

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; requiring that the
20 superintendent appoint a district wellness committee
21 to review the district's wellness and physical
22 education policies and make recommendations; providing
23 an effective date.

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25 WHEREAS, the Legislature recognizes that good nutrition and
26 regular physical activity affect the health and well-being of
27 students who attend public school in this state, and

28 WHEREAS, research suggests that there is a positive
29 correlation between a student's health and well-being and his or

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30 her ability to learn, and

31 WHEREAS, schools can play an important role in the
32 developmental process by which students establish their health
33 and nutrition habits by providing nutritious meals and snacks
34 through school meal programs, by supporting the development of
35 good eating habits, and by promoting increased physical activity
36 both in and out of school, and

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

41 WHEREAS, it is necessary for school staff, parents, and the
42 public at large to be involved in a community-wide effort to
43 promote, support, and model these healthy behaviors and habits,
44 NOW, THEREFORE,

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

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

51 1003.453 School wellness and physical education policies;
52 nutrition guidelines.—

53 (1) By September 1, 2010 ~~2006~~, each school district shall
54 submit to the Department of Education a copy of its school
55 wellness policy as required by the Child Nutrition and WIC
56 Reauthorization Act of 2004 and a copy of its physical education
57 policy required under s. 1003.455. ~~Each school district shall~~
58 ~~annually review its school wellness policy and physical~~

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59 ~~education policy and provide a procedure for public input and~~
60 ~~revisions.~~ In addition, each school district shall send an
61 updated copy of its wellness policy and physical education
62 policy to the department when a change or revision is made.

63 (5) Each school district shall adopt the following wellness
64 and physical education policies in an effort to enable students
65 to establish good health and nutrition habits:

66 (a) With regard to nutrition education, each school
67 district shall:

68 1. Include engaging nutrition education in the health
69 curriculum that has developmentally appropriate activities that
70 are integrated throughout the year. Instruction shall be
71 sequential and standards-based and shall provide students with
72 the knowledge, attitudes, and skills necessary to lead healthy
73 lives.

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

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

81 4. Promote standards and benchmarks for nutrition education
82 through a variety of media.

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

85 (b) With regard to physical activity, each school district
86 shall:

87 1. Provide a physical education curriculum that is aligned

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88 with the state standards and the standards of the National
89 Association for Sport and Physical Education, inclusive, and
90 that is sequentially planned in order to teach the knowledge,
91 skills, and attitudes necessary to live an active, healthy life.

92 2. Provide 225 minutes of physical education per week for
93 grades 6 through 8.

94 3. For elementary schools, require a mandatory 15- to 30-
95 minute recess that consists of physical activity on the days
96 students do not have physical education class.

97 4. For students in grades 6 through 12, offer opportunities
98 for extracurricular activities and intramural programs that
99 emphasize physical activities.

100 5. For students in kindergarten through grade 12, provide a
101 curriculum that includes moderate to vigorous daily physical
102 activity beyond the school day.

103 6. Provide families with information to encourage and
104 assist them in their efforts to incorporate physical activity
105 into their children's daily lives.

106 7. Encourage the establishment of community and business
107 partnerships that institute programs supporting physical
108 activity.

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

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

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117 2. Provide on-site resources to assist staff in improving
118 their own personal health and wellness and provide incentives,
119 including, but not limited to, a decrease in insurance premiums,
120 bonuses, and teacher recognitions to enable staff to be good
121 role models for students in promoting student wellness.

122 3. Communicate information to parents on nutrition, the
123 benefits of physical activity, and specific information
124 concerning their children's health, including body mass index
125 (BMI).

126 4. Assist schools in offering healthy food and beverage
127 options at fundraising activities and school-sponsored events
128 and during field trips.

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

135 6. Assist schools in providing a period of at least 15
136 minutes for students to eat breakfast and at least 20 minutes
137 for students to eat lunch from the time the students receive
138 their food.

139 (d) With regard to nutrition guidelines for all foods
140 available on campus during the school day, the school district
141 shall:

142 1. Provide to all students through the school's food
143 service department affordable access to the varied and
144 nutritious foods that students need in order to be healthy and
145 learn.

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146 2. Require that food and beverages sold or served to
147 students meet the nutritional recommendations of the current
148 Dietary Guidelines for Americans published by the United States
149 Department of Agriculture and the Coalition for Healthy Kids.

150 3. Require that all foods made available to students
151 promote student health and well-being.

152 4. Require that each school food service department prepare
153 and distribute to staff, parents, and after-school program
154 personnel a list of snack items that comply with the current
155 Dietary Guidelines for Americans.

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

159 1. Beverages:

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

161 b. May not be diet soda.

162 c. May not contain caffeine.

163 d. Must be listed in the school beverage guidelines
164 provided by the American Beverage Association, excluding
165 flavored milk, pending availability.

166 2. Foods in snack machines must:

167 a. Be limited to 250 calories per serving.

168 b. Have a limited amount of fat, not to exceed 35 percent
169 of the total calories, excluding nuts and seeds.

170 c. Contain saturated fats at a level not exceeding 10
171 percent of the total calories.

172 d. Contain sugars at a level not exceeding 35 percent of
173 the snack food's weight, excluding fruits and vegetables.

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

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175 f. Not contain any trans fats.

176 3. Each school shall eliminate frying equipment from its
177 kitchen.

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179 Parents and school booster associations are encouraged to follow
180 these guidelines.

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

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

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

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

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Section 2. This act shall take effect July 1, 2010.