DAVID Y. IGE
GOVERNOR

LANCE A. MIZUMOTO
CHAIRPERSON

STATE OF HAWAI'I
BOARD OF EDUCATION
P.O. BOX 2360
HONOLULU, HAWAI'I 96804

June 7, 2016

TO: Patricia Halagao
Committee Chairperson, Student Achievement Committee

FROM: Amy Asselbaye
Member, Board of Education

AGENDA ITEM: Committee Action on the following Board policies:
1110-6/103.1 Health and Wellness

At May 3, 2016 Student Achievement Committee ("Committee") meeting, the Department of Education ("Department") submitted a memorandum with recommendations and proposed revisions to Board of Education ("Board") Policy 103.1, Health and Wellness ("Board Policy 103.1"). The Department's memorandum is attached as **Exhibit 1**.

The Committee deferred action on Board Policy 103.1 to its June meeting.

After the May 3, 2016 Committee meeting, I met with representatives from the Department and have further proposed revisions to Board Policy 103.1, which are attached as **Exhibit 2**. The version of Board Policy 103.1, attached as **Exhibit 2**, accepted all of the changes proposed by the Department (attached to the Department's May 3, 2016 memorandum), incorporated the public awareness aspects of the Board's permitted interaction group changes into the revised version, and made additional redlined changes. **Exhibit 3** is a clean copy of Board Policy 103.1 with all changes accepted.

Exhibit 1

Department's May 3, 2016 Memorandum

DAVID Y. IGE
GOVERNOR

KATHRYN S. MATAYOSHI
SUPERINTENDENT

STATE OF HAWAI'I
DEPARTMENT OF EDUCATION
P.O. BOX 2360
HONOLULU, HAWAI'I 96804

OFFICE OF THE SUPERINTENDENT

May 3, 2016

TO: The Honorable Patricia Halagao
Chairperson, Committee on Student Achievement

FROM: Kathryn S. Matayoshi
Superintendent

SUBJECT: **Committee Action on Board of Education ("Board") Policy: 103.1, Health and Wellness**

1. RECOMMENDATION

The Department of Education (Department) is recommending revisions to policy 103.1 (originally policy 1110-6), described in Exhibit A.

Original Policy Number	New Policy Number	Original Policy Title	Summary of Proposed Revision(s)
1110-6	103.1	Health, Wellness, and Safety	• Minor revisions for consistency in formatting, including rationale statement to be consistent with format of other policies. • Revisions as proposed by the Permitted Interaction Group (PIG). • Additional changes to the policy for organization and to facilitate implementation.

2. RECOMMENDED EFFECTIVE DATE

The Department recommends that the committee approve and adopt the policy as described in section 1.0 with an immediate effective date.

3. RECOMMENDED COMPLIANCE DATE (if different from the effective date)

The Department recommends July 1, 2017, as the effective date for compliance. This provides time for Department staff to review and revise regulations and guidelines, provide training, and revise school-level plans, as needed.

4. DISCUSSION (if different from the effective date)

a. Conditions leading to the recommendation

The Department used a cross-office strategy to review the policy listed above. The proposed revisions are intended to provide additional clarity, bring the policies up to date with current implementation status, and/or to incorporate feedback from principals and other stakeholders.

The proposed revisions from the PIG would eliminate the language specifying the Department's fundamental responsibility and the requirement to maintain a "Safety and Accident Prevention Program." In addition, the PIG proposed new language requiring the Department to establish guidance or regulations for a plan to make information on food safety inspections, local wellness policies, meal program participation, and nutritional quality of program meals available to the public. The PIG's proposed changes would also require schools to have implementation plans for the content of the policy and any federal laws.

The Department proposed non-substantive changes to format, providing a rationale, for consistency with other policies. The Department is also recommending a change that the Department's regulations or guidelines describe requirements of school plans which are consistent with relevant state and federal laws, including the Healthy Hunger Free-Kids Act (2010). This provides an opportunity for the Department to provide guidance and streamline report requirements rather than establish a new plan that every school must develop and ensuring that the Department will interpret legal requirements for schools. Currently, the Department state office staff work with schools to address and maintain compliance with requirements of the policy including wellness committee that focuses on completing the annual school health index to inform school wide planning. In addition, the Department partners with the Department of Health to administer the statewide Safety and Wellness Survey on an annual basis. The results of the survey are currently reported in the Superintendent's Annual Report.

b. Previous action of the Board on the same or similar matter

November 19, 2014: Administratively referred to the Student Achievement Committee.

c. Other policies affected

No other policies are affected.

d. Arguments in support of the recommendation

The proposed edits from the PIG codify existing requirements relative to school wellness as determined by Public Law 111-296, Sec. 204 (Healthy, Hunger-Free Kids Act of 2010), U.S. Department of Agriculture (USDA) Child Nutrition Program Regulations, USDA Dietary Guidelines, and related Department guidance to schools. Food safety inspections are posted for public consumption, per USDA regulations.

The Department's Wellness Guidelines Checklist for schools is available at: http://www.hawaiipublicschools.org/DOE%20Forms/Health%20and%20Nutrition/Wellness-Guidelines-Implementation-Checklist.pdf.

Additional information on current wellness policies and requirements, including the SAWS Survey, is posted at: http://www.hawaiipublicschools.org/TeachingAndLearning/HealthAndNutrition/WellnessGuidelines/Pages/home.aspx.

e. Arguments against the recommendation

Proponents of school health policies could be interested in more stringent school and state level plan development, monitoring, and reporting requirements. The Department state office is working to review current wellness guidelines to strike the appropriate balance between ensuring compliance to relevant policies and laws with streamlining administrative burden, to the extent possible.

There have also been recommendations to mandate annual reporting of school and state-level health and wellness data as well as to a committee for annual review and reporting on this policy. The data are reported publicly on the DOE website and presented to the Board annually.

f. Other agencies or departments of the State of Hawaii involved in the action

No other agencies were involved in the development of this action.

g. Possible reaction of the public, professional organizations, unions, DOE staff and/or others to the recommendation

See section 2.e.

h. Educational implications

There are no educational impacts at this time.

j. Facilities implications

There are no facilities impacts at this time.

k. Financial implications

There are no financial impacts at this time.

5. OTHER SUPPLEMENTARY RECOMMENDATIONS

None

TOC:SS:kp

Attachments: Exhibit A: Policy 103.1 – Recommended changes (mark up)
Exhibit B: Policy 103.1 – "Clean" version of recommended changes

c: Office of Strategy, Innovation, and Performance
Office of Curriculum, Instruction, and Student Support

Exhibit A

[~~1110-6~~]

POLICY 103.1

HEALTH[~~,~~] AND WELLNESS [~~, AND SAFETY~~]

[~~POLICY~~]

[~~The Board of Education (Board) is committed to supporting a safe and healthy work and learning environment that is conducive to student and employee well-being.~~] [~~*The Board recognizes that schools play an integral part in educating and exposing students to wellness practices, health-enhancing behaviors, good nutrition, and physical and other school-based activities that lend to student achievement and learning*~~.]

[~~The Department of Education (Department) has a fundamental responsibility to provide a safe and healthy work and learning environment for all public school students, employees, and persons under its jurisdiction.~~] The Department shall establish regulations or guidelines *that recognize that schools play an integral part in educating and exposing students to wellness practices, health enhancing behaviors, good nutrition, and physical and other school-based activities that lend to student achievement and learning.* [~~*to implement this policy.*~~] The regulations or guidelines shall include, but shall not be limited to, the establishment of:

(1) Goals for nutrition education, physical activity, and other school-based activities that are designed to promote student wellness, as deemed appropriate by the Department;

(2) Nutrition guidelines for all foods that are available on each school campus during the school day, with the objectives of promoting student health and reducing childhood obesity; [~~*and*~~]

(3) A plan for measuring implementation of the wellness policy**;** [~~***and***~~]

(4) A plan to ensure that information pertaining to food safety inspections, local wellness policies, meal program participation, *and* **nutritional quality of program meals is made available to the public in an accessible, easily understood manner**[~~.~~]*; and*

(5) Requirements for school plans to implement [~~***Each school shall have a plan for implementation in alignment with***~~] **this policy and** *relevant* **federal and state laws, including the federal "Healthy, Hunger-Free Kids Act of 2010" (Public Law 111-296), as it may be amended from time to time.**

[~~The Department shall also maintain a Safety and Accident Prevention Program that complies with federal and state laws, safety standards, and rules.~~]

Rationale: The Board is committed to supporting a safe and healthy work and learning environment that is conducive to student and employee well-being.

Approved: 11/16/95; Amended: 08/17/06

Key

Bold and Blue: edits made by the permitted interaction group.

Italics and black: edits proposed by the Department.

Underlines: additional proposed text, beyond what was in the original policy.

~~Strikethrough~~: proposed deletions, limited to the text that is struck-through and bracketed.

Exhibit B

POLICY 103.1
HEALTH AND WELLNESS

The Department shall establish regulations or guidelines that recognize that schools play an integral part in educating and exposing students to wellness practices, health-enhancing behaviors, good nutrition, and physical and other school-based activities that lend to student achievement and learning.

The regulations or guidelines shall include, but shall not be limited to, the establishment of:

(1) Goals for nutrition education, physical activity, and other school-based activities that are designed to promote student wellness, as deemed appropriate by the Department;

(2) Nutrition guidelines for all foods that are available on each school campus during the school day, with the objectives of promoting student health and reducing childhood obesity;

(3) A plan for measuring implementation of the wellness policy;

(4) A plan to ensure that information pertaining to food safety inspections, local wellness policies, meal program participation, and nutritional quality of program meals is made available to the public in an accessible, easily understood manner; and

(5) Requirements for school plans to implement this policy and relevant federal and state laws, including the federal "Healthy, Hunger-Free Kids Act of 2010" (Public Law 111-296), as it may be amended from time to time.

Rationale: The Board is committed to supporting a safe and healthy work and learning environment that is conducive to student and employee well-being.

Approved: 11/16/95; Amended: 08/17/06

Exhibit 2

Additional proposed changes to Board Policy 103.1

POLICY 103.1

HEALTH AND WELLNESS

The Department shall establish ~~regulations or~~ guidelines ~~that recognize that schools play an integral part in educating and exposing students~~ to ensure compliance with federal school wellness ~~practices, health-enhancing behaviors, good nutrition, and physical and other school-based activities that lend to student achievement and learning.The~~ regulations ~~or~~. The guidelines shall include, but shall not be limited to, the establishment of:

(1) Goals for nutrition education, health, physical activity, physical education, and other school-based activities that are designed to promote student wellness, as deemed appropriate by the Department;

(2) ~~Nutrition guidelines~~ Requirements for all foods and beverages that are sold or made available on each school campus during the school day, with the objectives of promoting student health and reducing childhood obesity; and

(3) A plan for measuring implementation of the wellness policy~~;~~ that includes annual progress reports with school level data and is completed in partnership with other agencies, as appropriate; and

(4) ~~A plan to ensure that information pertaining to food safety inspections, local wellness policies, meal program participation, and nutritional quality of program meals is made available to the public in an accessible, easily understood manner; and~~ A committee which meets annually to participate in the wellness policy process including the review and update of wellness guidelines.

~~(5) Requirements for school plans to implement this policy and relevant federal and state laws, including the federal "Healthy, Hunger-Free Kids Act of 2010" (Public Law 111-296), as it may be amended from time to time.~~

Rationale: The Board ~~is committed to supporting a safe~~recognizes that schools play an integral part in educating and exposing students to wellness practices, health-enhancing behaviors, good nutrition, and ~~healthy work~~physical activity and other school-based activities that lend to student achievement and learning ~~environment that is conducive to student and employee well-being~~.

<u>Exhibit 3</u>
Board Policy 103.1 (clean copy)

POLICY 103.1

HEALTH AND WELLNESS

The Department shall establish guidelines to ensure compliance with federal school wellness regulations. The guidelines shall include, but shall not be limited to, the establishment of:

(1) Goals for nutrition education, health, physical activity, physical education, and other school-based activities that are designed to promote student wellness, as deemed appropriate by the Department;

(2) Requirements for all foods and beverages that are sold or made available on each school campus during the school day, with the objectives of promoting student health and reducing childhood obesity; and

(3) A plan for measuring implementation of the wellness policy that includes annual progress reports with school level data and is completed in partnership with other agencies, as appropriate; and

(4) A committee which meets annually to participate in the wellness policy process including the review and update of wellness guidelines.

Rationale: The Board recognizes that schools play an integral part in educating and exposing students to wellness practices, health-enhancing behaviors, good nutrition, and physical activity and other school-based activities that lend to student achievement and learning.