

By Senator Wilson

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1 A bill to be entitled

2 An act relating to school wellness and physical education  
3 policies; amending s. 1003.453, F.S.; revising each school  
4 district's requirement for reviewing its wellness and  
5 physical education policies; providing specific guidelines  
6 for a school district's wellness and physical education  
7 policies with regard to nutrition education, physical  
8 activity, school-based activities, and nutritional  
9 guidelines for food and beverages sold or served on  
10 campus; requiring the Department of Education to designate  
11 the superintendent of each school district as responsible  
12 for implementing and administering the wellness and  
13 physical education policies of the school district;  
14 prohibiting guidelines for reimbursable school meals from  
15 being less restrictive than certain federal regulations  
16 and guidelines; requiring the superintendent to report on  
17 the school district's compliance to the department;  
18 providing an effective date.

19  
20 WHEREAS, the Legislature recognizes that good nutrition and  
21 regular physical activity affect the health and well-being of  
22 students who attend public school in this state, and

23 WHEREAS, research suggests that there is a positive  
24 correlation between a student's health and well-being and his or  
25 her ability to learn, and

26 WHEREAS, schools can play an important role in the  
27 developmental process by which students establish their health  
28 and nutrition habits by providing nutritious meals and snacks  
29 through the schools' meal programs, by supporting the development

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30 of good eating habits, and by promoting increased physical  
31 activity both in and out of school, and

32 WHEREAS, the Legislature finds that this effort to support  
33 the students' development of healthy behaviors and habits with  
34 regard to eating and exercise cannot be accomplished by public  
35 schools alone, and

36 WHEREAS, it is necessary for not only the staff, but also  
37 parents and the public at large to be involved in a community-  
38 wide effort to promote, support, and model such healthy behaviors  
39 and habits, NOW, THEREFORE,

40

41 Be It Enacted by the Legislature of the State of Florida:

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43 Section 1. Subsection (1) of section 1003.453, Florida  
44 Statutes, is amended, and subsections (5), (6), (7), (8), and (9)  
45 are added to that section, to read:

46 1003.453 School wellness and physical education policies;  
47 nutrition guidelines.--

48 (1) By September 1, 2008 ~~2006~~, each school district shall  
49 submit to the Department of Education a copy of its school  
50 wellness policy as required by the Child Nutrition and WIC  
51 Reauthorization Act of 2004 and a copy of its physical education  
52 policy required under s. 1003.455. ~~Each school district shall~~  
53 ~~annually review its school wellness policy and physical education~~  
54 ~~policy and provide a procedure for public input and revisions.~~ In  
55 addition, each school district shall send an updated copy of its  
56 wellness policy and physical education policy to the department  
57 when a change or revision is made.

58 (5) Each school district shall set the following wellness

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59 policy and physical education policy in an effort to enable  
60 students to establish good health and nutrition habits:

61 (a) With regard to nutrition education, each school  
62 district shall:

63 1. Include nutrition education in the health curriculum  
64 which is enjoyable and has activities that are developmentally  
65 appropriate and integrated throughout the year. Instruction shall  
66 be sequential and standard-based and shall provide students with  
67 the knowledge, attitudes, and skills necessary to lead healthy  
68 lives.

69 2. Extend nutrition education beyond the classroom by  
70 engaging and involving the school's food service staff and by  
71 using the school cafeteria as a "learning lab" that allows  
72 students to apply the knowledge, attitudes, and skills taught in  
73 the classroom when making choices at mealtime.

74 3. Extend nutrition education beyond the school by engaging  
75 and involving the students' families and the community.

76 4. Promote standards and benchmarks for nutrition education  
77 through a variety of media.

78 5. Inform all staff of and provide appropriate training to  
79 selected staff in the best practices of nutrition education.

80 (b) With regard to physical activity, each school district  
81 shall:

82 1. Provide a physical education curriculum that is aligned  
83 with the state standards and the standards of the National  
84 Association for Sport and Physical Education, inclusive, and that  
85 is sequentially planned in order to teach the knowledge, skills,  
86 and attitudes necessary to live an active, healthy life.

87 2. Provide 225 minutes of physical education per week for

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88 grades 6 through 8.

89 3. Require a mandatory recess for elementary schools of 15  
90 to 30 minutes which consists of physical activity on the days  
91 students do not have physical education class.

92 4. Offer opportunities for extracurricular activities and  
93 intramural programs that emphasize physical activities for  
94 students in grades 6 through 12.

95 5. Provide a curriculum that includes moderate to vigorous  
96 daily physical activity in kindergarten through grade 12 beyond  
97 the school day.

98 6. Provide families with information to encourage and  
99 assist them in their efforts to incorporate physical activity  
100 into their children's daily lives.

101 7. Encourage the establishment of community and business  
102 partnerships that institute programs supporting physical activity  
103 programs.

104 (c) With regard to other school-based activities, each  
105 school district shall:

106 1. Assist each school in establishing a wellness committee  
107 to help coordinate physical activity, nutrition, and other  
108 aspects of student and staff wellness. The wellness committee may  
109 include parents, students, teachers, a school nurse, physical  
110 education teachers, health teachers, career service  
111 representatives, or members of the school administration.

112 2. Provide resources for staff to improve their own  
113 personal health and wellness on site and provide incentives,  
114 including, but not limited to, a decrease in insurance premiums,  
115 bonuses, and teacher recognitions to enable staff to be good role  
116 models for the students in promoting student wellness.

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117 3. Communicate to the parents students' information  
118 concerning nutrition education, the benefits of physical  
119 activity, and specific information concerning their children's  
120 health, including body mass index (BMI).

121 4. Assist schools in offering healthy options for food or  
122 beverages at fundraising activities, at school-sponsored events,  
123 and during field trips.

124 5. Mandate that schools use food or beverages that meet the  
125 recommended nutrition standards for purposes of snacks,  
126 celebrations, and rewards and to look for alternative methods for  
127 classroom make-up time and discipline other than those that deny  
128 students the opportunity to participate in recess or other  
129 physical activities.

130 6. Assist schools in providing at least 15 minutes for  
131 breakfast and at least 20 minutes for lunch from the time the  
132 students receive their food.

133 (d) With regard to nutrition guidelines for all foods  
134 available on campus during the school day, the school district  
135 shall:

136 1. Provide to all students affordable access to the varied  
137 and nutritious foods that they need in order to be healthy and to  
138 learn through each school's food service department.

139 2. Require that food and beverages sold or served to  
140 students meet the nutritional recommendations of the current  
141 Dietary Guidelines for Americans published by the United States  
142 Department of Agriculture and the Coalition for Healthy Kids.

143 3. Require that all foods available to students be served  
144 with consideration for promoting student health and well-being.

145 4. Require that the food service department prepare and

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146 distribute to staff, parents, and after-school program personnel  
147 a list of snack items that comply with the current Dietary  
148 Guidelines for Americans.

149 (e) All foods and beverages served or sold in each school  
150 district must meet the following specific guidelines that must be  
151 applied campus-wide:

152 1. Beverages:

153 a. Must be single-serving size, excluding milk and water.

154 b. May not be diet soda.

155 c. May not contain caffeine.

156 d. Must be listed in the school beverage guidelines

157 provided by the American Beverage Association, excluding flavored  
158 milk, pending availability.

159 2. Foods in snack machines must:

160 a. Be limited to 250 calories per serving.

161 b. Have a limited amount of fat, 35 percent of the total  
162 calories, excluding nuts and seeds.

163 c. Contain no more than 10 percent of the total calories  
164 from saturated fats.

165 d. Have no more than 35 percent of the snack food's weight  
166 derived from sugars, excluding fruits and vegetables.

167 e. Contain no more than 250 mg of sodium per serving.

168 f. Not contain any trans fats.

169 3. Each school shall eliminate frying equipment from its  
170 kitchen.

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172 Parents and boosters are encouraged to follow these guidelines.

173 (6) The department shall designate the superintendent of  
174 each school district as the individual charged with operational

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175 responsibility for measuring and evaluating the school district's  
176 implementation and progress in implementing the policies  
177 specified in subsection (5). The superintendent shall develop  
178 administrative procedures necessary to implement and administer  
179 the policies specified in subsection (5).

180 (7) Guidelines for reimbursable school meals may not be  
181 less restrictive than regulations and guidelines issued by the  
182 United States Department of Agriculture.

183 (8) The superintendent of each school district shall report  
184 on the school district's compliance with the policies specified  
185 in subsection (5) and the progress toward achieving the goals set  
186 forth in these policies when requested to do so by the  
187 department.

188 (9) A review of each school district's wellness policy and  
189 physical education policy shall be conducted each year by a  
190 district wellness committee appointed by the superintendent which  
191 consists of one or more representatives from the school board,  
192 the administration, the food service department, the parents, the  
193 students, and the public. The committee shall provide the  
194 superintendent with any recommended changes to the policies  
195 specified in subsection (5).

196 Section 2. This act shall take effect July 1, 2008.