



LOCAL SCHOOL WELLNESS POLICY FINAL RULE SUMMARY

The final regulations, Local School Wellness Policy Implementation under the Healthy, Hunger-Free Kids Act (HHFKA) of 2010 have been published. USDA received 57,838 public comments on the proposed rule, which is the basis for this final rule. The Local School Wellness Policy is detailed in the National School Lunch Program (NSLP) regulations under section 210.30.

HHFKA places the responsibility of the wellness policy on the local educational agency (LEA). The school district must designate one or more LEA or school official(s) to ensure each participating school complies with the wellness policy. The wellness policy must identify the position of the LEA or school official(s) responsible for oversight of the wellness policy to ensure each school's compliance.

The written wellness policy must include a plan for involving required stakeholders. The final rule requires districts to allow parents, students, LEA representatives, teachers of physical education, school health professionals, the school board, school administrators, and members of the general public to participate in the development, implementation, and periodic review and update of the local school wellness policy.

Wellness policies need to include goals for nutrition promotion and education, physical activity, and other school-based activities that promote student wellness. In developing these goals, districts must review and consider evidence-based strategies and techniques.

Nutrition Guidelines for All Foods

The final rule clarifies that the wellness policy includes nutrition guidelines for all foods offered to students for sale that are consistent with the meal pattern requirements and nutrition standards for competitive foods. The policy must also include standards for other, non-sold foods and beverages made available on the school campus during the school day.

Policies for Food and Beverage Marketing

The final rule defines marketing as advertising and other promotions in schools. The final rule clarifies that in-school marketing of food and beverage items must meet competitive foods standards. It clarifies what is and is not subject to policies for food and beverage marketing in schools. Marketing is allowed of only those foods and beverages that may be sold on the school campus during the school day (i.e., that meet the competitive foods standards).

Implementations and Assessment

The final rule requires each LEA to assess compliance with its local school wellness policy and make this assessment available to the public at least once every three years. LEAs are also required to annually notify the public about the content of the wellness policy and any updates to the policy. The annual report on progress of the wellness policy has been removed in the final rule.

Public Notification

LEAs must inform the public about the content of the local school wellness policy and make the wellness policy and any updates to the policy available to the public on an annual basis. This final rule retains the requirement in the proposed rule that LEAs or schools must notify households on an annual basis of the availability of the local school wellness policy information and provide information that would enable interested households to obtain additional details. The rule does provide LEAs flexibility to determine the most effective way to issue this notification within their communities.

Recordkeeping

The final rule establishes that records retained by LEAs must include, at a minimum, the written local school wellness policy, documentation demonstrating compliance with community involvement requirements, documentation of the triennial assessment, and documentation to demonstrate compliance with the public notification requirements.

Implementation Timeline and Resources

By August 29, 2016, LEAs must begin developing a revised local school wellness policy. LEAs must fully comply with the requirements of the final rule by June 30, 2017. By SY 2017-2018, districts must complete the assessment of the wellness policy that is required every three years.

Resources for the Local School Wellness Policies are available at:

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

<http://healthymeals.nal.usda.gov/school-wellness-resources>).