



General Assembly

Substitute Bill No. 357

February Session, 2004

* SB00357PH 030204 *

AN ACT CONCERNING CHILDHOOD OBESITY.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2004*) Each local and regional
2 board of education shall ensure that (1) each child in the schools under
3 its jurisdiction is provided with an opportunity for a lunch break that
4 is a minimum of twenty minutes every full school day, and (2) each
5 child in grades kindergarten to five, inclusive, in the schools under its
6 jurisdiction, has the opportunity for physical activity for a minimum of
7 twenty minutes every full school day or a minimum of one hundred
8 minutes every full school week, except that the planning and
9 placement team may develop a different schedule for a child requiring
10 special education and related services, in accordance with chapter 164
11 of the general statutes and the Individual With Disabilities Education
12 Act, 20 USC 1400 et seq., as may be amended from time to time.

13 Sec. 2. (NEW) (*Effective July 1, 2004*) On and after September 1, 2004,
14 each local and regional board of education shall require the schools
15 under its jurisdiction to make available for purchase dairy products,
16 including low-fat dairy products, water, one hundred per cent fruit
17 juices and fresh or dried fruit at all times when food or drink is
18 available for purchase in school buildings.

19 Sec. 3. Subsection (a) of section 10-266w of the general statutes is
20 repealed and the following is substituted in lieu thereof (*Effective July*

21 1, 2004):

22 (a) For each fiscal year, each local and regional board of education
23 having at least one school building designated as a severe need school,
24 as defined by federal law governing school nutrition programs, in the
25 fiscal year two years prior to the grant year, shall be eligible to receive
26 a grant to assist in providing school breakfasts to all students in each
27 eligible severe need school, provided any local or regional board
28 having at least one school building so designated shall participate in
29 the federal school breakfast program on behalf of all severe need
30 schools in the district with grades eight or under in which at least
31 [eighty] ~~forty~~ per cent of the lunches served are served to students who
32 are eligible for free or reduced price lunches pursuant to federal law
33 and regulations.

34 Sec. 4. (*Effective July 1, 2004*) (a) The Commissioner of Public Health
35 shall conduct a pilot program in three school districts to study the
36 inclusion of an assessment for diabetes in the health assessment
37 required for children prior to public school enrollment pursuant to
38 subsection (b) of section 10-206 of the general statutes. The
39 commissioner shall choose three local or regional school districts
40 which volunteer to participate in the pilot program, one of which shall
41 be a district in a large city, one a suburban district and one a rural
42 district.

43 (b) (1) Each school district participating in the pilot program shall
44 include on the health assessment form required pursuant to subsection
45 (b) of section 10-206 of the general statutes, a measurement of body
46 mass index-for-age and, when the body mass index-for-age percentile
47 is above a level determined by the commissioner, an assessment for all
48 types of diabetes. The assessment form in such school districts shall
49 include a table to determine the body mass index-for-age, the
50 percentile at which an assessment for diabetes is required, and a check
51 box to indicate a diabetes diagnosis.

52 (2) Each such district shall add the results of each assessment done

53 pursuant to this subsection to forms supplied by the State Board of
54 Education pursuant to subsection (d) of section 10-206 of the general
55 statutes. Such results shall be included in the cumulative health record
56 of each pupil and shall be kept on file in the school such pupil attends.
57 If a pupil permanently leaves the school district, the pupil's original
58 cumulative health record shall be sent to the superintendent of schools
59 in the school district to which such student moves. The board of
60 education transmitting such health record shall retain a true copy.
61 Each physician, advanced practice registered nurse, registered nurse,
62 or physician assistant performing health assessments and screenings
63 pursuant to this subsection shall completely fill out and sign each form
64 and any recommendations concerning the pupil shall be in writing.

65 (3) Appropriate school health personnel shall review the results of
66 each assessment and screening as recorded pursuant to subdivision (2)
67 of this subsection. When, in the judgment of such health personnel, a
68 pupil, as described in section 10-206a of the general statutes, is in need
69 of further testing or treatment, the superintendent of schools shall give
70 written notice to the parent or guardian of such pupil and shall make
71 reasonable efforts to assure that such further testing or treatment is
72 provided. Such reasonable efforts shall include a determination of
73 whether or not the parent or guardian has obtained the necessary
74 testing or treatment for the pupil, and, if not, advising the parent or
75 guardian on how such testing or treatment may be obtained. The
76 results of such further testing or treatment shall be recorded pursuant
77 to subdivision (2) of this subsection, and shall be reviewed by school
78 health personnel pursuant to this subdivision.

79 (c) Not later than January 1, 2005, each school district participating
80 in the pilot program shall file a report with the Commissioner of Public
81 Health, indicating (1) the ease of completing the expanded health
82 assessment form, (2) problems encountered in ensuring compliance
83 with the expanded health screening, and (3) the age, gender, race,
84 ethnicity and school of all children in each of the following groups: (A)
85 Screened, (B) assessed for diabetes, and (C) diagnosed with diabetes.

86 (d) Not later than February 15, 2005, the Commissioner of Public
87 Health shall submit, in accordance with section 11-4a of the general
88 statutes, to the joint standing committee of the General Assembly
89 having cognizance of matters relating to public health, the results of
90 the pilot program, and recommendations for continuing, expanding or
91 changing such program.

This act shall take effect as follows:	
Section 1	<i>July 1, 2004</i>
Sec. 2	<i>July 1, 2004</i>
Sec. 3	<i>July 1, 2004</i>
Sec. 4	<i>July 1, 2004</i>

Statement of Legislative Commissioners:

In subsection (c) of section 4, language was rewritten for clarity.

PH *Joint Favorable Subst.*