



General Assembly

Substitute Bill No. 6525

January Session, 2013



AN ACT CONCERNING CHILDHOOD OBESITY AND PHYSICAL EXERCISE IN SCHOOLS.

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

1 Section 1. (*Effective July 1, 2013*) (a) There is established a Task Force
2 on Childhood Obesity to study the effects of obesity on children's
3 health. The task force shall consist of the following members: (1) The
4 Commissioner of Children and Families, or said commissioner's
5 designee, (2) the Commissioner of Social Services, or said
6 commissioner's designee, (3) the Commissioner of Education, or said
7 commissioner's designee, (4) the Commissioner of Public Health, or
8 said commissioner's designee, (5) the chairpersons, vice-chairpersons
9 and ranking members of the joint standing committee of the General
10 Assembly having cognizance of matters relating to children, (6) a
11 dietician-nutritionist licensed under chapter 384b of the general
12 statutes who has a background in food service appointed by the
13 Commissioner of Public Health, and (7) two members of the public
14 appointed by the chairpersons of the joint standing committee of the
15 General Assembly having cognizance of matters relating to children,
16 one of whom is an advocate for children's health matters and one of
17 whom is an academic, civic or cultural leader specializing in children's
18 health matters. All appointments to the task force shall be made not
19 later than July 31, 2013. Any vacancy shall be filled by the appointing
20 authority.

21 (b) The task force shall: (1) Gather and maintain current information

22 regarding childhood obesity that can be used to better understand the
23 impact of obesity on children's health; (2) examine the nutrition
24 standards for all food procured by the state; (3) explore the
25 implementation of a tax on large-size sugary drinks, the revenue from
26 which may be earmarked for childhood obesity prevention; (4)
27 recommend the implementation of a pilot program through one local
28 or regional board of education to schedule recess before lunch in
29 grades kindergarten to twelve, inclusive; and (5) advise the General
30 Assembly and Governor concerning the coordination and
31 administration of state programs that may reduce the incidents of
32 childhood obesity.

33 (c) Not later than October 1, 2014, the task force shall submit a
34 report to the joint standing committee of the General Assembly having
35 cognizance of matters relating to children, in accordance with the
36 provisions of section 11-4a of the general statutes, detailing the task
37 force's findings pursuant to subsection (b) of this section.

38 Sec. 2. Section 10-221o of the general statutes is repealed and the
39 following is substituted in lieu thereof (*Effective July 1, 2013*):

40 (a) Each local and regional board of education shall require each
41 school under its jurisdiction to (1) offer all full day students a daily
42 lunch period of not less than twenty minutes, and (2) include in the
43 regular school day for each student enrolled in grades kindergarten to
44 five, inclusive, time devoted to physical exercise of not less than
45 twenty minutes in total, except that a planning and placement team
46 may develop a different schedule for a child requiring special
47 education and related services in accordance with chapter 164 and the
48 Individuals With Disabilities Education Act, 20 USC 1400 et seq., as
49 amended from time to time. In the event of a conflict with this section
50 and any provision of chapter 164, such other provision of chapter 164
51 shall be deemed controlling.

52 (b) No school employee shall prevent a student enrolled in grades
53 kindergarten to five, inclusive, from participating in the entire time

54 devoted to physical exercise in the regular school day, pursuant to
 55 subsection (a) of this section, as a form of discipline. For purposes of
 56 this subsection, "school employee" means (1) a teacher, substitute
 57 teacher, school administrator, school superintendent, guidance
 58 counselor, psychologist, social worker, nurse, physician, school
 59 paraprofessional or coach employed by a local or regional board of
 60 education or working in a public elementary, middle or high school; or
 61 (2) any other individual who, in the performance of his or her duties,
 62 has regular contact with students and who provides services to or on
 63 behalf of students enrolled in a public elementary, middle or high
 64 school, pursuant to a contract with the local or regional board of
 65 education.

66 Sec. 3. (NEW) (*Effective July 1, 2013*) No school employee shall
 67 require any student enrolled in grades kindergarten to twelve,
 68 inclusive, to engage in physical activity as a form of discipline during
 69 the regular school day. For purposes of this section, "school employee"
 70 means (1) a teacher, substitute teacher, school administrator, school
 71 superintendent, guidance counselor, psychologist, social worker,
 72 nurse, physician, school paraprofessional or coach employed by a local
 73 or regional board of education or working in a public elementary,
 74 middle or high school; or (2) any other individual who, in the
 75 performance of his or her duties, has regular contact with students and
 76 who provides services to or on behalf of students enrolled in a public
 77 elementary, middle or high school, pursuant to a contract with the
 78 local or regional board of education.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2013</i>	New section
Sec. 2	<i>July 1, 2013</i>	10-221o
Sec. 3	<i>July 1, 2013</i>	New section

KID *Joint Favorable Subst.*