



General Assembly

February Session, 2016

Raised Bill No. 5303

LCO No. 1561



Referred to Committee on COMMITTEE ON CHILDREN

Introduced by:
(KID)

AN ACT CONCERNING CHILDHOOD OBESITY.

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

1 Section 1. (NEW) (*Effective October 1, 2016*) (a) For the purposes of
2 this section and section 2 of this act:

3 (1) "Child care center", "group child care home" and "family child
4 care home" have the same meanings as provided in section 19a-77 of
5 the general statutes.

6 (2) "Early childhood center" means any child care facility or early
7 childhood learning program located in or associated with a local or
8 regional board of education.

9 (b) No child care center, group child care home, family child care
10 home or early childhood center shall provide beverages with added
11 sweeteners, whether artificial or natural, to children under the care of
12 such center or home.

13 (c) No child care center, group child care home, family child care
14 home or early childhood center may provide juice to any child under

15 the age of nine months in the care of such center or home. A child care
16 center, group child care home, family child care home or early
17 childhood center may provide juice to children nine months of age or
18 older in the care of such center or home provided (1) the juice is one
19 hundred per cent fruit juice, vegetable juice or combination of such
20 juices, containing no added sugars, sweeteners or artificial sweeteners,
21 and (2) no child receives more than eight ounces of juice per day.

22 (d) The provisions of subsections (b) and (c) of this section shall not
23 apply to a child care center, group child care home, family child care
24 home or early childhood center that provides a beverage to a child in
25 the care of such center or home if such center or home has received
26 such beverage from the parent or guardian of such child.

27 (e) Each child care center, group child care home, family child care
28 home and early childhood center shall make potable drinking water
29 available and easily accessible to children in the care of such center or
30 home throughout the day, including at all meals. Potable drinking
31 water supplies shall be located in or near classrooms and playrooms.
32 Except when water fountains are used, individual drinking cups shall
33 be made available and easily accessible to children in the care of such
34 center or home.

35 Sec. 2. (NEW) (*Effective October 1, 2016*) No child care center, group
36 child care home, family child care home or early childhood center may
37 permit any child aged two years or younger who is in the care of such
38 center or home to utilize or otherwise operate a computer, television or
39 portable electronic device, as defined in section 38a-397 of the general
40 statutes.

41 Sec. 3. Section 10-203a of the general statutes is repealed and the
42 following is substituted in lieu thereof (*Effective October 1, 2016*):

43 (a) Not later than January 1, 2007, the Department of Education shall
44 (1) develop guidelines for addressing the physical health needs of
45 students in a comprehensive manner that coordinates services,

46 including services provided by municipal parks and recreation
47 departments, and (2) make available to each local and regional board
48 of education a copy of the guidelines. The department shall develop
49 the guidelines after consultation with (A) the chairpersons and ranking
50 members of [(i)] the joint standing [committee] committees of the
51 General Assembly having cognizance of matters relating to education
52 [, and (ii) the select committee of the General Assembly having
53 cognizance of matters relating to] and children, (B) at least one state-
54 wide nonprofit organization with expertise in child wellness or
55 physical exercise, and (C) the Connecticut Recreation and Parks
56 Association. The guidelines shall not be deemed to be regulations, as
57 defined in section 4-166. Local and regional boards of education may
58 establish and implement plans based on the guidelines in accordance
59 with subsection (c) of this section.

60 (b) The guidelines shall include, but need not be limited to: (1) Plans
61 for engaging students in daily physical exercise during regular school
62 hours and strategies for engaging students in daily physical exercise
63 before and after regular school hours in coordination with municipal
64 parks and recreation departments, (2) strategies for coordinating
65 school-based health education, programs and services, (3) procedures
66 for assessing the need for community-based services such as services
67 provided by school-based health clinics, municipal parks and
68 recreation departments, family resource centers and after-school
69 programs, and (4) procedures for maximizing monetary and other
70 resources from local, state and federal sources to address the physical
71 health needs of students. On and after April 1, 2017, such guidelines
72 shall include strategies for engaging students enrolled in after-school
73 programs in a minimum of twenty consecutive minutes of physical
74 activity each day.

75 (c) Not later than April 1, 2007, each local and regional board of
76 education may (1) establish a comprehensive and coordinated plan to
77 address the physical health needs of students, and (2) base its plan on
78 the guidelines developed pursuant to subsection (a) of this section. The

79 board may implement such plan for the 2007-2008 school year and
80 may have a plan in place for each school year thereafter.

81 Sec. 4. Section 10-221o of the general statutes is repealed and the
82 following is substituted in lieu thereof (*Effective October 1, 2016*):

83 (a) Each local and regional board of education shall require each
84 school under its jurisdiction to (1) offer all full day students a daily
85 lunch period of not less than twenty minutes, and (2) include in the
86 regular school day for each student enrolled in [elementary school]
87 preschool through fifth grade time devoted to physical exercise of not
88 less than twenty consecutive minutes in total, except that a planning
89 and placement team may develop a different schedule for a child
90 requiring special education and related services in accordance with
91 chapter 164 and the Individuals With Disabilities Education Act, 20
92 USC 1400 et seq., as amended from time to time. In the event of a
93 conflict with this section and any provision of chapter 164, such other
94 provision of chapter 164 shall be deemed controlling.

95 (b) (1) Not later than October 1, 2013, each local and regional board
96 of education shall adopt a policy, as the board deems appropriate,
97 concerning the issue regarding any school employee being involved in
98 preventing a student from participating in the entire time devoted to
99 physical exercise in the regular school day, pursuant to subsection (a)
100 of this section, as a form of discipline. For purposes of this section,
101 "school employee" means [(1)] (A) a teacher, substitute teacher, school
102 administrator, school superintendent, guidance counselor,
103 psychologist, social worker, nurse, physician, school paraprofessional
104 or coach employed by a local or regional board of education or
105 working in a public elementary, middle or high school; or [(2)] (B) any
106 other individual who, in the performance of his or her duties, has
107 regular contact with students and who provides services to or on
108 behalf of students enrolled in a public elementary, middle or high
109 school, pursuant to a contract with the local or regional board of
110 education.

111 (2) Not later than January 1, 2017, the governing council of each
112 local and state charter school shall adopt a policy concerning school
113 employees being involved in preventing a student from participating
114 in the entire time devoted to physical exercise in the regular school
115 day, pursuant to subsection (a) of this section, as a form of discipline.
116 This subdivision shall only apply to school employees employed by a
117 local or state charter school.

118 Sec. 5. Section 10-221u of the general statutes is repealed and the
119 following is substituted in lieu thereof (*Effective October 1, 2016*):

120 (a) Not later than October 1, 2013, each local and regional board of
121 education shall adopt a policy, as the board deems appropriate,
122 concerning the issue regarding any school employee being involved in
123 requiring any student enrolled in grades kindergarten to twelve,
124 inclusive, to engage in physical activity as a form of discipline during
125 the regular school day. For purposes of this section, "school employee"
126 means (1) a teacher, substitute teacher, school administrator, school
127 superintendent, guidance counselor, psychologist, social worker,
128 nurse, physician, school paraprofessional or coach employed by a local
129 or regional board of education or working in a public elementary,
130 middle or high school; or (2) any other individual who, in the
131 performance of his or her duties, has regular contact with students and
132 who provides services to or on behalf of students enrolled in a public
133 elementary, middle or high school, pursuant to a contract with the
134 local or regional board of education.

135 (b) Not later than January 1, 2017, the governing council of each
136 local and state charter school shall adopt a policy concerning school
137 employees being involved in requiring any student enrolled in
138 kindergarten through twelfth grade to engage in physical activity as a
139 form of discipline during the regular school day. This subsection shall
140 only apply to school employees employed by a local or state charter
141 school.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2016</i>	New section
Sec. 2	<i>October 1, 2016</i>	New section
Sec. 3	<i>October 1, 2016</i>	10-203a
Sec. 4	<i>October 1, 2016</i>	10-221o
Sec. 5	<i>October 1, 2016</i>	10-221u

Statement of Purpose:

To increase the physical health of children by prohibiting or limiting the serving of sweetened beverages in child care settings, prohibiting children's access to certain electronic devices in child care settings, and increasing children's participation in daily exercise.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]