



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.*

**ED**      *Joint Favorable*

**PH**      *Joint Favorable*