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**SUBSTITUTE HOUSE BILL 2680**

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**State of Washington**

**58th Legislature**

**2004 Regular Session**

**By** House Committee on Health Care (originally sponsored by Representatives Cody, Bailey, Schual-Berke, Simpson, G., Anderson, Morrell, Kenney, Wallace, Rockefeller and Edwards; by request of Superintendent of Public Instruction)

READ FIRST TIME 02/06/04.

1 AN ACT Relating to a model policy for nutrition and physical  
2 activity for public schools; adding a new section to chapter 43.70 RCW;  
3 adding a new section to chapter 28A.320 RCW; creating a new section;  
4 and declaring an emergency.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** (1) The legislature finds:

7 (a) Childhood obesity has reached epidemic levels in Washington and  
8 throughout the nation. Nearly one in five Washington adolescents in  
9 grades nine through twelve were recently found to be either overweight  
10 or at risk of being overweight;

11 (b) Overweight and obese children are at higher risk for developing  
12 severe long-term health problems, including but not limited to Type 2  
13 diabetes, cardiovascular disease, high blood pressure, and certain  
14 cancers;

15 (c) Overweight youth also are often affected by discrimination,  
16 psychological stress, and low self-esteem;

17 (d) Obesity and subsequent diseases are largely preventable through  
18 diet and regular physical activity;

1 (e) A child who has eaten a well-balanced meal and is healthy is  
2 more likely to be prepared to learn in the classroom;

3 (f) Encouraging adolescents to adopt healthy lifelong eating habits  
4 can increase their productivity and reduce their risk of dying  
5 prematurely;

6 (g) Frequent eating of carbohydrate-rich foods or drinking sweet  
7 liquids throughout the day increases a child's risk for dental decay,  
8 the most common chronic childhood disease; and

9 (h) Schools are a logical place to address the issue of obesity in  
10 children and adolescents and to provide students with skills,  
11 opportunities, and encouragement to adopt a healthy lifestyle. Primary  
12 responsibility for the issue of obesity in children and adolescents,  
13 however, remains with parents and guardians.

14 (2) While the United States department of agriculture regulates the  
15 nutritional content of meals sold in schools under its school breakfast  
16 and lunch program, limited standards are in place to regulate  
17 "competitive foods," which may be high in added sugars, sodium, and  
18 saturated fat content. However, the United States department of  
19 agriculture does call for states and local entities to add restrictions  
20 on competitive foods, as necessary.

21 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.70 RCW  
22 to read as follows:

23 (1) Consistent with the essential academic learning requirements  
24 for health and fitness, including nutrition, the department, with the  
25 assistance of the office of the superintendent of public instruction,  
26 the Washington state school directors association, the state board of  
27 education, and the board of health, shall convene an advisory committee  
28 to develop a model policy regarding access to nutritious foods,  
29 opportunities for developmentally appropriate exercise, and accurate  
30 information related to these topics. The policy shall address the  
31 nutritional content of foods and beverages, including fluoridated  
32 bottled water, sold or provided throughout the school day or sold in  
33 competition with the federal school breakfast and lunch program,  
34 commercial marketing of products and services in schools, and the  
35 availability and quality of health, nutrition, and physical education  
36 curricula.

1           (2) The department shall submit the model policy and  
2 recommendations on the related issues, along with a recommendation for  
3 local adoption to the governor and the legislature, and shall post the  
4 model policy on its web site by January 1, 2005.

5           NEW SECTION. **Sec. 3.** A new section is added to chapter 28A.320  
6 RCW to read as follows:

7           After reviewing the model policy developed under section 2 of this  
8 act, each district's board of directors shall establish its own policy  
9 by August 1, 2005.

10           NEW SECTION. **Sec. 4.** This act is necessary for the immediate  
11 preservation of the public peace, health, or safety, or support of the  
12 state government and its existing public institutions, and takes effect  
13 immediately.

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