

# HOUSE BILL REPORT

## HB 1866

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**As Reported by House Committee On:**  
Health Care

**Title:** An act relating to nutrition in public schools.

**Brief Description:** Improving nutrition in public schools.

**Sponsors:** Representatives Cody, Campbell, Morrell, Schual-Berke, Haigh, Dickerson, Chase, Simpson, Santos and McIntire.

**Brief History:**

**Committee Activity:**

Health Care: 2/19/03, 2/27/03 [DPS].

### Brief Summary of Substitute Bill

- The Department of Health and the Office of the Superintendent of Public Instruction must develop recommendations regarding nutrition for local school boards to use in determining food policies.
- Local school boards must create "Nutritional Integrity Policies" to address issues regarding weight, healthy eating, and disease prevention in their school meal programs.
- The Department of Health and Superintendent of Public Instruction must develop model policies that schools may use to measure the body mass index of students.

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### HOUSE COMMITTEE ON HEALTH CARE

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 7 members: Representatives Cody, Chair; Morrell, Vice Chair; Clibborn, Darneille, Edwards, Moeller and Schual-Berke.

**Minority Report:** Without recommendation. Signed by 5 members: Representatives Pflug, Ranking Minority Member; Bailey, Assistant Ranking Minority Member; Benson, Campbell and Skinner.

**Staff:** Chris Blake (786-7392).

**Background:**

The Center for Disease Control and Prevention estimates that 15 percent of children between 6 and 19 years of age are overweight. This proportion has tripled since 1980. Obesity in children can increase the likelihood of developing asthma or diabetes during childhood. Obesity is estimated to be a contributing factor in the death of over 300,000 Americans per year.

The United States Department of Agriculture administers the National School Lunch Program (Program). The Program provides low-cost or free lunches to students in grades K-12. Participating school districts are given cash subsidies for the meals they serve as long as eligible children receive reduced price or free meals and the meals meet federal nutritional requirements. These requirements are based on the "Dietary Guidelines for Americans." These standards require that no more than 30 percent of calories come from fat and 10 percent of calories from saturated fat. The meals must also provide the student with one-third of the Recommended Dietary Allowances for protein, Vitamin A, Vitamin C, iron, calcium, and calories.

The regulations for the Program place limitations on the sale of foods that compete with the Program's meals in food service areas during mealtimes. The Program prohibits the sale of "food of minimal nutritional value" in school cafeterias during mealtimes. These foods are primarily soda waters and various types of candies. States and school districts may permit the sale of other competitive foods in the cafeteria during lunch periods, as long as the income from these sales goes to the non-profit school food service, the school, or student organizations.

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**Summary of Substitute Bill:**

The Department of Health (Department) with the assistance of the Office of the Superintendent of Public Instruction (Office) must develop recommendations regarding nutrition in public schools. The recommendations must address the nutritional content of meals, the content of course curricula, physical exercise, and policies regarding the availability of competitive foods.

Each local school board, with parental involvement, must develop a "Nutritional Integrity Policy" (Policy) based on the school district's nutrition curriculum and the recommendations of the Department and the United States Department of Agriculture. The Policy must address weight control, unsafe weight loss practices, healthy eating habits, regular exercise, and avoidance of diseases related to unhealthy diets. If the Policy permits competitive foods, then there must be at least as many foods meeting healthy standards as foods that do not meet healthy standards and the Policy must address the time, location, and pricing structures for these foods.

The Department and the Office must develop model policies that schools may use to measure the body mass index of students.

**Substitute Bill Compared to Original Bill:**

Physical activity is added as a topic to be addressed in Department of Health recommendations and school district Nutritional Integrity Policies.

Schools are no longer required to measure the height and weight of students. They may measure student body mass index according to model policies drafted by the Department of Health and the Office of the Superintendent of Public Instruction.

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**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date of Substitute Bill:** The bill takes effect 90 days after adjournment of session in which bill is passed.

**Testimony For:** Poor dietary intake can lead to obesity. Selling unhealthy foods in schools sends a mixed message to children about proper eating habits. Better diets increase a student's readiness to learn.

**Testimony Against:** There could be negative impacts on children's self-esteem if they were all required to be weighed. There needs to be more emphasis on encouraging physical activity.

**Testified:** (In support) Patty Hayes, Department of Health; Brita Butler Wall, Sylvia Haven, and Stephanie Johnson, Citizens' Campaign for Commercial-Free Schools; Shelly Curtis, Children's Alliance; Brad Stephens, Washington Chapter of the American Academy of Pediatrics; Jennifer Whitney, Washington Apple Education Foundation; and Donna Oberg, Public Health-Seattle King County.

(Pro with concerns) Carol Taylor Cann, Washington State Parent Teacher Association.

(Support with suggestions) Greg Williamson, Office of the Superintendent of Public Instruction.

(Concerns) Dan Steele, Washington State School Directors' Association.

(Opposed) Brad Boswell, Northwest Automatic Vending Association; and David Michener, Washington State Soft Drink Association.