet_2019_111249.pptx](#)
- [USDA_Summary_of_Local_Wellness_Policy_Final_Rule_111258.pdf](#)
- [Wellness_Committee_Checklist_for_Implementation_and_Compliance_111308.pdf](#)