



Child Nutrition & Wellness

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DATE: February 2, 2005

TO: House Committee on Health and Human Services

FROM: Jodi Mackey, Director, Child Nutrition & Wellness
Kansas State Department of Education

RE: **Update on New Federal Requirement for Local School Wellness Policies
(House Bill No. 2137)**

Thank you for the opportunity to appear before you today. The Child Nutrition & Wellness section of KSDE administers the following federal Child Nutrition Programs:

- National School Lunch Program,
- School Breakfast Program,
- Special Milk Program,
- After School Snack Program,
- Child and Adult Care Food Program,
- Summer Food Service Program, and
- Team Nutrition, a nutrition education initiative.

We also administer the Coordinated School Health Program through a grant from the U.S. Centers for Disease Prevention and Control (CDC).

These programs are a partnership between the federal, state and local levels. At the state level, we have five major responsibilities: (1) program approval, (2) regulatory oversight, (3) technical assistance, (4) training and (5) payment of reimbursement and grant funds to local program sponsors.

Since HB 2137 deals with controlling foods sold in school vending machines, I think it is important for you to be aware of other initiatives that are underway to set guidelines for foods available in schools. My objectives for today's hearing are to:

1. Update you on recent changes in federal law requiring school districts to implement local wellness policies, and
2. Explain the steps that KSDE will take to assist school districts with meeting this new federal requirement.

Requirement for Local Wellness Policy

Public Law 108-265 reauthorized federal Child Nutrition Programs and was effective June 30, 2004. Section 204 of this law requires that not later than the beginning of the 2006-2007 school year, **local educational agencies participating in the school meal programs must establish a local "school wellness policy"** that, at a minimum:

1. Includes nutrition guidelines for all foods available on the school campus during the school day (e.g. school meals, a la carte, vending, school stores, fund-raisers etc.);

2. Provides an assurance that guidelines for school meals are not less restrictive than those set by the U.S. Secretary of Agriculture;
3. Includes goals for nutrition education, physical activity and other school-based activities designed to promote student wellness in a manner that the local educational agency determines appropriate;
4. Establishes a plan for measuring implementation of the local wellness policy; and
5. Involves parents, students and representatives of the “school food authority” (i.e. school nutrition program), the school board, school administrator and the public in development of the local wellness policy.

KSDE’s Plan for Facilitating Development of Local Wellness Policies

All Kansas public school districts participate in the federal school nutrition program, so all districts will be required to develop a local wellness policy. Rather than expecting each district to develop a wellness policy from scratch, KSDE will facilitate the process and assist districts with developing plans that:

- Follow established protocols for developing standards;
- Build upon the best wellness policies from across our state and the nation;
- Include input from national and Kansas experts in the fields of nutrition, nutrition education and physical education;
- Consider feedback from the various groups impacted by the wellness plan; and
- Provide for consensus, flexibility and local control.

A brief overview of the steps and tentative schedule for this process is as follows:

Jan-Feb, 2005..... KSDE selects and invites members to participate on three expert panels:

- Nutrition Standards
- Physical Activity
- Nutrition Education

KSDE reviews standards and policies from other states. Based on this review, KSDE develops a first draft prototype wellness policy. At this developmental stage, the initial prototype is expected to provide more restrictive standards for elementary students than for older ones. In addition, there will probably be three levels of achievement:

- Basic, would comply with all requirements of the federal law;
- Advanced, would implement standards that exceed federal law; and
- Exemplary, would implement standards representing the ideal.

Mar. 2005..... Expert panels meet to review/revise the first draft prototype policy resulting in draft two of the prototype policy.

Apr. 2005 Expert panels present the draft two prototype policy to representatives of groups impacted by the wellness policy. Input from these stakeholders results in draft three of the prototype policy.

- May 2005 Draft three of the prototype policy is posted on KSDE’s website for review and comment. Interested groups and organizations are invited to provide feedback. The prototype policy is also presented to the State Board of Education as an information item.
- June 2005 Public meetings are held at locations around the state to obtain further input resulting in draft four of the prototype policy.
- July 2005..... Draft four of the prototype policy is presented to the State Board of Education for approval.
- Aug 2005 –
June 2006 KSDE and partners provide training and technical assistance to local school districts to enable them to adopt and/or adapt the prototype policy to meet local needs.
- July 2006..... Local school districts will have a local wellness policy in place. This policy will be incorporated into each district’s program renewal agreement with KSDE for the School Nutrition Program.

In summary, this approach to enacting local wellness policies will enable Kansas school districts to create a healthier environment for students in a manner which will provide local schools and communities with a quality prototype policy, flexibility and local control.

I welcome your questions and the opportunity to provide further information. Thank you.

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