

## Module 7—Nutrition Standards and Wellness

### Target Audience

- Child nutrition director
- Nutrition staff
- Other staff assigned to implement and monitor nutrition standards and the wellness policy
- Other parties interested in the wellness policy process

**Estimated Time Required** 30 minutes

### Contents

1. [Legislation, Regulations, and Nutrition Standards](#)
2. [Nutrition Standards for Snacks in After School Programs \(ASP\)](#)
3. [HealthierUS School Challenge \(HUSSC\)—Recognizing Excellence in Smarter Lunchrooms, Nutrition and Physical Activity \(NPA\)](#)
4. [Local School Wellness Policy \(LSWP\)](#)
5. [Resources](#)

### Learning Objectives

- Develop an understanding for federal and state rules as they pertain to foods and beverages sold to students outside of the school meal programs (called competitive foods)
- Identify a California Department of Education (CDE) resource for integrating the federal and state rules on competitive foods
- Describe when and where schools must provide free drinking water to students
- Identify a reimbursable snack based on the U.S. Department of Agriculture (USDA) requirements
- Develop an understanding of HUSSC criteria
- Identify the mandatory parts of an LSWP
- Describe three ways to monitor and evaluate an LSWP
- Identify how wellness can be included in a district's Local Control and Accountability Plans (LCAP)

## Residential Child Care Institutions:

Review Section 1, Items A–C: Legislation, Regulations and Nutrition Standards—only if your agency operates as a public school. To verify if your school is a public school, check your program file or visit the CDE California School Directory Web page at <http://www.cde.ca.gov/re/sd/index.asp>.

Item D—Providing Access to Free Drinking Water—required regardless if operating as a public or nonpublic school

Review Section 2—Nutrition Standards for Snacks and Meals in ASPs if participating in the Afterschool Snack Program.

Review Section 3—HUSCC—Recognizing Excellence in Smarter Lunchrooms, NPA—only if your agency operates as a public school.

Review Section 4—LSWP—All Residential Child Care Institutions (RCCIs) need a LSWP, regardless if operating as a public or nonpublic school.

# 1. Legislation, Regulations and Nutrition Standards

## A. Federal Regulations: Smart Snacks in School

**Background:** On July 29, 2016, the USDA published the Smart Snacks in School (SSIS) final rule (FR) which became effective on September 27, 2016. The SSIS FR is available for download at <https://www.regulations.gov/document?D=FNS-2011-0019-5227>. The SSIS FR finalizes the National School Lunch Program (NSLP) and School Breakfast Program (SBP) regulations that establish nutrition standards for all foods sold in schools other than food sold under the lunch and breakfast programs (i.e., competitive foods and beverages).

The SSIS FR makes minor modifications to the following areas of the SSIS IFR:

- Total fat standard: Keeps the SSIS IFR total fat standard (no more than 35 percent calories from fat) but keeps this requirement as interim final while the USDA accepts further public comment on this standard. As of January 2018 the USDA has not acted.
- Entrée definition: Adds the term **intended as the main dish** and allows a whole grain-rich (WGR) grain-only entrée served in the SBP to be sold as a competitive entrée, provided it meets the competitive entrée requirements.
- Eggs: Allows eggs to be exempt from the fat and saturated fat standards.
- Canned vegetables: Allows low sodium or no salt added vegetables to be exempt from all nutrition standards provided there is no added fat or sugar.

- Paired exemptions: Items designated as exempt from one or more of the nutrition standards individually, when are packaged together without any additional ingredients must only meet the calorie, sodium, and trans fat standards.

Because of the California competitive food and beverage rules, the only SSIS FR change that impacts California public noncharter schools is the paired exemption. All of the other modifications made in the SSIS FR are less restrictive and therefore do not influence California rules.

More information is available on the Healthy Meals USDA Smart Snacks Web page at <https://www.fns.usda.gov/school-meals/tools-schools-focusing-smart-snacks>

The SSIS rule defines the terms **competitive foods**, **school day**, and **school campus**—a food or beverage must meet all five of the following criteria for the competitive food rules to apply. A food or beverage must be:

1. sold
2. to a student
3. on the school campus
4. during the school day
5. outside of the federally reimbursable meal program.

The SSIS rule also includes six specific nutrient standards that all competitive foods must meet. Besides meeting nutrient standards, a food must also meet one of two general nutrition standards.

The six nutrient standards are fat, saturated fat, Trans fat, calories, sugar, and sodium. Effective July 1, 2016, the sodium standard for a competitive snack reduces to 200 milligrams (mg) per item or container. Please note that this does not affect the sodium standard for a competitive entrée, which is 480 mg per entrée.

The two general nutrition standards (a food must meet one) are:

1. Fruit, vegetable, dairy food, protein, or WGR items. or any food with fruit, vegetable, dairy, protein, or whole grain listed as the first ingredient
2. Be a combination food (a food including at least two food groups) that contains at least  $\frac{1}{4}$  cup of fruit and/or vegetable

Some foods may be exempt from one or more nutrient standards; however, all foods must meet at least one of the general food standards. Allowable beverages under the SSIS rule for elementary and middle schools include water, milk, juice, and nondairy milk (soy milk, rice milk, etc.). Allowable beverages for high schools include those allowable in elementary and middle schools plus low- and no-calorie beverages. Elementary schools may sell up to 8 ounce (oz.) portions, while middle schools and high schools may sell up to 12 oz. portions of milk and juice. There is no portion size limit for plain water.

## B. State of California Nutrition Standards Requirements

**Assembly Bill (AB) 626** (Skinner) which became effective on January 1, 2014. The law modifies California competitive food and beverage rules with the following changes:

- Updates the term **sold** defined as the exchange of food or beverages for money, coupons, vouchers, or order forms when any part of the transaction takes place on the school campus.
- Standardizes the timing when only compliant items can be sold. Eliminates exceptions when noncompliant items can be sold during the school day.
- Disallows two percent milk as a compliant competitive beverage.
- Requires competitive foods sold to students to meet zero trans-fat during the school day on the school campus.
- Allows adults or students to sell noncompliant foods on an elementary school campus from 30 minutes after the end of the official school day.
- Requires the CDE Nutrition Services Division (NSD) to monitor and enforce the California competitive food and beverage rules during the administrative review (AR) process.
- Gives ASPs the option to serve a snack, a meal, or both to students in their care.

**Senate Bill (SB) 1169** (McGuire) was signed into law on September 9, 2016, and became effective on January 1, 2017. The law further modifies California competitive food and beverage rules to align more with the SSIS FR:

- Adds the same definitions for combination foods, competitive foods, school campus, and school day as found in the SSIS FR.
- Adjusts the time frame when only compliant items can be sold from midnight before to 30 minutes after the official school day as found in the SSIS FR.
- Allows any type of protein food in elementary schools, provided it meets all nutrition standards as found in the SSIS FR.
- Allows additional exemptions for specific foods from fat and saturated fat as found in the SSIS FR.
- Allows a maximum of 200 calories for a competitive snack across all grade levels (elementary, middle, and high school) as found in the SSIS FR.

SB 1169 reinforces rules that do not align with the SSIS FR as follows:

- Does not allow caffeine, except trace amounts of naturally occurring caffeine, in any beverages
- Does not allow beverages commonly known as sodas, colas, or soft drinks
- Only allows one additional no- or low-calorie beverage category called fruit flavored water, which cannot contain any added sweetener.

State and federal requirements mandate nutrition standards for competitive foods and

beverages in schools. Outlined in the chart below are the standards:

Legislation or Regulation	Bill Description	Education Code Reference
SB 12/AB 626/SB 1169	<ul style="list-style-type: none"> <li>• Mandates compliance to all noncharter California public schools kindergarten–twelve</li> <li>• Creates standards for all foods sold outside of the federally reimbursable meal program to students</li> </ul>	49430 49431 49431.2
SB 965/AB 626/SB 1169	<ul style="list-style-type: none"> <li>• Defines the beverages allowed in noncharter California public schools kindergarten–twelve</li> </ul>	49431.5
SB 490/AB 626/SB 169	Restricts public noncharter schools regarding trans fats in foods sold/served outside of the federally reimbursable meal program	49431.7
5 Code of Federal Regulations ( <i>CFR</i> ), sections 15575–15578	Clarifies and further defines SBs 12 and 965 for noncharter public schools	
5 <i>CCR</i> , sections 15500–15501	Additional regulations on foods and beverages sold by student organizations	
7 <i>CFR</i> , Section 210.11	Federal SSIS FR on all foods and beverages sold to students, during the school day, on the school campus, outside of the federally reimbursable meal program.	

### C. Integrating the Federal Smart Snacks in School Rule with California Rules

California combines its rules with the SSIS FR so that the stricter of the two is enforced. In some instances, California is stricter; in other instances, the SSIS FR is stricter.

Combining the rules presents the following competitive food and beverage rules in California:

#### Definitions

**A competitive food** is a food or beverage in which the following five criteria must be met in order for the competitive food rules to apply: (1) sold, (2) to a student, (3) on the school campus, (4) during the school day, and (5) outside of the federal reimbursable meal program (7 *CFR*, Section 210.11[a][2]). If not all five criteria are met, it is not a competitive food sale and the competitive food rules do not apply.

**Sold** means the exchange of a food or beverage for money, coupons, vouchers or order forms when any part of the transaction occurs on campus. Therefore, in order for a competitive sale to occur, all of the following must be true:

1. Money must be exchanged. Money may be exchanged directly for a food or beverage, or money can be exchanged for a coupon, voucher, or order form which will later be exchanged for a food or a beverage.
2. The food or beverage must be exchanged for the money, coupon, voucher, or order form.
3. Both 1 and 2 above must include the student, occur on school campus, during the school day, and outside the federal reimbursable meal program.

**School Day** means from midnight before to 30 minutes after the end of the official school day.

**School Campus** means all areas of the property under the jurisdiction of the school that are accessible to students during the school day.

All definitions above must be met for the competitive food and beverage rules to apply.

All foods sold as part of the SBP or NSLP are not subject to the competitive food rules.

The state and federal rules do not apply to foods given away (for example celebrations, birthday parties, etc.). Additionally, there may be food or beverage sales that are in competition with the federal reimbursable meal program but are still allowable. Meeting the standards of competitive foods means that the foods or beverages must meet specific criteria to be sold during the school day. Deeming a food or beverage competitive does not automatically disallow the sale of the item. Per 7 *CFR*, sections 210.11(b) and 220.12, state agencies and school food authorities (SFA) may impose additional restrictions on the sale of and income from competitive foods, provided they are consistent with federal requirements.

Additional resources, including a list of MBs and the Quick Reference Cards—a resource outlining the integrated rules—are located on the CDE Competitive Foods and Beverages Web page at <http://www.cde.ca.gov/ls/nu/he/compfoods.asp>.

## **D. Providing Access to Free Drinking Water**

### **State Law (SB 1413, Leno)**

Schools are required to provide free drinking water during meal times in the food service area (defined by USDA as anywhere a reimbursable meal is served or eaten). The law allows districts, at their discretion, to opt out of the state law (opt out requirements are found within the law).

**Federal Law (Section 203 of the Healthy, Hunger-Free Kids Act of 2010), Federal Policy (USDA Policy Memorandum SP 28-2011—Revised, and Federal Regulation 7 CFR, Section 210.10[a][1][i])**

Schools participating in the NSLP or SBP are required to provide free drinking water during lunch where reimbursable meals are served and during breakfast when served in the cafeteria. The goal of this requirement is to provide free potable water to all students enrolled in school, not just the students participating in the NSLP. The addition of water does not replace the milk component served as part of the NSLP. Free access to drinking water is required in the afterschool snack program. It is strongly encouraged but not required for breakfast when served in other locations besides the cafeteria.

- The USDA Policy Memo SP 49-2016, CACFP 18-2016—reminds schools (and child care) to provide free, potable water to students and children as required. The Policy Memo also provides guidance on the allowable costs through the cafeteria fund related to the availability of water in schools.
- The USDA Policy Memo SP 28-2011—Revised—provides additional guidance regarding the implementation of Section 203 of the HHFKA. It also includes a question and answer document regarding access to free water in schools. It contains questions regarding location requirements, reasonable costs and allowable expenditures, alternate serving areas, program questions, food safety issues, and other general information. The memo is available on the USDA School Meals Policy Memos Web page at <http://www.fns.usda.gov/water-availability-during-nslp-meal-service>.
- For more information on resources, please visit the MB USDA SNP-27-2012, Access to Free Drinking Water—Update—on the CDE Web page at <http://www.cde.ca.gov/ls/nu/sn/mbusdasnp272012.asp> and MB SNP 05-2017, CACFP 02-2017 Availability of Potable Water and Allowable Costs at <http://www.cde.ca.gov/ls/nu/sn/mb SNP052017cacfp022017.asp>.

### **Lead Testing for Schools**

In February 2018, the State Superintendent of Public Instruction announced through a news release that, with the passage of Assembly Bill 746 (Gonzalez Fletcher), schools are now required to test for lead in their water. The news release is on the CDE Announcing New Drinking Water Testing News Release Web page at <https://www.cde.ca.gov/nr/ne/yr18/yr18rel08.asp>.

Initially, testing for lead in water at public school sites was voluntary. Local educational agencies (LEA) could request their community water systems to sample up to five taps at their school sites to determine if elevated lead levels exist on their campuses.

With the passage of AB 746 effective January 1, 2018, community water systems are now required to sample five taps at each kindergarten through grade twelve public school constructed before January 1, 2010. These samplings must be completed by July 1, 2019.

For more information on Lead Sampling of Drinking Water in California Schools, please visit the State Water Resources Control Board (SWRCB) Lead Sampling of Drinking Water Web page at

[https://www.waterboards.ca.gov/drinking\\_water/certlic/drinkingwater/leadsamplinginschools.html](https://www.waterboards.ca.gov/drinking_water/certlic/drinkingwater/leadsamplinginschools.html).

#### Additional Resources

The CDE Facilities Division Web page has additional information regarding drinking water on the CDE Resources for Fresh Drinking Water—Facility Design Web page at <https://www.cde.ca.gov/ls/fa/sf/ab496drinkingwater.asp>.

The CDE Nutrition Services Division drinking water information can be found on the CDE Drinking Water for Students in Schools Web page at <https://www.cde.ca.gov/ls/nu/he/water.asp>

The SWRCB, in cooperation with the CDE, has several programs available to assist LEAs with providing safe, clean drinking water for students and staff.

#### **Drinking Water for Schools Grant Program**

The Drinking Water for Schools Grant Program will provide \$9.5 million in funding to improve access to, and the quality of, drinking water in public schools. The program includes \$500,000 in technical assistance to support LEAs in determining how best to resolve drinking water issues. The focus of this program is:

- Projects for schools within, or serving pupils from, a small disadvantaged community defined in California Water Code, Section 13193.9, as a municipality with a population of 20,000 persons or less, or a reasonably isolated and divisible segment of a larger municipality encompassing 20,000 persons or less, with an annual median household income that is less than 80 percent of the statewide annual median household income.
- Projects that have high effectiveness in increasing access to safe drinking water at schools.

For more information on Drinking Water for Schools Grant Program, please visit the SWRCB Drinking Water for Schools Grant Program Web page at [https://www.waterboards.ca.gov/water\\_issues/programs/grants\\_loans/schools](https://www.waterboards.ca.gov/water_issues/programs/grants_loans/schools).

#### **Interim Emergency Drinking Water Program**

The Budget Act of 2016 appropriated \$15 million from the Cleanup and Abatement Account (CAA) for addressing drought-related drinking water emergencies or threatened emergencies. On July 19, 2016, the SWRCB approved the allocation of up to \$4 million from the CAA to provide interim emergency drinking water to disadvantaged communities with a contaminated water supply. In summary, a total of \$19 million in funding from the CAA is available for disadvantaged communities to address interim emergency drinking water needs due to drought-related emergencies or threatened emergencies, and contaminated water supplies. For more information on Funding for Interim Emergency Drinking Water, please visit the SWRCB Financial Funding—Grants and Loans Web page at [https://www.waterboards.ca.gov/water\\_issues/programs/grants\\_loans](https://www.waterboards.ca.gov/water_issues/programs/grants_loans).

## Drinking Water State Revolving Fund

Established by an amendment to the federal Safe Drinking Water Act in 1996, the Drinking Water State Revolving Fund provides low-interest loans, additional subsidy (principal forgiveness), and technical assistance to public water systems for infrastructure improvements to correct system deficiencies and improve drinking water quality for the health, safety, and welfare of all Californians. For more information on Financial Assistance Funding, please visit the SWRCB Financial Funding—Grants and Loans Web page at [https://www.waterboards.ca.gov/water\\_issues/programs/grants\\_loans](https://www.waterboards.ca.gov/water_issues/programs/grants_loans).

## 2. Nutrition Standards for Snacks and Meals in After School Programs

The CDE administers the ASPs. ASPs have the option to serve a snack, a meal, or both. All snacks provided to students in the CDE After School Education and Safety (ASES) programs or the federally funded 21st Century Community Learning Centers (21st CCLC) must meet, at a minimum, the California nutrition standards identified below. If snacks are provided through one of the federally reimbursable meal programs, the food must meet both the federal requirements and the California nutrition standards. Federal Program Monitoring (FPM) reviewers will evaluate the ASP for compliance with the nutrition standards.

AB 626 added a meal to the acceptable food options that must be offered to students in the CDE administered ASPs. Meals served in ASPs through the Child and Adult Care Food Program (CACFP) must meet the CACFP nutrition requirements to receive the federal reimbursement for the meals. For flexibility, the CACFP allows SFAs to use either the CACFP or the NSLP meal pattern. AB 626 clarifies that after school meals are not required to comply with the California nutrition standards. For more information on AB 626, please visit MB SNP-05-2014 AB 626—Afterschool Meals located on the CDE Web page at <http://www.cde.ca.gov/Ls/nu/sn/mbsnp052014.asp>.

### Allowed Foods

Each snack food item served to students participating in ASPs funded through ASES or 21st CCLC must meet the following standards:

- No deep, par or flash fried foods from the entity preparing the food item
- No deep, par or flash fried foods as part of the manufacturing process unless an **acceptable** oil is used, such as canola, safflower, sunflower, corn, olive, soybean, peanut or a blend of these oils, typically liquid at room temperature and known for their positive cardiovascular benefit
- No artificial trans-fat (or less than 0.5 grams per serving)
- No more than 35 percent of its total calories from fat
- No more than 10 percent of total calories from saturated fat
- No more than 35 percent of the total weight from sugar, including naturally occurring and added sugar
- No more than 200 milligrams of sodium per individual food item

- No more than 200 calories per individual food item

**Note:** The above standards do not apply to individually packaged portions of nuts, nut butters, seeds, eggs, individually packaged cheese, fruit, vegetables that have not been deep-fried, and legumes.

The use of whole grain products is highly recommended. For more information about whole grains, please visit the Whole Grain Resource located on the USDA Web document at <http://www.fns.usda.gov/sites/default/files/WholeGrainResource.pdf>.

### **Allowed Beverages**

Only the following beverages may be served to students as part of the snack:

- Fruit-based drinks composed of no less than 50 percent fruit juice and with no added sweetener
- Vegetable-based drinks composed of no less than 50 percent vegetable juice and have no added sweeteners
- Drinking water with no added sweetener
- Unflavored or flavored fat-free milk or unflavored 1 percent milk

### **Federal Reimbursable Snack and Meal Requirements**

Federal Food and Nutrition Programs provide funding for snacks and meals served to ASP participants. These funds may be received from one of three different food and nutrition programs administered by the USDA as follows:

- NSLP After School Snacks
- CACFP
- At-risk After School Meal Component of the CACFP
- Summer Food Service Program

For a comparison chart of the different elements of the programs, visit Snack Facts located on the CDE Web page at <http://www.cde.ca.gov/ls/nu/as/snackfacts.asp>.

A reimbursable snack must contain a full serving of any two of the following four food components. A reimbursable meal must contain full servings of all four-components.

- Fluid milk—8 oz.
- Grain or bread product—1 serving (e.g. 1 slice bread, ½ cup rice or pasta)
- Meat or meat alternate—1 oz. for snacks and 2 oz. for meals
- Fruit, vegetable, and/or 100 percent juice—¾ cup (for a meal, at least two distinct food items must be served totaling ¾ cup)

For a snack, serve these components in any combination; juice may not be served when milk is the only other component.

### **Offer versus Serve**

Institutions that serve meals prepared by SFAs that participate in NSLP and SBP—whether located in the school or in another location—have the option of using offer versus serve (OVS) in their at-risk centers. Institutions electing to use OVS must implement it in accordance with the approach used by the school providing the meals. Sponsors using OVS for At-risk Afterschool Meals should follow the same requirements relating to OVS that they would follow under the NSLP. Please refer to Module 9 for more information on OVS in schools.

### **Resources**

For more information, please visit the following Web pages:

#### **Snacks**

- Standards in Snacks in ASPs located on the CDE Web page at <http://www.cde.ca.gov/ls/nu/as/afterschoolnutstan.asp>
- After School Snack Meal Pattern and portion sizes for various age groups in the Food Buying Guide Introduction, pages 5–25 located on the USDA Web page at <http://www.fns.usda.gov/tn/foodbuying-guide-child-nutrition-programs>
- Sample snack menus are available in the Healthy Snack Guide located on the California Adolescent Nutrition and Fitness Program (CANFIT) Web page at <https://drive.google.com/file/d/0B-r6KYe5cMFUdFAtRkRGRjJjWmM/edit?pli=1>
- Step-by-step instructions to ensure that the meal complies with the California snack nutrition standards are available on the California AfterSchool Network Web document at [http://www.afterschoolnetwork.org/sites/main/files/file-attachments/after\\_school\\_meals-instructions-11-29-2012.pdf](http://www.afterschoolnetwork.org/sites/main/files/file-attachments/after_school_meals-instructions-11-29-2012.pdf)

#### **Meals**

- Webinars, sample menus, and best practices are available on the California After School Network Web page at <http://www.afterschoolnetwork.org/after-school-meal-program>
- An additional resource is located on the USDA At-Risk Afterschool Meals Handbook Web document at <https://fns-prod.azureedge.net/sites/default/files/cn/atriskhandbook.pdf>

## **3. HealthierUS School Challenge—Recognizing Excellence in Smarter Lunchrooms, Nutrition and Physical Activity**

The HealthierUS School Challenge: Smarter Lunchrooms (HUSSC: SL) is a USDA initiative to improve student health and well-being. SFAs demonstrate commitment to providing students

with a healthy school environment and, in return, the SFA receives a monetary award in addition to national recognition and prestige. To view the HUSSC: SL criteria, please visit the USDA Application Criteria and Guidance Web page at <http://www.fns.usda.gov/hussc/application-criteria-and-guidance>.

#### **How the HUSSC: SL works:**

- It is a voluntary program for schools
- Schools must meet or exceed all criteria
- Schools may apply at any time during the year for one of four levels of awards: Bronze, Silver, Gold, or Gold Award of Distinction
- Award winning schools receive an award plaque and banner from USDA, and monetary awards of: \$2,000 for Gold Award of Distinction, \$1,500 for Gold, \$1,000 for Silver, and \$500 for Bronze
- To view the Award Winning Schools, please visit the USDA HUSSC Web page at <http://www.fns.usda.gov/hussc/award-winning-schools>
- Schools are certified for four years

#### **To receive a HUSSC: SL award a school must:**

- Be enrolled as a Team Nutrition (TN) school. To complete a school TN enrollment form and for more information, visit the TN tab on the USDA Web page at <http://www.fns.usda.gov/tn/join-team>
- Participate in both the SBP and the NSLP
- Serve reimbursable meals that meet USDA nutrition standards
- Complete all corrective actions from the most recent state review of meal programs
- Complete the **Smarter Lunchrooms Self-assessment Scorecard** located on the Smarter Lunchrooms Web document at <https://www.smarterlunchrooms.org/scorecard-tools/smarter-lunchrooms-scorecard> and implement techniques in six areas (fruits, vegetables, entrees, milk, sales of reimbursable meals, and school synergies). The number of techniques implemented is dependent upon the award level.
- Be certified for the six cent performance-based meal reimbursement
- Meet the SSIS Nutrition Standards of the combined federal and California rules. For more information, please visit the CDE Competitive Foods and Beverages Web page at <http://www.cde.ca.gov/ls/nu/he/compfoods.asp>
- Adopt and support a Local School Wellness Policy (LSWP) as mandated by Section 204 of the HHFKA, Public Law 111-296
- Meet or exceed HUSSC: SL criteria established for:
- Average Daily Participation (ADP) in the NSLP and the SBP (No required ADP for Bronze award level)
- Nutrition education

- Physical education and opportunities for physical activity
- Other Criteria of Excellence—select from 14 options relating to program outreach school food service excellence, and school and community involvement in wellness efforts

### To apply for an award:

For more information, including online application materials, guidance on applying, and tips from award winners, visit:

- The USDA HUSSC: SL Web page at <http://www.fns.usda.gov/hussc/healthierus-school-challenge-smarter-lunchrooms>
- The CDE HUSSC: SL Web page at <http://www.cde.ca.gov/ls/nu/he/hussc.asp>

### **NOTE: Completion of the HealthierUS School Challenge Award Program**

On February 28, 2018, the U.S. Department of Agriculture (USDA) announced the completion of the HealthierUS School Challenge (HUSSC) Award program. You can view this correspondence on the USDA HUSSC Web page at <https://www.fns.usda.gov/hussc/healthierus-school-challenge-smarter-lunchrooms>.

Effective July 1, 2018, the USDA will no longer accept HUSSC Award applications. All applications received on or before June 30, 2018, will be reviewed and processed. The USDA will announce the final set of awards by December 31, 2018.

Even though the USDA HUSSC Award program is ending, the Alliance for a Healthier Generation Healthy Schools Program is another recognition program that promotes similar goals. To learn more about this recognition program, please visit the Alliance for a Healthier Generation Web site at <https://schools.healthiergeneration.org/>.

## 4. Local School Wellness Policy

### A Local School Wellness Policy is Mandatory

The Child Nutrition and Women, Infants, and Children (WIC) Reauthorization Act of 2004 included a provision requiring all school districts and RCCIs participating in any federal CNP to establish and adopt an LSWP by 2006. This included any charter or private schools participating in federal CNPs.

In 2010, the HHFKA added Section 9A LSWP Implementation. The LSWP final rule was issued on July 29, 2016. All LEAs must have complied with the final rule by Federal Fiscal Year (FFY) 2017–18. For a summary of the final rule, please visit the FNS USDA Local Wellness Policy Web document at [https://www.fns.usda.gov/sites/default/files/tn/LWPsummary\\_finalrule.pdf](https://www.fns.usda.gov/sites/default/files/tn/LWPsummary_finalrule.pdf)

The **final rule** provisions strengthened LSWPs so that they can become useful tools in evaluating, establishing, and maintaining healthy school environments. In addition, it serves to

make clear to the public (including parents, students and others in the community) about the content and implementation of local wellness policies. LEAs must have complied with the requirements of the final rule by June 30, 2017 but have until June 30, 2020 to complete their triennial assessment.

For more information and resources, please visit the FNS USDA LSWP Web page at <http://www.fns.usda.gov/tn/local-school-wellness-policy> and review the CDE NS MB Local School Wellness Policy Final Rule at <http://www.cde.ca.gov/ls/nu/sn/mbsnp132017.asp>.

Development and implementation of an LSWP is specific for each local educational agency (LEA) based on the unique needs of the agency. However, there are minimum requirements.

**An LSWP must include, at minimum:**

- 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, such as Smarter Lunchrooms Movement (SLM) strategies, in determining these goals
- Standards and nutrition guidelines to promote student health and reduce childhood obesity for all foods and beverages available, whether sold or provided, in each school district
- Policies for food and beverage marketing that allow marketing and advertising of only those foods and beverages that meet the SSIS nutrition standards
- Description of public involvement, public updates, policy leadership, and evaluation plan
- Public involvement must permit participation in the LSWP process by the public and the school community (including parents, students, and representatives of the SFA, teachers of physical education, school health professionals, the school board, and school administrations) notification to inform and update parents, students and others in the community. The **community** used for input into wellness policy development may be different for each type of agency (e.g. school district, county office of education, etc.)
- Public updates by the LEA must include making available to the public: 1) on an annual basis, information about the LSWP, such as general content and updates to the policy and 2) information about the required triennial assessment, including progress made towards meeting the goals of the policy
- Policy leadership must be established by the LEA to designate one or more LEA(s) and/or school official(s) by title or position who have the authority and responsibility to ensure each school complies with the policy
- The plan for measuring effectiveness must be included in triennial reviews, such as assessment of the extent to which schools are in compliance with the LSWP and progress made in attaining the goals of the policy
- Monitoring and evaluation must include measurement in the extent to which schools are in compliance with the LSWP, the extent to which the LEA's LSWP compares to model policies, and the progress made in attaining the goals of the LSWP

## The Local School Wellness Policy Process—Where Are You?

Wellness policy development and implementation is a continuous process involving the school and the local community. The policy evolves as the school environment changes or health issues change.

During your AR, the NSD will ask questions regarding your agency's LSWP, including:

### Development and Revision of the LSWP

- Has the district or agency adopted an LSWP that meets the 2016 final rule? This was required by June 30, 2017.
- How were stakeholders engaged? Were the following persons included in the development of the policy: students, parents, child nutrition staff, school administrators, physical education teachers, school health professionals, and other school staff, and the public? How were they notified about the opportunity to participate? What documentation do you have about their involvement?
- Does your LSWP include the following:
  - **Specific** goals for nutrition promotion and education, physical activity, physical education (optional but highly recommended) and other school-based wellness activities specific to your district
  - Nutrition guidelines for all foods and beverages available at each site during the school day including fundraising and classroom parties
  - Assurance that the guidelines for reimbursable school meals are not less restrictive than USDA regulations and guidance
  - Food and beverage marketing policy
  - Description of the plan to involve the public in the development, implementation, review, and modification of the LSWP
  - An implementation plan that includes measurement of the implementation of the plan to include a triennial assessment of implementation, using a tool such as the Well SAT 2.0 for policy review and the School Health Index for the triennial assessment of implementation
  - Designation of a responsible person by title or position charged with operational responsibility for ensuring that each school meets the LSWP
  - Non-discrimination statement

### Public Notification and Reporting

- How is the district informing and updating the public about the content and implementation of the LSWP on an annual basis?
- Is your LSWP posted in all cafeterias and/or central eating areas for the public to see? (California *Education Code*, Section 49432)

- How often are progress reports made to district's board of education?

If there is no adopted LSWP, you will be asked to develop an action plan, timetable for development, adoption, and any training necessary to ensure the implementation, monitoring, and evaluation of the policy.

## General Resources

- CDE Wellness Policy Web Page at <http://www.cde.ca.gov/ls/nu/he/wellness.asp>
- The FNS USDA Web page at <http://www.fns.usda.gov/tn/local-process-how-develop-implement-and-evaluate-wellness-policy>
- The Alliance for a Healthier Generation Web page at [https://www.healthiergeneration.org/take\\_action/schools/wellness\\_committees\\_policies/](https://www.healthiergeneration.org/take_action/schools/wellness_committees_policies/)
- Action for Healthy Kids Wellness Policy Tool Web page at <http://www.actionforhealthykids.org/component/content/article/38/1647>
- USDA Wellness Policy Web page at <http://www.fns.usda.gov/tn/local-school-wellness-policy>
- Well SAT 2.0 policy review tool at U CONN Rudd Center Web page at <http://www.wellsat.org/>
- School Health Index at the Center for Disease Control and Prevention (CDC) Web page at [https://nccd.cdc.gov/DASH\\_SHI/default/Login.aspx](https://nccd.cdc.gov/DASH_SHI/default/Login.aspx)

## Communicating the LSWP

Schools should communicate their wellness policy to parents, students, and others in the community, as well as internally to principals, teachers, school nurses, and other key stakeholders. Consider how existing systems can be used to communicate the policy or whether there is a need to create something new. Also, think about what methods and venues can be used and how frequently communication will occur to various stakeholders.

Some suggestions include creating a communication plan that might include strategies to:

### Engage leadership

- Present information at principal and curriculum meetings and provide tools such as talking points for principals to use at staff meetings, with site councils, Parent–Teacher Associations (PTA) and Parent–Teacher Organizations (PTO), or when meeting with school partners
- Establish a wellness committee, if not already in effect, and post meeting times, agendas, and minutes on the district's Web page
- Work with the PTA or PTO presidents to develop a communication plan for parents and provide training to them on how to effect positive changes in school wellness policies

#### Make the policy more accessible

- Such as having the policy posted on district and school Web sites, creating brief brochures that highlight features of the policy that could be mailed to staff, and families and students, posting wellness policy posters, and featuring the wellness policy in various newsletters

#### Communicate with teachers and staff

- Such as having principals schedule time at staff meetings and present information using their talking points
- Provide teachers with recommended ideas for healthy celebrations and snacks

#### Communicate with students

- Create student-friendly materials and bulletin boards, use social media such as Facebook or Twitter, establish or work with your district's nutrition advisory council for youth

#### Communicate with families

- Such as featuring information on wellness policies at back to school nights, PTA or PTO meetings and booster clubs, adding presentations to site council meetings and PTA or PTO meetings

#### Communicate with the community

- Engage the media through news releases, and periodic articles on progress
- Regularly present to the board of education and city council

### **Healthier Middle Schools: Everyone Can Help**

Healthier Middle Schools: Everyone Can Help is a series of communication tools designed to help engage teachers, principals, parents, food service managers, and students in school wellness efforts. To support healthy food choices and physical activity at schools, a schoolwide coordinated approach works best. The USDA Food and Nutrition Service is providing these resources under its TN initiative to help bring everyone together to promote student wellness and prevent childhood obesity. Although targeted toward middle schools, many of these tools could easily be adapted for elementary and high schools. For more information, please visit the USDA TN Healthier Middle Schools: Everyone Can Help Web page at <http://www.fns.usda.gov/tn/resource-library-healthier-middle-schools>.

## Tools for Engaging Parents

The California Project LEAN conducts trainings using a parent engagement toolkit in English and Spanish called Parents in Action. For more information, please visit Project LEAN Parent/Promotora Engagement Web page at <http://www.californiaprojectlean.org/doc.asp?id=169&parentid=20>. The National Policy and Legal Analysis Network to Prevent Childhood Obesity has a fact sheet targeted to parents on how to make changes in the LSWP. For more information, please visit the Change Lab Solutions How to Enforce a Wellness Policy Web page at <http://changelabsolutions.org/publications/enforce-wellness-policy>.

Parents have a powerful role in supporting children's health and learning. Parents for Healthy Schools Web page at <http://www.cdc.gov/healthyschools/P4HS.htm> is a set of resources, developed by CDC Healthy Schools Web page at <http://www.cdc.gov/healthyschools/shi/index.htm> and the partners Web page at <https://www.cdc.gov/healthyschools/parentengagement/parentsforhealthyschools.htm> that school groups (e.g., PTA, school wellness committee) can use to motivate and educate parents to create a healthy school environment for their children. Health topics and resources include: School Nutrition Environment and Services Web page at <http://www.cdc.gov/healthyschools/parentengagement/parentsforhealthyschools.htm#tabs-990738-2>

Physical Education and Physical Activity in Schools Web page at <http://www.cdc.gov/healthyschools/parentengagement/parentsforhealthyschools.htm#tabs-990738-3>

Managing Chronic Health Conditions in Schools Web page at <http://www.cdc.gov/healthyschools/parentengagement/parentsforhealthyschools.htm#tabs-990738-4>

## Resources include:

**Parents for Healthy Schools: A Guide for Getting Parents Involved** from K–12 Web document at [http://www.cdc.gov/healthyschools/parentengagement/pdf/P4HS\\_Guide.pdf](http://www.cdc.gov/healthyschools/parentengagement/pdf/P4HS_Guide.pdf), provides an overview of a healthy school environment and suggestions for how to use the resources.

**Parents for Healthy Schools: Making a Difference in Your Child’s School** PowerPoint Presentation Web document at [https://www.cdc.gov/healthyschools/parentengagement/pdf/p4hs\\_slides.pdf](https://www.cdc.gov/healthyschools/parentengagement/pdf/p4hs_slides.pdf) makes the case for a healthy school environment and how parents can take action (evaluation form included).

**Ideas for Parents** Web page at <http://www.cdc.gov/healthyschools/P4HS.htm>

**Highlights practical strategies and actions for parents to support school nutrition environment and services** Web page at

<http://www.cdc.gov/healthyschools/parentengagement/parentsforhealthyschools.htm#tabs-990738-2>

**Physical education and physical activity in schools** Web page at

<http://www.cdc.gov/healthyschools/parentengagement/parentsforhealthyschools.htm#tabs-990738-3>

**Managing chronic health conditions in schools** Web page at

<http://www.cdc.gov/healthyschools/parentengagement/parentsforhealthyschools.htm#tabs-990738-4> (includes key question and ideas for parents to take action).

**Check-in Questions** Web document at

[http://www.cdc.gov/healthyschools/parentengagement/pdf/P4HS\\_CheckIn.pdf](http://www.cdc.gov/healthyschools/parentengagement/pdf/P4HS_CheckIn.pdf), tracks progress in engaging parents to change the school health environment.

**A Promotion Kit** Web document at

<http://www.cdc.gov/healthyschools/parentengagement/pdf/promotionkit.pdf>, provides sample social media messages, web badges, infographics, rollout calendar, content syndication, and template text for newsletters, emails, and blogs.

## Sample LSWP Implementation Plan

School District \_\_\_\_\_

Date \_\_\_\_\_

The implementation plan identifies:

1. Measurable objective
2. Activities and Steps to be taken to implement each goal and objective
3. Individuals that will be responsible for each step
4. When the work will be completed
5. Resources/funding necessary to implement the strategy

### Example:

1. **Goal: Monitoring Plan Overview**—the superintendent shall execute administrative procedures that ensure the monitoring and compliance with the wellness policy. These procedures shall include the designation of district level and site-based staff responsible for policy implementation and an implementation work plan.

Objective	Activities	Responsible Person	Due Date	Resources Needed
Conduct a triennial assessment of the wellness policy	Research and select assessment tool	Wellness chair	August 1	None additional
	Educate wellness committee on use of tool	Wellness chair	First wellness committee meeting	Copies of the tool
	Assign sections of the assessment tool to complete	Wellness chair	First wellness committee	Copies of the tool
	Report on assessment	Wellness committee members	Second wellness committee	Completed tools

## Suggested Methods and Tools for Evaluating and Monitoring a Wellness Policy

- Reassess school wellness environment and compare data with baseline assessment made prior to implementing school wellness policies
- Survey students, teachers and/or parents
- Conduct a focus group test with students, teachers, and/or parents
- Interview key stakeholders in the school community (i.e., administrators, teachers, board members, students)
- Check menus for compliance with nutrition guidelines
- Check school attendance records and meal counts for all categories of meals
- Review training agendas and materials provided for child nutrition staff (such as agendas and attendance rosters at SLM trainings and other professional development opportunities)
- Review fundraising activities
- Monitor à la carte foods served on campus by food service and other organizations at school sites
- Review Fitnessgram® information for CDE Physical Fitness Testing on the CDE Web page at: <http://www.cde.ca.gov/ta/tg/pf>
- Also check these resources for evaluation tools and guidance
- CDC School Health Index Web page at <http://www.cdc.gov/healthyschools/shi/index.htm>
- Whole School, Whole Community, Whole Child expands on the elements of the CDC's Coordinated School Health Approach. More information is located on the CDC Web page at <http://www.cdc.gov/healthyschools/wsc/index.htm>
- Wellness School Assessment Tool (Well-SAT 2.0) Web page has an online self-assessment tool to evaluate LSWPs, which has been updated to include the HHFKA requirements Web page at <http://wellsat.org/>.
- University of California, Davis (UC Davis) School and Community Actions for Nutrition (SCAN) Survey—a self-assessment tool set up in a rubric format with a scoring system, allowing for a straightforward and comprehensive assessment of the existing district's policies and programs related to nutrition. For more information, please visit the UC Davis Web page at <http://cns.ucdavis.edu/resources/wellness.html>
- The Institution for Child Nutrition Resource to Sustain and Strengthen Local Wellness Initiatives Web document at <https://theicn.org/wpfd.../resource-to-sustain-and-strengthen-local-wellness-initiatives/>

## Sample Tool for Monitoring and Evaluating a Wellness Policy

Key element of policy to monitor and evaluate	How will this be monitored?	Who is responsible?	How often will monitoring take place? (i.e., monthly, quarterly, annually)	Whom will you report results to?
Quality of Foods offered at School Meal	-Review menus -Observe meal service -Survey Students or offer taste tests	Committee dietitian	Quarterly	District Food Service Director
Child Nutrition Staff Training	-Review training curriculum -Review attendance roster for training(s) -Review training evaluation forms	Committee Food Service Representative	Annually	District Food Service Director

### Local Control Accountability Plans

In 2014, California implemented a funding structure, known as the Local Control Funding Formula (LCFF), which provides funds to schools using a formula based on student characteristics. The LCFF funding targets consist of grade span-specific base grants plus supplemental and concentration grants that are calculated based on student demographic factors. Of note to school food service staff, the LCFF directs additional funds to districts serving a high percentage of low-income students, English learners, and foster youth. LCFF also transfers more control over education spending to the local level, allowing greater flexibility for school districts to fund efforts that address the underlying factors for poor academic achievement.

The Local Control Accountability Plan (LCAP) is an important component of the LCFF. Under the LCFF all LEAs are required to prepare a Local Control Accountability Plan (LCAP), which describes how they intend to meet annual goals for all pupils, with specific activities to address state and local priorities. The LCAP addresses a three year period and is updated annually. The LCAP must focus on eight areas identified as state priorities. The plans will also demonstrate how the district's budget will help achieve the goals, and assess each year how well the strategies in the plan were able to improve outcomes.

There are eight areas for which school districts, with parent and community input, must establish goals and actions. This must be done both district-wide and for each school. The areas are:

1. Providing all students access to fully credentialed teachers, instructional materials that align with state standards, and safe facilities.
2. Implementation of California's academic standards, including the Common Core State Standards in English language arts and math, Next Generation Science Standards, English language development, history social science, visual and performing arts, health education and physical education standards.
3. Parent involvement and participation, so the local community is engaged in the decision-making process and the educational programs of students.
4. Improving student achievement and outcomes along multiple measures, including test scores, English proficiency and college and career preparedness.
5. Supporting student engagement, including whether students attend school or are chronically absent.
6. Highlighting school climate and connectedness through a variety of factors, such as suspension and expulsion rates and other locally identified means.
7. Ensuring all students have access to classes that prepare them for college and careers, regardless of what school they attend or where they live.
8. Measuring other important student outcomes related to required areas of study, including physical education and the arts.

Student wellness supports many, if not all, of the eight priorities. An LEA can support and/or fund student wellness activities with the LCFF and include this in their LCAP. The California Food Policy Advocates, in partnership with the California Local School Wellness Policy Collaborative published a guide to with strategies to connect school wellness, and in particular, school nutrition, with the LCAP. This document can be located on the California Local School Wellness Policy Collaborative Web page at

[https://www.healthyeating.org/Portals/0/Documents/Schools/LSWP/CFPA\\_LCAP\\_Booklet\\_FIN\\_AL\\_16\\_12\\_05.pdf?ver=2016-12-20-105056-893](https://www.healthyeating.org/Portals/0/Documents/Schools/LSWP/CFPA_LCAP_Booklet_FIN_AL_16_12_05.pdf?ver=2016-12-20-105056-893)

For more information about the LCFF and LCAP, visit the CDE LCFF Web page at <http://www.cde.ca.gov/fg/aa/lc/>.

## **Contacts**

### **Nutrition Standards for foods and beverages sold outside of the school meal program**

Mike Danzik, MPH, RD  
Phone: 916-445-7346  
E-mail: [mdanzik@cde.ca.gov](mailto:mdanzik@cde.ca.gov)

### **After School Snack Programs**

Jennifer Kuo, MS  
Phone: 916-322-9943  
E-mail: [jkuo@cde.ca.gov](mailto:jkuo@cde.ca.gov)

## HealthierUS School Challenge

Jennifer Kuo, MS  
Phone: 916-322-9943  
E-mail: [jkuo@cde.ca.gov](mailto:jkuo@cde.ca.gov)

## Local School Wellness Policy

Heather Reed, MA, RDN  
Phone: 916-323-3581  
E-mail: [hreed@cde.ca.gov](mailto:hreed@cde.ca.gov)

**This module provides the following Professional Standards:**

**Key Area:** Administration (3000); Communication/Marketing (4000)

**Learning Topic:** Program Management (3200); Communications/Marketing (4100)

**Learning Objective:** Program Management (3200); Create environment that engages students to select and consume healthy foods, including smarter lunchroom techniques (4160)

**Instructional Minutes = 45**