

Policy News

Washington State
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Association



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Nutrition and Physical Fitness Update

In response to the growing national and statewide concerns regarding childhood obesity, the Washington State Legislature passed a new law requiring every school district in the state to adopt a policy governing nutrition and physical fitness in schools. School districts must adopt a Nutrition and Physical Fitness policy by August 1, 2005.

The Legislature found that overweight and obese children encounter various health risks including Type 2 diabetes, cardiovascular disease, high blood pressure and certain cancers. These children also suffer socially, emotionally and academically. The emotional issues include discrimination, psychological stress and low self esteem. Most importantly, studies suggest that lack of physical activity and poor eating habits hinder a child's ability to perform in the classroom.

Educating children about healthy eating habits and physical activity is viewed as a means to increase their ability to perform academically and

increase their opportunity for living a long productive life. The Legislature determined schools are the "logical place to address the issue of obesity in children and adolescents." This decision was reached because children spend a large portion of their time in school. Therefore, schools are believed to be in the best position to engage children in healthy eating and physical activity. However, it is understood that schools alone cannot solve the problem. It will take the collective effort of individuals, families, communities and organizations to find solutions to the issue of childhood obesity.

In response to national and statewide concerns the legislature directed the Washington State School Directors' Association (WSSDA) to draft a sample policy that is consistent with the Essential Academic Learning Requirements (EARLs) for health and fitness. Three partners were identified in the new law to assist WSSDA in drafting the sample policy: the Office of Superintendent of Public Instruc-

tion (OSPI); the Department of Health (DOH); and the Washington Alliance for Health, Physical Education, Recreation and Dance (WAHPERD).

The new law specifically identifies the subject areas that the policy must address. The five areas are: (1) Access to nutritious foods; (2) Opportunities for developmentally appropriate exercise; (3) Nutritional content of foods and beverages, including fluoridated bottled water, sold or provided throughout the school day or sold in competition with the Federal school breakfast and lunch program; (4) The availability and quality of health, nutrition, and physical education and fitness curriculum; and (5) Development of a physical education and fitness curriculum for students. For middle school students, physical education and fitness curriculum means a daily period of physical activity, a minimum of twenty minutes of which is aerobic activity in the student's target heart rate zone.

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Policy News

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About WSSDA

Founded in 1922, the Washington State School Directors' Association is comprised of all 1,482 school board members from Washington's 296 school districts. The districts they lead serve more than one million students, have a combined annual budget of \$6 billion, and employ nearly 100,000 people. WSSDA's core mission is focused on ensuring that school board members have the knowledge, tools and services they need to effectively govern their districts and improve student learning.

This issue of *Policy News* is intended to highlight key components of the sample policy and issues that school districts may wish to address in adopting a local policy.

National School Lunch Program

In October, the Federal government reauthorized the National School Lunch Program, which provides free or reduced-price lunches to more than 26 million children each day (the Child Nutrition and WIC Reauthorization Act of 2004). The Act requires school districts to establish "nutrition guidelines for all foods available on each school campus during the school day with the objective of promoting student health and reducing childhood obesity." The law also precludes the Federal government from dictating the content of local "wellness" plans and retains local authority over competitive foods or foods available through vending machines.

This new Federal law requires that all school districts participating in Federally subsidized child nutrition programs (e.g., National School Lunch Program, School Breakfast Program) establish a local school wellness policy by the beginning of the 2006-07 school year.

The district wellness policy must be developed with involvement from the school board, school administrators, school food service representatives, students, parents and the public. At a minimum, the local school wellness policy must:

- 1) Include goals for nutrition education, physical activity and other school-based activities that are designed to promote student wellness in a manner that the local school district determines is appropriate;
- 2) Include nutrition guidelines selected by the school district for all foods available on each school campus in the district during the

EALRs for Nutrition and Physical Fitness

- 1.1. Develop fundamental and complex movement skills, as developmentally appropriate.
- 1.2. Safely participates in a variety of developmentally appropriate physical activities.
- 1.3. Understand the concepts of health-related physical fitness and develop and monitor progress on personal fitness goals.
- 1.4. Understand the relationship of nutrition and food nutrients to physical performance and body composition.

school day with the objective of promoting student health and reducing childhood obesity;

- 3) Provide an assurance that guidelines for reimbursable school meals shall not be less restrictive than regulations and guidance issued by the U.S. Secretary of Agriculture, as applicable to schools; and
- 4) Establish a plan for measuring implementation of the local wellness policy, including designation of one or more persons within the district or at each school, as appropriate, charged with operational responsibility for ensuring that the school meets the local wellness policy.

Consequently, the requirement for a Nutrition and Physical Fitness Policy is not merely a state requirement, it is also required by the Federal government. Districts need only adopt one policy to fulfill the dual requirements. The WSSDA policy will satisfy the requirements of the state law and the Federal government wellness policy requirements.

Nutrition Standards

School districts that participate in state and/or Federally subsidized food or nutrition programs (e.g., school lunch, breakfast and milk programs)

are expected to meet the legal requirements for participation in such programs and offer free or reduced price meals to eligible students. Among the requirements are that Federally subsidized school nutrition programs serve meals that meet at least minimum nutritional standards prescribed by law. Current regulations require schools to meet the following Dietary Guidelines for Americans:

- Aim for Fitness
 - ✓ Aim for a healthy weight; and
 - ✓ Be physically active each day.
- Build a Healthy Base
 - ✓ Let the food pyramid guide food choices;
 - ✓ Choose a variety of grains daily, especially whole grains;
 - ✓ Choose a variety of fruits and vegetables daily; and
 - ✓ Keep food safe to eat.
- Choose Sensibly
 - ✓ Choose a diet that is low in saturated fat and cholesterol and moderate in total fat;
 - ✓ Choose beverages and foods to moderate sugar intake; and
 - ✓ Choose and prepare foods with less salt.

Although school meals (breakfasts and lunches) must meet Federal nutrition requirements, decisions about what specific foods to serve and how they are prepared are made by local school food service authorities. School food service authorities may select from several options for planning menus: Nutrient standard menu planning, assisted nutrient standard menu planning, enhanced food-based menu planning and the traditional food-based meal pattern, if it meets the dietary guidelines referred to above and nutrition standards. The WSSDA sample policy 6700, Nutrition and Physical Fitness, is consistent with Federal nutritional standards, it states that all meals served in school must meet the Dietary Guidelines for Americans.

Competitive Foods

Schools that participate in Federally subsidized food and nutrition programs are required to establish such rules as necessary to control the sale of foods in competition with school lunches and breakfasts. Currently, Federal law requires that schools prohibit the sale of foods of minimal nutritional value in the food services areas during lunch or breakfast periods. "Foods of minimal nutritional value" include soda water (carbonated beverages), water ices (frozen sweetened water - e.g., Popsicles), chewing gum and certain types of candies (hard candy, jellies and gums, marshmallow candies, fondant, licorice, spun candy and candy-coated popcorn.)

Districts may be more restrictive on the types of foods and beverages sold and when they are sold but cannot be less restrictive than the Federal guidelines. The WSSDA sample policy is more restrictive than existing Federal law because it forbids the sale of foods and beverages of minimal nutritional value on school premises until thirty minutes after the last lunch period.

Vending Machines

The role of vending machine sales and the profits generated has become a major concern for some local school districts. The perception exists that many of the items currently sold in vending machines, such as chips, candy and cookies, are high in sugar, salt and saturated fats. Arguably, these food items negatively affect the food service program because, if available, students choose vending machine items over the school lunch program. Additionally, nutrition advocates contend that the options offered in the vending machines have a negative impact on the nutritional needs of children.

The WSSDA sample policy does not ban the use of vending machines; however, the items in the machines are limited to only those that dispense nutritionally healthy foods and beverages.

This language is not new, but is the same language that has existed in the WSSDA sample policy for many years.

Districts have many options regarding vending machine sales. The most restrictive option is a complete prohibition of vending machines on school premises. Less restrictive approaches are to limit vending machine sales to certain times during the school day or restricting items to those that are healthy. These options, independently or collectively, are available to districts as they develop policies.

Free and Reduced Lunches

The policy also contains a provision that allows districts, at their own expense, to provide free and reduced lunches on test days to students who are otherwise not eligible. Of particular concern are the nutritional needs of students on statewide test days. This authority was clarified in a September 23, 2003 Attorney General Opinion (AGO 2003 No. 7). The opinion was requested to clarify that providing breakfast to children on test days does not violate the gift provisions in the Washington Constitution. In stating the rationale the opinion concluded:

"In addition to the public benefit of cost savings to school districts, you also state that there is extensive research linking improved academic and behavioral performance with free nutritious meals, such as by reducing hyperactivity, absenteeism, and tardiness. While a meal program does not produce traditional "consideration" in the form of money or property, such programs make it easier for students to learn and thus make it easier for school districts to meet their educational goals with good success rates. In this manner, the free meal becomes an adjunct support component of the educational program, much like recess breaks, field trips, rest periods (for young

children), and physical exercise. None of these is “education: strictly speaking, but a successful education program includes attention to the students’ physical and psychological needs as well. This benefit to the district’s educational program amounts to substantial “consideration” for the district’s expenditure, although indirect and not capable of easy measurement.”

Physical Education

Revised Code of Washington 28A.230.040 to .050 and Washington Administrative Code 180-50-135 govern physical education for students in grades one through twelve. The law requires the State Board of Education to determine the amount of instruction students receive in physical education. The State Board of Education requires that students receive an average of one hundred instructional minutes per week for students in grades one through eight. For high school students, districts must offer a one credit physical education course in each grade in high school. In order to graduate, students need to earn two credits in health and fitness.

The WSSDA sample policy does not mandate additional requirements, but references the EARLs and the assessments that are necessary by the end of the 2008-2009 school year.

Nutrition and Physical Fitness Procedure

The sample procedure that accompanies the policy outlines how the provisions in the policy will be implemented. It provides specific steps a district can take to create a school environment that provides students accurate information about health, nutrition and physical fitness.

The sample procedure reiterates that foods of minimal nutritional value will not be sold or available until 30 minutes after the last lunch period. Additionally, the procedure encourages the availability of healthy foods

that are low in fat, cholesterol, sugars and salt. A list of specific examples, although not exhaustive, of healthy competitive foods is included.

The new law specifically requires that the policy address the nutritional content of fluoridated water. The sample procedure provides that students and staff have access to safe drinking water. The district may provide fluoridated or bottled water for purchase by staff or students. The law does not require that districts provide fluoridated or bottled water, but if a district elects to do so, this sample procedure would prevent the district from incurring additional expenses.

The EARLs provide the basis for the nutrition, health and physical fitness curriculum. These requirements are designed to insure that each student acquires the knowledge and skills necessary to maintain an active life: movement, physical fitness, and nutrition. The sample procedure summarizes the components of each benchmark.

The procedure encourages adequate time to eat by noting that students should have appropriate seating and supervision. Training opportunities for staff is also mentioned.

Success with nutrition and health and fitness will require a united effort of students, the school community and family. To achieve the ultimate goal of reducing or eliminating childhood obesity the district will need to engage parents. The language addressing parent and community involvement is designed to help parents get involved in this effort, to provide the parent with accurate information and to help the student gain the skills necessary.

Pursuant to the Federal “wellness” policy, the sample procedure outlines a variety of physical fitness goals, as well as the current state health and fitness requirements.

Advisory committee

The Federal wellness policy requires that districts involve parents, students,

representatives of the school food authority, the school board, school administrators, and the public in the development of the school wellness policy. This requirement is included in the sample procedure. Although the Federal law does not require a policy until September 2006, the state law requires a policy by August 2005. By convening the committee for developing of the policy, the district will ensure that it is in compliance with the subsequent Federal requirement.

Evaluation

Finally, the sample procedure outlines a proposed method for the district to ensure effective implementation of the policy and procedure.