

*Student Success Through Wellness:*

# A GUIDE TO WELLNESS POLICIES IN KENTUCKY





# INTRODUCTION

# INTRODUCTION TO THE LOCAL SCHOOL WELLNESS POLICY

The [Local School Wellness Policy](#) (LSWP) was established by the Child Nutrition and WIC Reauthorization Act of 2004, and further strengthened by the final ruling of the [Healthy, Hunger-Free Kids Act](#) (HHFKA) in August 2016. It requires each local education agency (LEA) participating in the National School Lunch Program and/or School Breakfast Program to develop a LSWP that promotes the health of students and addresses the growing problem of childhood obesity and food insecurity. The responsibility for developing a LSWP is placed at the local level so the unique needs of each school under the jurisdiction of the LEA can be addressed. Furthermore, with the passing of the HHFKA Final Rule, greater emphasis is placed at the local level by requiring the LEA to establish wellness policy leadership. Leadership is defined as one or more LEA and/or school official(s) who have the authority and responsibility to ensure each school complies with the policy.



## KDE CLARIFICATION

The federally required LSWP refers specifically to the school DISTRICT policy and can be found in Kentucky School Boards Association model policy, 09.2 Student Welfare. In addition, school districts are required by [KRS 160.345](#) to assure all K-5 school councils adopt an individual school wellness policy that includes a plan for moderate to vigorous activity. KDE encourages as a best practice that “middle and high schools adopt an individual school level policy.” For questions on individual school wellness policies, please review the [Sample School Policies](#) document on the KDE website.

## KENTUCKY BEST PRACTICE APPROACH

The LSWP is an opportunity to address school learning environments and to best equip districts and schools to equitably address the nutritional and physical activity needs of all students. The LSWP should be aligned to the annual district reporting requirements of [KRS 158.856](#) and [KRS 160.345](#). The Kentucky Department of Education recommends that superintendents ensure their districts are utilizing a Whole School, Whole Community, Whole Child approach with shareholders in the development and implementation of the LSWP. The [Whole School, Whole Community, Whole Child](#) (WSCC) model is centered on the student and emphasizes a schoolwide approach, acknowledging that learning, health and the school are a part of the local community.



*The next two pages provide examples of how nutrition and physical education and physical activity are integrated across the WSCC model.*



# Integrating Nutrition Across the WSCC Framework



Schools should provide students and staff with access to healthy foods and beverages, consistent messages about nutrition, and opportunities to learn about and practice healthy eating. Here are some evidence-based strategies and promising practices for using the **Whole School, Whole Community, Whole Child (WSCC)** approach to promote nutrition education and healthy eating behaviors across the school setting.

## Nutrition Environment and Services

- Allow students sufficient time to eat their meal.
- Provide options for children with special dietary needs, per federal regulations.

## Physical Education and Physical Activity

- Ensure that students have access to free drinking water in the gym and other physical activity areas.

## Health Education

- Include nutrition education as part of a comprehensive health education curricula.
- Ensure that health education curricula align with the *Dietary Guidelines for Americans 2015-2020* and address the healthy eating behavior outcomes in CDC's Health Education Curriculum Analysis Tool.

## Community Involvement

- Set up joint-use agreements for shared spaces, such as community kitchens and school gardens.
- Link schools with out-of-school programs that promote healthy eating.

## Family Engagement

- Encourage schools to provide materials about school nutrition programs and nutrition education in languages that students and parents speak at home.

## Employee Wellness

- Encourage school staff to model healthy eating behaviors.
- Ensure that school staff have access to healthy foods and beverages in faculty vending machines.

## Physical Environment

- Give students access to safe drinking water across the school building or campus.
- Give students the opportunity to learn how to grow food—for example, by creating a school garden.

## Social and Emotional Climate

- Ensure that food is never used as a reward or punishment.
- Make sure that students who receive free or reduced price meals are not identified.

## Counseling, Psychological, and Social Services

- Train school staff to recognize signs of eating disorders and disordered eating.
- Ensure that school staff can confidentially refer students to appropriate staff members for follow-up and referral to primary care providers as needed.

## Health Services

- Manage the nutritional needs of students with chronic health conditions, such as food allergies or diabetes.

Visit [www.cdc.gov/healthyschools/wscs/strategies.htm](http://www.cdc.gov/healthyschools/wscs/strategies.htm) for more information and additional examples on how to integrate nutrition strategies using the WSCC framework.





## Integrating Physical Education and Physical Activity Across the WSCC Framework



Schools that provide physical education daily can give students the ability and confidence to be physically active for a lifetime. Here are some evidence-based strategies and promising practices for using the **Whole School, Whole Community, Whole Child (WSCC)** approach to promote physical education and physical activity across the school setting.

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|---|---|
| <b>Physical Education and Physical Activity</b>       | <ul style="list-style-type: none"> <li>Implement policies and practices that support a Comprehensive School Physical Activity Program, including physical education, recess, classroom physical activity, intramurals, physical activity clubs, walk- and bicycle-to-school initiatives, and interscholastic sports.</li> <li>Implement policies and practices that support physical education such as requiring daily physical education, a written curriculum, certification for physical education teachers, and moderate-to-vigorous physical activity for at least 50% of class time and prohibiting the withholding of physical education or the use of physical activity as a punishment.</li> </ul> |
| <b>Health Education</b>                               | <ul style="list-style-type: none"> <li>Include physical activity as part of comprehensive health education.</li> <li>Ensure that health education curricula align with the national and state standards for physical education, and address the physical activity behavior outcomes in CDC's Health Education Curriculum Analysis Tool.</li> </ul>  |
| <b>Community Involvement</b>                          | <ul style="list-style-type: none"> <li>Establish partnerships between schools and local government to create joint-use agreements to allow public access to school facilities, fitness centers, gyms, or running tracks.</li> <li>Link to out-of-school programs that promote physical activity.</li> </ul>   |
| <b>Family Engagement</b>                              | <ul style="list-style-type: none"> <li>Provide materials about physical education and physical activity in languages that students and parents speak at home.</li> <li>Involve families on the school health council and engage them in promoting policies and practices for physical education and physical activity.</li> </ul>   |
| <b>Employee Wellness</b>                              | <ul style="list-style-type: none"> <li>Encourage school staff to model physical activity behaviors.</li> <li>Provide staff with access to physical activity opportunities through staff wellness programs.</li> </ul>   |
| <b>Physical Environment</b>                           | <ul style="list-style-type: none"> <li>Assess, inspect, and maintain all spaces and facilities for physical activity, including playing fields, playgrounds, gyms, swimming pools, multipurpose rooms, and fitness centers.</li> <li>Ensure safe routes to school.</li> </ul>   |
| <b>Social and Emotional Climate</b>                   | <ul style="list-style-type: none"> <li>Establish social norms that increase physical activity behaviors of students and staff members, such as morning physical activity for all over the intercom system.</li> </ul>   |
| <b>Counseling, Psychological, and Social Services</b> | <ul style="list-style-type: none"> <li>Assess student needs related to physical activity and provide counseling and other services to meet those needs.</li> <li>Help students overcome barriers to physical activity and help them find social support, cope with teasing, set goals, and make healthy decisions.</li> </ul>   |
| <b>Health Services</b>                                | <ul style="list-style-type: none"> <li>Refer students with physical activity concerns to health services staff members.</li> <li>Encourage collaboration between health services staff members and physical education teachers to establish a healthy environment that promotes physical activity messages and activities.</li> </ul>   |
| <b>Nutrition Environment and Services</b>             | <ul style="list-style-type: none"> <li>Ensure access to free drinking water in the gym and other physical activity areas.</li> <li>Promote only healthy foods; physical activity, such as dance-a-thons; or nonfood items for school sports or physical education fundraisers.</li> </ul>   |

Visit [www.cdc.gov/healthyschools/wscs/strategies.htm](http://www.cdc.gov/healthyschools/wscs/strategies.htm) for more information and additional examples on how to integrate physical education and physical activity strategies using the WSCC framework.



# EVERY STUDENT SUCCEEDS ACT (ESSA)

## TITLE IV, PART A SCHOOL HEALTH GUIDANCE

### Background

The Every Student Succeeds Act (ESSA) was signed into law on Dec. 10, 2015. ESSA sets a new framework and funding for elementary and secondary education and shifts the focus to a well-rounded education for all students. A well-rounded education includes English, reading/language arts, writing, science, technology, engineering, mathematics, civics and government, economics, geography, foreign languages, computer science, arts, history, career and technical education, music, health education and physical education.

With both physical education and health education included in the definition of a well-rounded education, this allows for eligibility of federal funding for school improvement in these areas. The LSWP and corresponding assessments should support physical education and health education opportunities within [Title IV, Part A](#), and serve as a means for local school boards to demonstrate their commitment to promoting student success via health.



### Title IV, Part A: Student Support and Academic Enrichment Grants

Title IV, Part A is a flexible state block grant program that consolidates many program areas:

1. Well-rounded education
2. Supporting safe and healthy students
3. Effective use of technology

Funds from Title IV, Part A are allocated to school districts based on the Title I formula. Any school district that receives over \$30,000 must conduct a needs assessment and must allocate their funds as follows:

- At least 20% well-rounded education programs
- At least 20% safe and healthy student activities
- A portion on effective use of technology

As part of the needs assessment process, school districts must engage in timely and meaningful consultation with a broad range of stakeholders, including parents, teachers, principals and community members. They should examine relevant data to understand students' and schools' most pressing needs, including the potential root causes of such needs.

## School Health Needs Assessments

School health assessments that schools and districts already may be utilizing include:

- Alliance for a Healthier Generation’s Healthy Schools Program
- WellSAT – Wellness School Assessment Tool
- U.S. Centers for Disease Control and Prevention’s School Health Index
- Kentucky Center for School Safety’s Safe School Assessment
- Family Resource and Youth Services Centers Assessment

A more extensive list of possible needs assessment resources is located on the Kentucky Department of Education’s website.

## Process

- Reach out to your district’s federal programs contact who is overseeing the request and distribution of Title IV, Part A funds.
- Meet with the district wellness committee and other stakeholders to analyze needs assessment data and set priorities.
- Select relevant evidence-based activities that address the needs.
- Complete the Title IV, Part A application.
- Monitor implementation of the program.
- Examine and reflect on how the activity is working.

## Use of Funds

The following is a list of potential uses of Title IV, Part A funds for school health initiatives:

- Physical education curriculum/materials
- Health education curriculum/materials
- Character-building curriculum
- School nurse
- Mental health counselors/services
- Student health and safety coordinator
- Social worker
- Counseling services
- Salaries
- Professional development
- Social-emotional learning training/curriculum
- Bullying, harassment and suicide prevention programs

## More Information

More information on Title IV, Part A, including resources and archived webinars, is located on KDE’s website.





# **POLICY CONSIDERATIONS**

## Local School Wellness Policy Implementation Under the Healthy, Hunger-Free Kids Act of 2010: Summary of the Final Rule

### What is a local school wellness policy?

A local school wellness policy (“wellness policy”) is a written document that guides a local educational agency’s (LEA) or school district’s efforts to establish a school environment that promotes students’ health, well-being, and ability to learn.

The wellness policy requirement was established by the Child Nutrition and Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) Reauthorization Act of 2004 and further strengthened by the Healthy, Hunger-Free Kids Act of 2010 (HHFKA). It requires each LEA participating in the National School Lunch Program and/or School Breakfast Program to develop a wellness policy. The final rule expands the requirements to strengthen policies and increase transparency. The responsibility for developing, implementing, and evaluating a wellness policy is placed at the local level, so the unique needs of each school under the LEA’s jurisdiction can be addressed.

### Provisions of the Final Rule

On July 29, 2016, the USDA Food and Nutrition Service (FNS) finalized regulations to create a framework and guidelines for written wellness policies established by LEAs. The final rule requires LEAs to begin developing a revised local school wellness policy during School Year 2016-2017. LEAs must fully comply with the requirements of the final rule by June 30, 2017.

#### Content of the Wellness Policy

At a minimum, policies are required to include:

- **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.
- **Standards and nutrition guidelines for all foods and beverages sold to students on the school campus during the school day that are consistent with Federal regulations for:**
  - School meal nutrition standards, and the
  - Smart Snacks in School nutrition standards.
- **Standards for all foods and beverages provided, but not sold, to students 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.**

#### Wellness Leadership

LEAs must establish **wellness policy leadership** of one or more LEA and/or school official(s) who have the authority and responsibility to ensure each school complies with the policy.

#### Public Involvement

At a minimum, LEAs must:

- **Permit participation** by the general public and the school community (including parents, students, and representatives of the school food authority, teachers of physical education, school health professionals, the school board, and school administrators) in the wellness policy process.



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## Triennial Assessments

The final rule requires State agencies to assess compliance with the wellness policy requirements as a part of the general areas of the administrative review every 3 years.

LEAs must conduct an assessment of the wellness policy every 3 years, at a minimum. This assessment will determine:

- Compliance with the wellness policy,
- How the wellness policy compares to model wellness policies, and
- Progress made in attaining the goals of the wellness policy.



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## Regulation

The proposed rule was published in the Federal Register, and the 60-day public comment period closed on April 28, 2014. FNS received 57,838 public comments that were considered in developing the final rule.

The final rule was published on July 29, 2016 and can be found online at: <http://www.fns.usda.gov/tn/local-school-wellness-policy>.

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## Resources

USDA Food and Nutrition Service's "School Nutrition Environment and Wellness Resources" Web site has information and resources on:

- Local school wellness policy process,
- Wellness policy elements,
- Success stories,
- Grants/funding opportunities, and
- Trainings.

Check it out! <https://theicn.org/cnss/background-information/>

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## Documentation

The State agency will examine records during the Administrative Review, including:

- Copy of the current wellness policy,
- Documentation on how the policy and assessments are made available to the public,
- The most recent assessment of implementation of the policy, and
- Documentation of efforts to review and update the policy, including who was involved in the process and how stakeholders were made aware of their ability to participate.

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## Updates to the Wellness Policy

The final rule requires that LEAs update or modify the wellness policy as appropriate.

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## Public Updates

The rule requires that LEAs must make available to the public:

- The wellness policy, including any updates to and about the wellness policy, on an annual basis, at a minimum, and
- The Triennial Assessment, including progress toward meeting the goals of the policy.



# POLICY DEVELOPMENT AND IMPLEMENTATION POINTERS

1. Contact [Kentucky School Boards Association](#) (KSBA) for drafting assistance before adopting policy.
2. Leave room for administrative discretion in implementation.
3. Crosscheck potential changes in discipline policy for consistency with other policies and other sources of guidance (current code of acceptable behavior and discipline, staff and student handbooks).
4. Explore whether the proposed policy creates potential conflicts with School-Based Decision Making (SBDM) policies.



5. Avoid zero tolerance penalties.
6. Consider the fiscal impact. Are adequate resources available to implement the policy?
7. With assistance of the board attorney as needed, evaluate whether proposed policy language could be interpreted to create new duties not mandated by law, thereby creating potential liability concerns.
8. Ask the superintendent to involve the board attorney on issues with potential legal implications (staff/student drug testing, cell phone searches, of-campus cyberbullying, staff/student use of social networking sites, etc.).
9. Confirm with the superintendent how new and revised policies will be communicated to staff, students and community.
10. Regularly review and discuss your policies; keep them on the front burner. Staff and the community will take their cue from the board's emphasis.



**KSBA**  
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# KENTUCKY BEST PRACTICE APPROACH WELL-SAT

In 2010, the Healthy, Hunger-Free Kids Act strengthened local wellness policy requirements and added requirements for public participation, transparency and implementation. These policies must address nutrition education, nutrition standards for foods sold, and physical activity, and must include measures for evaluating the policy's effectiveness. By completing the updated Wellness School Assessment Tool, WellSAT users will be able to assess the quality of their school district's wellness policy and will be provided with personalized guidance and resources for making improvements, based on the assessment. The WellSAT measures the quality of written policies.

The WellSAT can be completed online or with a printable copy by visiting the WellSAT website at [www.wellsat.org](http://www.wellsat.org).

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The [WellSAT](#), [Alliance for a Healthier Generation](#) and [Action for Healthy Kids](#) all provide assessment tools for policy improvement and strengthening. Additional resources such as sample district and school-level policies are available through KDE's Kentucky Healthy Schools Team and the Alliance for a Healthier Generation.





# **STATE LEGISLATED REQUIREMENTS**

# STATE LEGISLATED REQUIREMENTS

## Legal Requirements Summary for KRS 158.856/KRS 160.345 are as follows:

- Conduct an annual evaluation of the nutrition and physical activity environment.
- Post a report to the district website about the nutrition and physical activity environments for schools within the district at least 60 days prior to the public forum, which must occur no later than **Jan. 31**.
- Discuss findings of the nutrition report and physical activity report and seek public comments during a publicly advertised special board meeting or at the next regularly scheduled board meeting following the release of the nutrition and physical activity reports.
- Hold an advertised public forum by **Jan. 31** of each year to present a plan to improve school nutrition and physical activities in the school district.
- Compile a summary of school districts findings and recommendations by **May 1** of each year and submit the summary to the Kentucky Department of Education via [wellnessreport@education.ky.gov](mailto:wellnessreport@education.ky.gov).

## TIMELINE AT A GLANCE

### July to October

Complete the [Alliance for a Healthier Generation's Healthy Schools program assessment](#) (or school health assessment chosen by the district). For best practices, it is encouraged to review the findings and recommendations from the prior year's data to determine trends.

### By January 31

Hold a public forum to present plan to improve the school nutrition and physical activity environment via the LSWP.

### November

Release assessment results via district website; must be 60 days prior to Jan. 31 per [702 KAR 6:090](#).

Discuss results and seek public comment following the release of the report

### November to January

Utilize assessment results and public comments to compile findings and recommendations for updating the school nutrition and physical activity environment via the LSWP.

### By May 1

Submit findings and a summary of recommendations to KDE.

Update the LSWP and post to district website. The [USDA LSWP Outreach Toolkit](#) provides ready-to-go tools to assist in communicating your LSWP.

# 1, 2, 3 APPROACH TO ADDRESSING THE STATE LEGISLATIVE REQUIREMENTS

## STEP 1

All schools in the district will complete the Alliance for a Healthier Generation's Healthy Schools Program assessment, the [CDC's School Health Index](#) or other assessment chosen by the district, prior to Oct. 1 annually to provide school-level data for the public forum. ([702 KAR 6:090 Section 5 \(1,a\) / Section 6 \(1\)](#))

## STEP 2

Upon completion, the assessment findings report must be posted to the district website 60 days prior to the public forum. Other media also is recommended, but not required.

By no later than Jan. 31, the local board of education shall hold an ADVERTISED public forum to present a plan to improve school nutrition and physical activities in the school district including a summary of data from the annual assessment. ([KRS 158.856 \(5\)](#))

Each school board shall discuss the findings of the nutrition and physical activity report and seek public comments during a publicly advertised special board meeting or at the next regularly scheduled board meeting following the release of the nutrition and physical activity reports. ([KRS 158.856 \(4\)](#))

## STEP 3

By May 1, the superintendent or designee will submit the nutrition and physical activity report, including a summary of findings and recommendations, to the Kentucky Board of Education via [wellnessreport@education.ky.gov](mailto:wellnessreport@education.ky.gov) and post to the district website. ([702 KAR 6:090 Section 5 \(1,c\)/Section 6 \(2\)](#))

1. Summarize comments from the public forum, and the discussion from wellness committee meetings about findings assessment report.
2. Compile recommendations that could include any or all of the following:
  - Strengthening and/or modifying the district wellness policy.
  - Implementation of the district wellness policy.
  - Implementing the plan to improve the school nutrition and physical activity environments in aligning with a well-rounded education.
  - Inclusion of wellness goals, strategies and or activities in the Comprehensive School Improvement Plan and Comprehensive District Improvement Plan to improve access and opportunity for the whole child.



# KDE BEST PRACTICE APPROACH

## Alliance for a Healthier Generation's Healthy Schools Program

In December 2016, the Kentucky Board of Education (KBE) approved the Alliance for a Healthier Generation's Healthy Schools Program (HSP) assessment as a tool that each school district may use to evaluate its nutrition and physical activity environment.

[KRS 158.856](#) and [KRS 160.345](#) require an annual assessment tool and public reporting. This board-approved action was in response to a recommendation by the Office of Education Accountability (OEA) as part of the Recess and Physical Education (K-5) Report, published in November 2015. The Healthy Schools Program is an evidenced-based approach that each school and district may use for compliance with [KRS 158.856](#) and [KRS 160.345](#). In October 2016, KDE issued updated guidance recommending the Healthy Schools Program assessment. However, districts may choose to use their own assessment tool for annual reporting requirements.

District administrator for Healthy Schools Program completes the district-wide questions (i.e. food service director for Module 2).

A contact at the school building level and a School Health Advisory Committee is identified for each school.



Schools complete or update the following Healthy Schools Program assessment wellness topics:

- Policy and Environment
- Nutrition
- Smart Snacks
- Health and Physical Education
- Physical Activity
- Employee Wellness

Schools report back to the district administrator contact when modules are fully answered.

The Alliance for a Healthier Generation will send an email to all HSP-registered district administrators in September that will contain a link to request their district HSP report.

# SAMPLE FINDINGS AND RECOMMENDATIONS REPORT

District: \_\_\_\_\_  
Wellness Plan for **KRS 158.856**  
Findings and Recommendations

The superintendent shall submit the wellness plan that includes a summary of the findings and recommendations of the nutrition and physical activity report, as required by May 1 of each year, to the Kentucky Department of Education (KDE) (**702 KAR 6:090 Section 5 (1,c) / Section 6 (2)**). Once completed, please email to [wellnessreport@education.ky.gov](mailto:wellnessreport@education.ky.gov).

The district shall include within the findings and recommendations the following:

1. Extent to which the district is in compliance with this policy;
2. A comparison of how the district measures up to model wellness policies provided by recognized state and national authorities; and
3. A description of the measurable progress made towards reaching goals of the district wellness policy and addressing any gaps identified in the wellness report for the previous year.

## ***LEA SUBMISSION OF FINDINGS AND RECOMMENDATIONS***

### **AREA OF ASSESSMENT: *NUTRITION***

**FINDINGS:**

**RECOMMENDATIONS:**

## AREA OF ASSESSMENT: *PHYSICAL ACTIVITY/PHYSICAL EDUCATION*

### FINDINGS:

### RECOMMENDATIONS:

### FINDINGS:

Summarize comments from the public forum and the discussion from wellness leadership meetings about the findings of the assessment report.

### RECOMMENDATIONS:

All of the following items should be considered as possible recommendations:

- Strengthening and/or modifying the language of the district wellness policy based on results of WellSAT assessment.
- Improving implementation of the district wellness policy based on the Healthy Schools Program assessment or other district needs assessment.
- Implementing the plan to improve the school nutrition and physical activity environments in aligning with a well-rounded education.
- Including wellness goals, strategies and/or activities in the Comprehensive School Improvement Plan and Comprehensive District Improvement Plan to improve access and opportunity for whole child measures.

# APPENDIX

## KRS 158.856

Annual assessment and evaluation of school nutrition in district special board meeting and public forum to discuss nutrition and physical activity in the schools.

(1) School district to prepare and submit findings and recommendations to Board of Education. Each school food service director shall annually assess school nutrition in the district and issue a written report to parents, the local school board and school-based decision-making councils. The report shall include:

- (a) An evaluation of compliance with the National School Breakfast and National School Lunch programs;
- (b) An evaluation of the availability of contracted fast foods or foods sold through commercial vendors;
- (c) A review of access to foods and beverages sold outside the National School Breakfast and National School Lunch programs, including vending machines, school stores, canteens and a la carte cafeteria sales;
- (d) A list of foods and beverages that are available to students, including the nutritional value of those foods and beverages; and
- (e) Recommendations for improving the school nutrition environment.

(2) The Kentucky Board of Education shall develop an assessment tool that each school district may use to evaluate its physical activity environment.

(3) The evaluation shall be completed annually and released to the public at the time of the release of the nutrition report under subsection (1) of this section.

(4) Each school board shall discuss the findings of the nutrition report and physical activity report and seek public comments during a publicly advertised special board meeting or at the next regularly scheduled board meeting following the release of the nutrition and physical activity reports.

(5) By January 31 of each year, the local board of education shall hold an advertised public forum to present a plan to improve school nutrition and physical activities in the school district.

(6) Each school district shall compile a summary of findings and recommendations and submit the summary to the Kentucky Board of Education. Effective: June 20, 2005. History: Created 2005. Ky. Acts Ch. 84, Sec. 5, effective June 20, 2005.

## KRS 160.345

Required adoption of school councils for school-based decision-making:

Wellness policy.

Each school council of a school containing grades K-5, or any combination thereof, or if there is no school council, the principal, shall develop and implement a wellness policy that includes moderate to vigorous physical activity each day and encourages healthy choices among students.

The policy may permit physical activity to be considered part of the instructional day, not to exceed thirty (30) minutes per day, or one hundred and fifty (150) minutes per week.

Each school council, or if there is no school council, the principal, shall adopt an assessment tool to determine each child's level of physical activity on an annual basis. The council or principal may utilize an existing assessment program.

The Kentucky Department of Education shall make available a list of available resources to carry out the provisions of this subsection. The department shall report to the Legislative Research Commission no later than November 1 of each year on how the schools are providing physical activity under this subsection and on the types of physical activity being provided.

The policy developed by the school council or principal shall comply with provisions required by federal law, state law or local board policy.

# TEAM KENTUCKY

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