

# Local Wellness Policy Guide

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## Introduction

Vermont’s School Wellness Policy Guidelines and Implementation resource was developed in 2019 using Local School Wellness Policy Final Rule and USDA’s Smart Snacks Nutrition Standards for all Foods Sold in Schools, as required by the Healthy, Hunger-Free Kids Act of 2010. In 2021, the Vermont State Legislature passed [Act 66](#), which required the inclusion of Comprehensive Health Education into the existing model Local Wellness Policy and to further “assist the Agency to plan, coordinate, and encourage wellness and comprehensive health programs in the public schools.” More than thirty-two professional, community-based and membership organizations and government agencies were solicited to provide input and feedback at different stages of development of this revised Vermont Local Wellness Policy Guide to ensure it was as comprehensive in scope as possible. To maintain consistency with the former School Wellness Policy Guidelines governed by federal statutes and standards, we have maintained to the best of our ability the existing structure of the guidelines in this updated guide.

An LWP is a written document that guides the local education agency (LEA) to create supportive, healthy school environments that align comprehensive health and wellness education, school nutrition and physical activity standards and expectations to support the whole learner. 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.

Each LEA participating in the National School Lunch Program or School Breakfast Program is required to develop and implement a local wellness policy (LWP) in accordance with Healthy, Hunger-Free Kids Act of 2010. These federal standards are subject to change. As changes are made, Vermont’s School Wellness Policy will be updated to comply with the federal minimum requirements.

This guide was created and updated for use by Vermont LEAs to meet federal and state laws and related regulations. Included in the sections that follow are tables that with statutory, regulatory, and/or policy requirements and citations in the first column, and model local wellness policy language to support compliance with those requirements in the second column. These sections highlight areas where implementation opportunities exist, as well as areas where practices are well-established relative to the related wellness policy component.

For the convenience of VSBA members, where there is model policy language, we have referenced alignment to sections of the model Local Wellness Policy available in the [Model Policy Manual](#) on the Vermont School Board’s Association website. This has been included for local school boards and administrators to understand how components of the streamlined recommended model LWP correspond to sections of this guide.

At the top of each section is a hyperlink to a separate document with resources and strategies. These tools were created to provide supports for implementation of a Local Wellness Policy. Different stakeholders, from educators to counselors to food directors, may find these tools helpful in addition to administrators, school boards and members of a Local Wellness Policy team.

Additionally, there are two sections that are distinct within the LWP development guide that are not required components of a Local Wellness Policy. One section, Other School-Based Activities to Promote Wellness, delineates strategies that may exceed federal or state legal or regulatory compliance but are worthy of consideration and inclusion in a LWP as well-established or evidence-based practices. School boards should choose policy language that meets the current needs of their school community and that supports growth over time. Several tools and resources to assist with this process have also been included.

The second section, Other Existing School Policies Related to Wellness, was created to help local administrators, school boards, and LWP team members make connections to already existing required policies related to health and wellness as they develop and/or revise their LWP.

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## Policy Requirements

### Basic Requirements for the Local Wellness Policy (LWP)

See [Supports and Resources for Basic Requirements](#) for LWP implementation resource links and supports.

Policy Requirement Source and Detail	Model Policy Language
<p>At a minimum, a LWP must include goals for:</p> <ol style="list-style-type: none"> <li>1. Nutrition education</li> <li>2. Nutrition promotion</li> <li>3. Guidelines for ALL foods available on school campus, i.e. competitive foods and beverages</li> <li>4. Physical education</li> <li>5. Physical activity</li> <li>6. Comprehensive Health Education</li> <li>7. <b>Optional:</b> Other school-based activities to promote student wellness.</li> </ol> <p>LEAs are required to review and consider evidence-based strategies indetermining these goals.</p> <p>As defined in:</p> <ul style="list-style-type: none"> <li>• <a href="#">7 CFR 210.31</a></li> <li>• <a href="#">Healthy, Hunger-Free Kids Act, 2010 (Sec. 204 of PL 111-296)</a></li> <li>• <a href="#">16 V.S.A. § 136. Wellness program; Advisory Council on Wellness and Comprehensive Health</a></li> <li>• <a href="#">Act 66 modifying 16 VSA §136</a></li> <li>• <a href="#">16 V.S.A. §131 Comprehensive Health Education</a></li> </ul>	<p><b>Policy Statement</b></p> <p>It is the policy of the _____ School District to establish goals that are developed to promote student wellness and comprehensive health, and include:</p> <ol style="list-style-type: none"> <li>1. Nutrition education</li> <li>2. Nutrition promotion</li> <li>3. Guidelines for ALL foods available on school campus, i.e. competitive foods and beverages</li> <li>4. Physical education</li> <li>5. Physical activity</li> <li>6. Comprehensive Health Education</li> <li>7. <i>Optional:</i> Other school-based activities to promote student wellness.</li> </ol> <p>The Superintendent or designee will assist in ensuring compliance with the School District’s LWP includes goals for all six required components (minimum) and that evidence-based strategies* have been reviewed and considered in the development of those goals. <i>[Corresponds to VSBA Model Local Wellness Policy Administrative Responsibility #4]</i></p> <p>NOTE: The Vermont School Boards Association model policy combines Nutrition Education and Promotion into one category and Physical Education and Physical Activity into another category. All six components, however they are organized, must be present in your Local Wellness Policy</p> <p>*Criteria for inclusion as an evidence-based implementation strategy</p> <ol style="list-style-type: none"> <li>1. Included in the <a href="#">CDC’s The Community Guide</a>, <a href="#">Team Nutrition Tools and Resources</a>, <a href="#">Whole School, Whole Community, Whole Child</a>, or a similar resource, or</li> <li>2. Reported with positive effects on the primary targeted outcome in a peer-reviewed journal, or</li> <li>3. Documented effectiveness supported by other sources of information and the consensus judgment of informed experts.</li> </ol>

Policy Requirement Source and Detail	Model Policy Language
<p>The LEA is required to include stakeholder involvement and participation from the following groups:</p> <ul style="list-style-type: none"> <li>• Parents</li> <li>• Students</li> <li>• School food service program</li> <li>• School board</li> <li>• School administration</li> <li>• Public</li> </ul> <p>The LEA must also permit the participation of physical education teachers and school health professionals.</p> <p>As defined by</p> <ul style="list-style-type: none"> <li>• <a href="#">7 CFR 210.31</a></li> <li>• <a href="#">Healthy, Hunger-Free Kids Act, 2010 (Sec. 204 of PL 111-296)</a></li> <li>• <a href="#">16 V.S.A. § 135. Program development; community advisory council</a></li> </ul>	<p><b>Purpose</b></p> <p>It is the intent of the _____ School District to comply with all applicable federal and state requirements. In accord with those requirements, this policy has been developed in consultation with parents, students, school food service program/school food authority personnel, physical education and health education teachers, school board members, school administration, members of the public, and school health professionals, which may include school nurses, school counselors, school-based clinicians, school social workers or behavioral health professionals.</p> <p><i>[Corresponds to VSBA Model Local Wellness Policy Purpose Statement]</i></p> <p>The superintendent or designee will convene a local wellness team that includes parents, students, school food service program personnel, physical education and health education teachers, school board members, school administration, members of the public, and school health professionals, which may include school nurses, school counselors, school-based clinicians, school social workers or behavioral health professionals. <i>[Corresponds to VSBA Model Local Wellness Policy Administrative Responsibility #1]</i></p>

## Evaluation

See [Supports and Resources for Evaluation](#) for LWP implementation resource links and supports.

Legal Requirement	State Model Policy Language
<p>LEAs must conduct an assessment of the wellness policy every 3 years, at a minimum. This assessment will determine:</p> <ol style="list-style-type: none"> <li>Compliance with the wellness policy,</li> <li>How the wellness policy compares to model wellness policies, and</li> <li>Progress made in attaining the goals of the wellness policy.</li> </ol> <p>As defined by</p> <ul style="list-style-type: none"> <li><a href="#">7 CFR 210.31</a></li> </ul> <p><a href="#">Healthy, Hunger-Free Kids Act, 2010 (Sec. 204 of PL 111-296)</a></p>	<p>Every three years, the district will conduct an assessment of (1) how well the district's LWP aligns with the state model LWP, (2) compliance within the district with regard to its local wellness policy, and (3) progress made in attaining the goals of the district's local wellness policy. <b>[Corresponds to VSBA Model Local Wellness Policy - Policy Development, Implementation, and Assessment]</b></p> <p>The superintendent or their designee shall periodically monitor district programs and curriculum to ensure compliance with this policy and any administrative procedures established to carry out the requirements of this policy. <b>[Corresponds to VSBA Model Local Wellness Policy Administrative Responsibility #2]</b></p> <p>The district shall annually inform and update the public about the content and implementation of this policy, including the extent to which district schools are in compliance with this policy, the extent to which this policy compares to model local school wellness policies and a description of the progress made in attaining the goals of this policy. <b>[Corresponds to VSBA Model Local Wellness Policy - Policy Development, Implementation, and Assessment]</b></p> <p>The superintendent or designee shall report at least annually to the board and to the public on the district's compliance with law and policies related to student wellness and the school nutrition environment. The report shall include information as to the content and implementation of this policy, and an assurance that district guidelines for reimbursable meals are not less restrictive than regulations and guidelines issued for schools in accordance with federal law. <b>[Corresponds to VSBA Model Local Wellness Policy Administrative Responsibility #3]</b></p>

Legal Requirement	State Model Policy Language
<p>LEAs must periodically update the LWP. The frequency is not specified but should reflect information gathered through the annual progress reports or triennial assessments.</p> <p>As defined by</p> <ul style="list-style-type: none"> <li>• <a href="#">7 CFR 210.31</a></li> </ul> <p><a href="#">Healthy, Hunger-Free Kids Act, 2010 (Sec. 204 of PL 111-296)</a></p>	<p>The local wellness team will participate in the development, implementation, monitoring, and annual review and update of the LWP in order to prepare annual progress reports and triennial assessments. <i>[Corresponds to VSBA Model Local Wellness Policy - Policy Development, Implementation, and Assessment]</i></p>

## Top-Specific Content Requirements

### Nutrition Services

See [Supports and Resources for Nutrition Services](#) for LWP implementation resource links and supports.

Legal Requirement	State Model Policy Language
<p>The National School Lunch and School Breakfast Programs must meet the NSLP and SBP guidelines <a href="#">7 CFR 210</a> and <a href="#">7 CFR 220</a>.</p> <p><a href="#">16 V.S.A. § 1264</a> Vermont public schools must participate in the National School Lunch and School Breakfast Program.</p> <p><a href="#">16 V.S.A. § 1264</a> Vermont public schools in which 50 percent or more of the enrolled students are eligible for free or reduced-price meals that offer summer programs for 15 hours per week or more must offer a meal and/or snack as part of the summer program.</p>	<p>The district shall ensure that guidelines for reimbursable school meals are not less restrictive than regulations and guidance issued by the Secretary of Agriculture pursuant to sections (a) and (b) of section 9A(a) and (b) of the Richard B. Russell National School Lunch Act as those regulations and guidance apply to schools. <i>[Corresponds to VSBA Model Local Wellness Policy Section 2h]</i></p> <p>The district shall provide adequate space for eating and serving school meals. <i>[Corresponds to VSBA Model Local Wellness Policy Section 2a]</i></p> <p>The district shall provide a clean and safe meal environment for students. <i>[Corresponds to VSBA Model Local Wellness Policy Section 2b]</i></p> <p>The district shall establish meal periods that provide adequate time to eat and are scheduled at appropriate hours. <i>[Corresponds to VSBA Model Local Wellness Policy Section 2c]</i></p>
<p>Schools in Federal Child Nutrition Programs may apply a geographic preference when purchasing unprocessed locally grown or locally raised agricultural products <a href="#">7 CFR § 210.21</a> paragraph (g) <i>geographic preference</i>). See also <a href="#">USDA Buy American memo</a>.</p>	<p>To the extent that is practicable the district shall ensure that nutrition services will reference USDA geographic preference rules and seasonal and local agricultural information when planning school meal menus. <i>[Corresponds to VSBA Model Local Wellness Policy Section 2g]</i></p>
<p>School food service managers must meet minimum professional standards as stated in <a href="#">Section 306 HHFKA</a>, per the July 1, 2015 final rule for <a href="#">NSLP Professional Standards</a>.</p>	<p>The district shall provide training opportunities as appropriate for food service and other staff members in areas of nutrition and wellness. <i>[Corresponds to VSBA Model Local Wellness Policy Section 2e]</i></p>
<p>Schools participating in the school meals programs shall make free potable water available to children in the meal service areas <a href="#">Section 203 of the Healthy Hunger-Free Kids Act</a>.</p>	<p>Schools participating in the National School Lunch and School Breakfast programs shall make free potable water available to children in the meal service areas. <i>[VSBA Model Local Wellness Policy Section 2f]</i></p>

## Evaluation of Nutrition Services

[AOE School Food Service administrative review process](#)

See [Supports and Resources for Evaluation of Nutrition Services](#) for LWP implementation resource links and supports.

Policy Requirement	Model Policy Language
<p>The USDA requires an administrative review process according to <a href="#">7 CFR 210.18</a>. It is to ensure that the School Food Authority and participating schools under its jurisdiction shall comply with all provisions of 7 CFR <a href="#">210</a>, <a href="#">220</a>, and <a href="#">245</a>.</p> <p>The State agency will examine records during the Administrative Review, including:</p> <ul style="list-style-type: none"> <li>• Copy of the current wellness policy,</li> <li>• Documentation on how the policy and assessments are made available to the public,</li> <li>• The most recent assessment of implementation of the policy, and</li> <li>• Documentation - update, stakeholders, public notification.</li> </ul>	<p>The superintendent or designee is responsible for ensuring that the district is in compliance with any Administrative Review procedures of the State Educational Agency (SEA). <i>[Corresponds to VSBA Model Local Wellness Policy Administrative Responsibility #7]</i></p>
<p>Information on the School Nutrition Environment shall be available to the public <a href="#">Section 209 of the Healthy Hunger-Free Kids Act</a>.</p>	<p>The superintendent or designee shall report at least annually to the board and to the public on the district’s compliance with law and policies related to student wellness and the school nutrition environment. The report shall include information as to the content and implementation of this policy, and an assurance that district guidelines for reimbursable meals are not less restrictive than regulations and guidelines issued for schools in accordance with federal law. <i>[Corresponds to VSBA Model Local Wellness Policy Administrative Responsibility #3]</i></p> <p>NOTE: This language is also reflected in the Evaluation section above</p>

## Guidelines for Competitive Foods and Beverages

See [Supports and Resources for Competitive Food Programs](#) for LWP implementation resource links and supports..

Legal Requirement	Model Policy Language
<p>All foods sold during the school day (12:00 am to 30 minutes after the official end of school day) outside the federally supported meal programs, must comply with the Smart Snack nutrition standards of the <a href="#">Healthy Hunger-Free Kids Act, 2010 (HHFKA)</a>. See: <a href="#">7 CFR § 210.11</a>.</p>	<p>The National School Lunch and School Breakfast Programs will meet the requirements provided in 7 CFR 210 and 7 CFR 220 (National School Lunch Program and School Breakfast Guidelines.)  <i>[Corresponds to VSBA Model Local Wellness Policy Section 2h – Nutrition Guidelines i]</i></p> <p>All foods and beverages outside the reimbursable school meal programs that are sold to students on the school campus during the school day will meet the USDA Smart Snacks nutrition standards.  <i>[Corresponds to VSBA Model Local Wellness Policy Section 2h – Nutrition Guidelines ii]</i></p>
<p>There is no exemption in Vermont for fundraisers that do not meet the Smart Snack standards during the school day.</p> <p>*The standards do not apply to off-campus events or to concessions for sporting events, plays and concerts, provided they are outside of the school day.</p>	<p>School district fundraisers that occur during the school day will meet the USDA Smart Snack nutrition standards. <i>[Corresponds to VSBA Model Local Wellness Policy Section 2h – Nutrition Guidelines iii]</i></p>

Legal Requirement	Model Policy Language
<p>Standards for all foods 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).</p>	<p>The district is required to establish nutrition guidelines for all other foods provided, but not sold to students during the school day. Foods provided but not sold may include food that is part of a classroom celebration or provided by parents or community organizations free of charge. <i>[Districts should choose either (a.) or (b.) below or write their own guidelines.] [Corresponds to VSBA Model Local Wellness Policy Section 2h – Nutrition Guidelines iv]</i></p> <ul style="list-style-type: none"> <li>a. It is the policy of the district that, when feasible, food provided but not sold should be limited to those foods that improve the diet and health of students, help mitigate childhood obesity, model healthy choices, and is inclusive of and reflects the diversity of the school community.</li> <li>b. Food provided but not sold will, at minimum, comply with the Smart Snacks Standards.</li> </ul> <p>Food shall not be used in district schools as a reward or punishment except as part of behavioral intervention plan developed by licensed professionals, whose content is subject to state and local grievance procedures under Section 504 and IDEA. <i>[Corresponds to VSBA Model Local Wellness Policy Section 2d]</i></p> <p><b>PLEASE NOTE: The restrictions regarding the use of food as a punishment or reward referenced directly above is distinct from and does not preclude food being provided as part of a learning opportunity and/or classroom or community celebrations/events.</b></p>

## Nutrition Promotion

See [Supports and Resources for Nutrition Promotion](#) for LWP implementation resource links and supports.

Legal Requirement	Model Policy Language
<p>School meals are promoted by the food service program and the school to encourage program participation and improve the diets of children and reduce childhood obesity. <a href="#">Section 204 of the Healthy Hunger-Free Kids Act</a> added <a href="#">42 USC 1748b</a>.</p> <p>Schools must identify, near or at the beginning of serving lines, what foods constitute unit priced reimbursable meals <a href="#">7 C.F.R. § 210.10(a)(2)</a>.</p>	<p>The school district shall provide nutrition promotion and education programs as required by state law and regulations of the State Board of Education. In particular, the district shall provide a nutrition component in its Comprehensive Health Education program and shall develop curricular programs intended to accomplish applicable goals enumerated in the Vermont Education Quality Standards. <i>[Corresponds to VSBA Model Local Wellness Policy Section 1a]</i></p> <p>Nutrition education and promotion programs shall be conducted by appropriately licensed staff members. <i>[Corresponds to VSBA Model Local Wellness Policy Section 1b]</i></p> <p>To the extent practicable, nutrition education and promotion shall be integrated into core curricula in areas such as science and family and consumer science courses. <i>[Corresponds to VSBA Model Local Wellness Policy Section 1d]</i></p> <p>The superintendent or designee is responsible for ensuring that schools identify, near or at the beginning of serving lines, what foods constitute unit priced reimbursable meals. <i>[Corresponds to VSBA Model Local Wellness Policy - Administrative Responsibility #7]</i></p> <p><b>NOTE: This language is also reflected in the Evaluation of Nutrition Services section</b></p>
<p><b>Marketing/Promotion</b></p> <p>Policies for food and beverage marketing that allow marketing and advertising of only those foods and beverages that meet the smart snacks and school nutrition standards.</p>	<p>The district will limit food and beverage marketing to the promotion of only those foods and beverages that meet the USDA Smart Snacks in School nutrition standards on school campus. <i>[Corresponds to VSBA Model Local Wellness Policy Section 1c]</i></p>

## Physical Education

See [Supports and Resources for Physical Education](#) for LWP implementation resource links and supports.

Legal Requirement	Model Policy Language
<p><a href="#">16 V.S.A. § 136(a)(1, 4)</a>  <i>(4) "Physical education program" means a sequential, developmentally appropriate program that is an enjoyable experience for students and is designed to help students develop the knowledge, skill, self-management skill, attitudes, and confidence needed to adopt and maintain physical fitness throughout their lives.</i></p> <p><a href="#">16 V.S.A. § 906</a>  <i>(3) physical education and comprehensive health education including the effects of tobacco, alcoholic drinks, and drugs on the human system and on society.</i></p> <p><a href="#">Act 77 § 941</a> Curriculum: <i>Physical education curriculum shall include flexible pathways and personalized learning plans.</i></p> <p><a href="#">EQS Rule Series 2000</a></p> <ul style="list-style-type: none"> <li>• <b>EQS Rule 2120.2 Curriculum and Assessment.</b> <i>Provide students the opportunity to experience learning through flexible and multiple pathways... Learning must occur under the supervision of an appropriately licensed educator and aligned with state expectations and standards.</i></li> <li>• <b>EQS Rule 2120.5 Curriculum:</b> <i>Each supervisory union board shall ensure the written and delivered curriculum within their supervisory union is aligned with the standards approved by the State Board of Education. Each school shall enable students to engage annually in rigorous, relevant and comprehensive learning opportunities that allows them to demonstrate proficiency in... e. <b>physical education</b> and health education as defined in 16 V.S.A. §131;</i></li> <li>• <b>EQS Rule 2120.6. Curriculum Coordination:</b> <i>As required in 16 V.S.A. §261a(a)(1), the board of each supervisory union shall ensure that each school implements the supervisory union's written and delivered curriculum, which shall be a. aligned with the standards approved by the State Board of Education; b. coordinated across all grades to prepare students for graduation; c. coordinated across the supervisory union, including sending high schools and technical centers; d. informed by ongoing review of new research, changing learning opportunities, and updates to the standards approved by the State Board of Education; e. designed to enable all students to achieve the graduation requirements; and f. integrated with technology across all disciplines.</i></li> </ul> <p><a href="#">State Adopted Physical Education Standards</a></p>	<p>The superintendent or designee is responsible for ensuring that the district complies with applicable state law and regulations governing the provision of and access to physical activity, <b>physical education</b>, and comprehensive health education as set forth in 16 V.S.A. § 136, 16 V.S.A. § 906, 16 V.S.A. § 941, and Education Quality Standard Rules (Series 2000).  <b>[Corresponds to VSBA Model Local Wellness Policy - Administrative Responsibility #5]</b></p>

Legal Requirement	Model Policy Language
<p><a href="#">16 V.S.A. § 2902</a> <i>Adapted Physical Education: Physical education shall be considered in design of an educational support that enables each student to access the general curriculum.</i></p>	<p>The district shall ensure that physical education is designed to enable all students, including those who may need adapted physical education, to engage annually in rigorous, relevant, and comprehensive learning opportunities that allow them to demonstrate proficiency in Physical education. <i>[Corresponds to VSBA Model Local Wellness Policy Section 3b]</i></p>
<p><a href="#">16 V.S.A. §1692</a> <b>Requirement as to license.</b>  <a href="#">EOS Rule 2121.2 Staff.</a> <i>As required in 16 V.S.A. §1692, all professional staff shall be licensed and appropriately endorsed for their assignment. All classroom staff, including educational support personnel, shall have had adequate academic preparation and training to teach or provide services in the area to which they are assigned. Each school shall employ instructional and administrative staff members who possess the knowledge and skills to implement the standards in alignment with professional educator standards established by the Vermont Standards Board for Professional Educators.</i></p>	<p>The district shall ensure that teacher licensure, professional development, and staff and program evaluation complies with state laws and regulations. <i>[Corresponds to VSBA Model Local Wellness Policy Section 3c]</i></p>
<p><a href="#">EOS Rule 2121.3</a> <b>Needs Based Professional Learning.</b> <i>Each supervisory union shall develop and implement a system of appropriate needs-based professional learning for all professional staff, including administrators and other staff involved in student instruction, as required in 16 V.S.A. §261a(a)(5).</i></p>	<p>The district shall ensure that teacher licensure, professional development, and staff and program evaluation complies with state laws and regulations. <i>[Corresponds to VSBA Model Local Wellness Policy Section 3c]</i></p>
<p><a href="#">EOS Rule 2121.4</a> <b>Staff Evaluation.</b> <i>Staff evaluation programs and policies shall be designed and implemented with the goal of improved student outcomes.</i></p>	<p>The district shall ensure that teacher licensure, professional development, and staff and program evaluation complies with state laws and regulations. <i>[Corresponds to VSBA Model Local Wellness Policy Section 3c]</i></p>

## Physical Activity

See [Supports and Resources for Physical Activity](#) for LWP implementation resource links and supports..

Legal Requirement	Model Policy Language
<p><a href="#">16 V.S.A. § 136(a)(1, 3)</a>  <i>(3) "Physical activity program" means a program that includes, in addition to regular physical education classes, minimum daily physical activity for each student provided through activities such as recess and other recreation periods, and participation in athletics either during or after regular school hours. "Physical activity" means moderate and vigorous physical activities.</i></p> <p><a href="#">EQS Rule Series 2000</a>  <b>EQS Rule 2120.5</b> <i>Each school shall offer options for students in grades K-12 to participate in at least 30 minutes of physical activity within or outside of the school day. Physical activity may include recess and movement built into the curriculum, but does not replace physical education classes</i></p>	<p>The superintendent or designee is responsible for ensuring that the district complies with applicable state law and regulations governing the provision of and access to <b>physical activity</b>, physical education, and comprehensive health education as set forth in 16 V.S.A. § 136, 16 V.S.A. § 906, 16 V.S.A. § 941, and Education Quality Standard Rules (Series 2000). <i>[Corresponds to VSBA Model Local Wellness Policy - Administrative Responsibility #5]</i></p> <p>The district shall offer opportunities for students in grades K-12 to participate in at least 30 minutes of physical activity within or outside of the school day. Physical activity may include recess and movement built into the curriculum but does not replace physical education classes. <i>[Corresponds to VSBA Model Local Wellness Policy 3a]</i></p>

## Comprehensive Health Education

See [Supports and Resources for Comprehensive Health Education](#) for LWP implementation resource links and supports..

Legal Requirement	Model Policy Language
<p><b>16 V.S.A. § 131 Comprehensive Health Education</b> <i>Comprehensive health education means a systemic and extensive elementary and secondary educational program designed to provide a variety of learning experiences based upon knowledge of the human organism as it functions within its environment.</i></p> <ol style="list-style-type: none"> <li>(1) <b>Body structure and function</b>, including the physical, psychosocial, and psychological basis of human development, sexuality, and reproduction.</li> <li>(2) <b>Community health</b>, to include environmental health, pollution, public health, and world health.</li> <li>(3) <b>Safety</b>, including: (A) first aid, disaster prevention, and accident prevention; and (B) information regarding and practice of compression-only cardiopulmonary resuscitation and the use of automated external defibrillators.</li> <li>(4) <b>Disease</b>, such as HIV infection, other sexually transmitted diseases, as well as other communicable diseases, and the prevention of disease.</li> <li>(5) <b>Family health and mental health</b>, including instruction that promotes the development of responsible personal behavior involving decision making about sexual activity, including abstinence; skills that strengthen existing family ties involving communication, cooperation, and interaction between parents and students; and instruction to aid in the establishment of strong family life in the future, thereby contributing to the enrichment of the community; and that promotes an understanding of depression and the signs of suicide risk in a family member or fellow student that includes how to respond appropriately and seek help and provides an awareness of the available school and community resources such as the local suicide crisis hotline.</li> <li>(6) <b>Personal health habits</b>, including dental health.</li> <li>(7) <b>Consumer health</b>, including health careers, health costs, and utilizing health services.</li> <li>(8) <b>Human growth and development</b>, including understanding the physical, emotional, and social elements of individual development and interpersonal</li> </ol>	<p>The superintendent or designee shall ensure the development and delivery of comprehensive health education as required by state law (currently 16 V.S.A. § 131, 16 V.S.A. § 906(3), 16 V.S.A. § 909) and Education Quality Standards Rules (Series 2000), Pupils Rules (Series 4000) (as specified), and in coordination with expectations delineated in 16 V.S.A §132 and Act 151 of 2012.  <b>[Corresponds to VSBA Model Local Wellness Policy 4a]</b></p> <p>In addition to health education courses, the superintendent or designee may consider the promotion and integration of health education throughout the school day and within various curricular areas. This will be done to the extent practicable, under the supervision of the superintendent or designee, and aligned with state rules and standards.  <b>[Corresponds to VSBA Model Local Wellness Policy 4b]</b></p>

Legal Requirement	Model Policy Language
<p><i>relationships, including instruction in parenting methods and styles. This shall include information regarding the possible outcomes of premature sexual activity, contraceptives, adolescent pregnancy, childbirth, adoption, and abortion.</i></p> <p><b>(9) Drugs, including education about alcohol, caffeine, nicotine, and prescribed drugs.</b></p> <p><b>(10) Nutrition.</b> (See, also, above sections of Local Wellness Policy Guide)</p> <p><b>(11) How to recognize and prevent sexual abuse and sexual violence, including developmentally appropriate instruction about promoting healthy and respectful relationships, developing and maintaining effective communication with trusted adults, recognizing sexually offending behaviors, and gaining awareness of available school and community resources. An employee of the school shall be in the room during the provision of all instruction or information presented under this subdivision</b></p> <p><a href="#">16 V.S.A. § 132</a> <i>Secondary schools; provision of contraceptives.</i> In order to prevent or reduce unintended pregnancies and sexually transmitted diseases, each school district shall make condoms available to all students in its secondary schools, free of charge. School district administrative teams, in consultation with school district nursing staff, shall determine the best manner in which to make condoms available to students. At a minimum, condoms shall be placed in locations that are safe and readily accessible to students, including the school nurse's office.</p> <p><a href="#">Act 151 of 2012</a> requires that information regarding and practice of compression-only cardiopulmonary resuscitation and the use of automated external defibrillators becomes a part of comprehensive health education.</p> <p><a href="#">16 V.S.A. § 906 (3)</a> <i>(Course of Study (3) physical education and comprehensive health education, including the effects of tobacco, alcoholic drinks, and drugs on the human system and on society)</i></p> <p><a href="#">16 V.S.A § 909</a> (Tobacco Use/Drug Use Prevention)</p> <p><a href="#">EQS Rule Series 2000</a></p> <ul style="list-style-type: none"> <li>• <b>EQS Rule 2120.2 Curriculum and Assessment.</b> <i>Provide students the opportunity to experience learning through flexible and multiple pathways... Learning must occur under the supervision of an appropriately licensed educator and aligned with state expectations and standards.</i></li> </ul>	

Legal Requirement	Model Policy Language
<ul style="list-style-type: none"> <li>• <b>EQS Rule 2120.5 Curriculum:</b> <i>Each supervisory union board shall ensure the written and delivered curriculum within their supervisory union is aligned with the standards approved by the State Board of Education. Each school shall enable students to engage annually in rigorous, relevant and comprehensive learning opportunities that allows them to demonstrate proficiency in... e. physical education and <b>health education</b> as defined in 16 V.S.A. §131 [...]</i></li> <li>• <b>EQS Rule 2120.6. Curriculum Coordination:</b> <i>As required in 16 V.S.A. §261a(a)(1), the board of each supervisory union shall ensure that each school implements the supervisory union’s written and delivered curriculum, which shall be a. aligned with the standards approved by the State Board of Education; b. coordinated across all grades to prepare students for graduation; c. coordinated across the supervisory union, including sending high schools and technical centers; d. informed by ongoing review of new research, changing learning opportunities, and updates to the standards approved by the State Board of Education; e. designed to enable all students to achieve the graduation requirements; and f. integrated with technology across all disciplines.</i></li> <li>• <b>EQS Rule 2121.5. Tiered System of Support.</b> <i>[...] School counseling services shall support the mission and vision of the school and shall be available to all students K-12. <b>The services shall address students’ academic, career, personal and social development. Such services shall be aligned and integrated with the work of other professionals in the school setting, as well as those in other educational and human services.</b> [...] Health services, including health appraisal and counseling, communicable disease control, mental health, and emergency and first aid care, shall be made available in a confidential manner to students in each school. <b>These health services shall be delivered in accordance with the school district’s written policies and procedures, which shall be developed in collaboration with parents and community health resources.</b> The Vermont Department of Health recommends that schools and supervisory unions implement the School Nurse Leader School Health Services Delivery Model, which is consistent with the principles of the national Coordinated School Health Model, to ensure appropriate access and coverage across their district or supervisory union.</i></li> </ul> <p><a href="#">State-Adopted Health Education Standards and Sexual Health Education Standards:</a></p>	

Legal Requirement	Model Policy Language
<p><a href="#">16 V.S.A. §1692</a> Requirement as to license.</p> <p><a href="#">Licensing Rules</a> (p. 125)</p> <p><a href="#">EQS Rule Series 2000</a></p> <ul style="list-style-type: none"> <li>• <b>EQS Rule 2121.2_ Staff.</b> <i>As required in 16 V.S.A. §1692, all professional staff shall be licensed and appropriately endorsed for their assignment. All classroom staff, including educational support personnel, shall have had adequate academic preparation and training to teach or provide services in the area to which they are assigned. Each school shall employ instructional and administrative staff members who possess the knowledge and skills to implement the standards in alignment with professional educator standards established by the Vermont Standards Board for Professional Educators.</i></li> <li>• <b>EQS Rule 2121.3 Needs Based Professional Learning.</b> <i>Each supervisory union shall develop and implement a system of appropriate needs-based professional learning for all professional staff, including administrators and other staff involved in student instruction, as required in 16 V.S.A. §261a(a)(5).</i></li> <li>• <b>EQS Rule 2121.4_ Staff Evaluation.</b> <i>Staff evaluation programs and policies shall be designed and implemented with the goal of improved student outcomes.</i></li> </ul>	<p>The district shall ensure that teacher licensure, professional development, and staff and program evaluation complies with state laws and regulations.</p> <p><i>[Corresponds to VSBA Model Local Wellness Policy Section 4c]</i></p>

## OPTIONAL - Other School-based Activities to Promote Wellness

[Corresponds to VSBA Model Local Wellness Policy #5]

See [Supports and Resources for Other Wellness](#) for LWP implementation resource links and supports.

School-Based Activity to Promote Wellness/ Legal Citation (where applicable)	Optional Model Policy Language
Community health promotion and engagement	The school or SU/District will partner with_____ (e.g., CBO, healthcare provider, university, local business) to provide resources, environmental approaches, and/or social and behavioral programs for parents/caregivers, families, and the general community to engage in healthy eating and physical activity.
Staff wellness	<ul style="list-style-type: none"> <li>• The Local Wellness Team will have a staff wellness subcommittee that focuses on staffwellness issues, identifies and disseminateswellness resources, and performs other functions that support staff wellness in coordination with human resources staff.</li> <li>• The District will use the Vermont Departmentof Health <u>healthy food guidelines</u> for all events with available food options</li> <li>• The District will create a workplace environment that provides a space and supports and respects a woman’s decision to breastfeed and/or pump during the school day</li> </ul>
Dental Care	The Local Wellness Team will encourage students and their families to establish and access their dental home to received age- specific comprehensive oral health care annually, as recommended by the American Academy of Pediatrics’, Bright Futures – Guidelines for Health Supervision of Infants, Children, and Adolescents, and the American Academy of Pediatric Dentistry.
Well Care Visits	The Local Wellness Team will encourage students and their families to establish andaccess their medical home to receive age- specific health supervision visits (Well care visits) annually, as recommended by the American Academy of Pediatrics’, Bright Futures – Guidelines for Health Supervision of Infants, Children, and Adolescents.

School-Based Activity to Promote Wellness/ Legal Citation (where applicable)	Optional Model Policy Language
<p><b>Farm to School Programs</b> 6 V.S.A. § 4721.</p> <p>There is created in the Agency of Agriculture, Food and Markets (VAAFAM) the Rozo McLaughlin Farm to School program to award local grants for the purpose of helping Vermont schools develop food, farm, nutrition, and garden curriculum, changes in cafeteria infrastructure and preparation of local foods, and to build relationships with their communities, particularly local farmers and producers. <a href="#">Farm to School Grant Program</a></p>	<ul style="list-style-type: none"> <li>• Whenever possible, schools shall collaborate with the greater community, to establish a farm to school program.</li> <li>• When planning a farm to school program, schools shall incorporate the three C's - community, classroom and cafeteria - into all plans.</li> <li>• When designing a farm to school activity, there shall be a large diversity of activities associated with the program including, but not limited to taste-tests, farm visits when possible, cooking classes, school gardening, agricultural curriculum and school food program development.</li> <li>• Schools shall work with USDA Farm to School on learning how to incorporate local food into school meals, while also following procurement policies.</li> <li>• In the interest of incorporating seasonally appropriate, Vermont grown foods, school food service shall use Harvest of the Month programming.</li> <li>• Schools shall work with FEED and other regional farm to school nonprofits to complete farm to school evaluation rubric and growth chart.</li> </ul>

## Other Existing School Policies Related to Wellness

Legal Reference	Existing Policy Connection(s)
<p><a href="#">16 V.S.A. 1165(c)</a></p> <p><i>(c) Each school district shall adopt its own policy consistent with the State Board’s rules setting forth recommended procedures for education; referral for treatment, counseling, and rehabilitation; and standards consistent with due process of law for discipline, suspension, or dismissal of students in accordance with section 1162 of this title. Nothing in this section is intended to mandate local school districts to employ counselors for treatment or rehabilitation.</i></p> <p><a href="#">State Board Rule Series 4000</a></p> <p><b>4212 Policy Requirements.</b> School districts shall adopt an alcohol and drug abuse policy which shall contain the following:</p> <p><b>4212.1 Statement of Philosophy.</b> This policy shall be concerned with the health and well-being of all students and the policy shall take into consideration the individual needs of students with problems as well as the right of the majority of students to an education.</p> <p><b>4212.2 Education Program.</b> The policy shall define an educational program consistent with the Vermont Alcohol and Drug Education Curriculum Plan.</p> <p><b>4212.3 Support and Referral Systems and Cooperative Agreements.</b> The policy shall provide for a support and referral system for students in distress due to their own or another's use of alcohol or other drugs. Such a system shall include both a clearly defined in-school process for initial assessment, support, and if necessary, referral to community resources of such students, and a written referral agreement with at least one community substance abuse treatment provider approved by the Office of Alcohol and Drug Abuse Programs. Such an agreement should define the process for making an effective referral and the nature and extent of information to be provided during and after such a referral to all parties involved.</p> <p><b>4212.3A Immediate Procedures.</b> The policy shall provide for the handling of any alcohol/drug-related incident until the student has been discharged to the parent, guardian, social service, medical or law enforcement agency.</p> <p><b>4212.3B Emergency.</b> The school district policy shall establish procedures for administering emergency first-aid related to alcohol and drug abuse. The procedures will define the roles of the personnel involved.</p>	<p>16 V.S.A. 1165(c) and State Board Rule 4212 require that school districts adopt an alcohol and drug abuse policy which contains a statement of philosophy, an educational program consistent with the Vermont Alcohol and Drug Education Plan, a support and referral system, immediate procedures for handling student alcohol and drug incidents, and procedures for administering emergency first-aid related to alcohol and drug use. VSBA members can find a <a href="#">model Student Drug and Alcohol policy</a> on the Vermont School Boards Association website.</p>

## Appendix A

### Vermont Local Wellness Policy Guide Legal References

#### Federal References

##### [USC Title 42 - The Public Health and Welfare](#)

[1758](#) – Local School Wellness Policy

##### [CFR Title 7 - Agriculture](#)

[7 CFR 210-249](#) – Child Nutrition Programs

[7 CFR 210](#) – National School Lunch Program

[7 CFR 210.10](#) – Meal Requirements for Lunches and Requirements for Afterschool Snacks

[7 CFR 210.11](#) – Competitive Food Service and Standards

[7 CFR 210.13](#) – Facilities Management

[7 CFR 210.18](#) – Administrative Reviews

[7 CFR 210.21](#) – Procurement

[7 CFR 210.30](#) – School Nutrition Program Professional Standards (see [NSLP Professional Standards](#))

[7 CFR 210.31](#) – Local School Wellness Policy

[7 CFR 220](#) – School Breakfast Program

[7 CFR 220.8](#) – Meal Requirements for Breakfasts

##### [Healthy, Hunger-Free Kids Act of 2010](#)

#### Vermont References

[Act 66 – An Act Relating to Making Miscellaneous Changes in Education Laws](#)

[Act 77 – An Act Relating to Encouraging Flexible Pathways to Secondary School Completion](#)

[Act 151 – An Act Relating to Requiring Cardiovascular Care Instruction in Public and Independent Schools](#)

[Act 173 – An act relating to enhancing the effectiveness, availability, and equity of services provided to students who require additional support.](#)

##### [Vermont Statutes - Title 6 Agriculture](#)

[6 V.S.A. 4721](#) – Local Foods Grant Program

### **Vermont Statutes - Title 16 Education**

[16 V.S.A 131](#) – Comprehensive Health Education: Definition

[16 V.S.A 132](#) – Comprehensive Health Education: Secondary Schools, Provision of Contraceptives

[16 V.S.A 134](#) – Religious Exemption

[16 V.S.A 136](#) – Wellness Program; Advisory Council on Wellness and Comprehensive Health

[16 V.S.A 165](#) – Education Quality Standards; Equal Educational Opportunities; Independent School Meeting Education Quality Standards

[16 V.S.A. 261\(a\)](#) – Duties of Supervisory Union Board

[16 V.S.A 906](#) – Public Schools Generally: Course of Study

[16 V.S.A 909](#) – Tobacco Use, Alcohol and Drug Abuse Prevention Education Curriculum

[16 V.S.A 941](#) – Flexible Pathways To Secondary School Completion

[16 V.S.A. 1165](#) – Alcohol and Drug Abuse

[16 V.S.A 1264](#) – School Food Programs

[16 V.S.A. 1692](#) – Examination and Licensing of Teachers

[16 V.S.A 2902](#) – Tiered Systems of Support and Educational Support Team

### **Education Quality Standards - Series 2000**

[2120.2](#) – Flexible Pathways

[2120.5](#) – Curriculum Content

[2120.6](#) – Curriculum Coordination

[2121.2](#) – Staff

[2121.3](#) – Needs Based Professional Learning

[2121.4](#) – Staff Evaluation

[2125](#) – Continuous Improvement Plan

## Education Quality Standards - Series 4000

[4212](#) – Policy Requirements

[4212.1](#) – Statement of Philosophy

[4212.2](#) – Education Program

[4212.3](#) – Support and Referral Systems and Cooperative Agreements

[4212.3A](#) – Immediate Procedures

[4212.3B](#) – Emergency

## State Board Adopted Health Education Standards

## State Board Adopted Physical Education Standards