

By Senator Wilson

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

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

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

28 WHEREAS, schools can play an important role in the
29 developmental process by which students establish their health

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30 and nutrition habits by providing nutritious meals and snacks
 31 through the schools' meal programs, by supporting the
 32 development of good eating habits, and by promoting increased
 33 physical activity both in and out of school, and

34 WHEREAS, the Legislature finds that this effort to support
 35 students in developing healthy behaviors and habits with regard
 36 to eating and exercise cannot be accomplished by public schools
 37 alone, and

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

42
 43 Be It Enacted by the Legislature of the State of Florida:

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

48 1003.453 School wellness and physical education policies;
 49 nutrition guidelines.—

50 (1) By September 1, 2009 ~~2006~~, each school district shall
 51 submit to the Department of Education a copy of its school
 52 wellness policy as required by the Child Nutrition and WIC
 53 Reauthorization Act of 2004 and a copy of its physical education
 54 policy required under s. 1003.455. ~~Each school district shall~~
 55 ~~annually review its school wellness policy and physical~~
 56 ~~education policy and provide a procedure for public input and~~
 57 ~~revisions.~~ In addition, each school district shall send an
 58 updated copy of its wellness policy and physical education

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59 policy to the department when a change or revision is made.

60 (5) Each school district shall set the following wellness
61 policy and physical education policy in an effort to enable
62 students to establish good health and nutrition habits:

63 (a) With regard to nutrition education, each school
64 district shall:

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

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

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

78 4. Promote standards and benchmarks for nutrition education
79 through a variety of media.

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

82 (b) With regard to physical activity, each school district
83 shall:

84 1. Provide a physical education curriculum that is aligned
85 with the state standards and the standards of the National
86 Association for Sport and Physical Education, inclusive, and
87 that is sequentially planned in order to teach the knowledge,

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88 skills, and attitudes necessary to live an active, healthy life.

89 2. Provide 225 minutes of physical education per week for
90 grades 6 through 8.

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

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

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

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

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

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

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

114 2. Provide resources for staff to improve their own
115 personal health and wellness on site and provide incentives,
116 including, but not limited to, a decrease in insurance premiums,

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117 bonuses, and teacher recognitions to enable staff to be good
118 role models for students in promoting student wellness.

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

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

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

132 6. Assist schools in providing at least 15 minutes for
133 students to eat breakfast and at least 20 minutes for students
134 to eat lunch from the time the students receive their food.

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

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

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

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- 146 3. Require that all foods made available to students
147 promote student health and well-being.
- 148 4. Require that each school food service department prepare
149 and distribute to staff, parents, and after-school program
150 personnel a list of snack items that comply with the current
151 Dietary Guidelines for Americans.
- 152 (e) All foods and beverages served or sold in each school
153 district must meet the following specific guidelines that must
154 be applied campus-wide:
- 155 1. Beverages:
- 156 a. Must be single-serving size, excluding milk and water.
157 b. May not be diet soda.
158 c. May not contain caffeine.
159 d. Must be listed in the school beverage guidelines
160 provided by the American Beverage Association, excluding
161 flavored milk, pending availability.
- 162 2. Foods in snack machines must:
- 163 a. Be limited to 250 calories per serving.
164 b. Have a limited amount of fat, 35 percent of the total
165 calories, excluding nuts and seeds.
166 c. Contain no more than 10 percent of the total calories
167 from saturated fats.
168 d. Have no more than 35 percent of the snack food's weight
169 derived from sugars, excluding fruits and vegetables.
170 e. Contain no more than 250 mg of sodium per serving.
171 f. Not contain any trans fats.
- 172 3. Each school shall eliminate frying equipment from its
173 kitchen.
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175 Parents and school booster associations are encouraged to follow
176 these guidelines.

177 (6) The department shall designate the superintendent of
178 each school district as the individual charged with operational
179 responsibility for measuring and evaluating the school
180 district's progress in implementing the policies specified in
181 subsection (5). The superintendent shall develop administrative
182 procedures necessary to implement and administer the policies
183 specified in subsection (5).

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

187 (8) Upon the request of the department, the superintendent
188 of each school district shall report on the district's
189 compliance with the policies specified in subsection (5) and the
190 progress made toward achieving the goals set forth in these
191 policies.

192 (9) The district school superintendent shall appoint a
193 district wellness committee that consists of one or more
194 representatives from the school board, the administration, the
195 food service department, the parents, the students, and the
196 public. The district wellness committee shall annually review
197 the district's wellness and physical education policies and
198 provide the superintendent with any recommended changes to the
199 policies specified in subsection (5).

200 Section 2. This act shall take effect July 1, 2009.