
SUBSTITUTE SENATE BILL 5436

State of Washington

58th Legislature

2004 Regular Session

By Senate Committee on Education (originally sponsored by Senators Kohl-Welles, Rasmussen, Jacobsen, Winsley, Thibaudeau, McAuliffe, Prentice and Kline)

READ FIRST TIME 02/05/04.

1 AN ACT Relating to the sales of competitive foods and beverages
2 sold and served on public school campuses; creating new sections; and
3 declaring an emergency.

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

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

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

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

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

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

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

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

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

7 (h) Schools are a logical place to address the issue of obesity in
8 children and adolescents; and

9 (i) Increased emphasis on physical activity at all grade levels is
10 essential to enhancing the well-being of Washington's youth.

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

18 NEW SECTION. **Sec. 2.** (1) Consistent with the essential academic
19 learning requirements for health and fitness, including nutrition, the
20 Washington state school directors association, with the assistance of
21 the office of the superintendent of public instruction, the department
22 of health, and the Washington alliance for health, physical education,
23 recreation and dance, shall convene an advisory committee to develop a
24 model policy regarding access to nutritious foods, opportunities for
25 developmentally appropriate exercise, and accurate information related
26 to these topics. The policy shall address the nutritional content of
27 foods and beverages, including fluoridated bottled water, sold or
28 provided throughout the school day or sold in competition with the
29 federal school breakfast and lunch program and the availability and
30 quality of health, nutrition, and physical education curricula.

31 (2) The school directors association shall submit the model policy
32 and recommendations on the related issues, along with a recommendation
33 for local adoption, to the governor and the legislature and shall post
34 the model policy on its web site by January 1, 2005.

35 (3) Each district's board of directors shall establish its own
36 policy by August 1, 2005. Districts are encouraged to place no

1 restrictions on the sale or consumption of dairy products on school
2 premises during the school hours in their model policy.

3 NEW SECTION. **Sec. 3.** This act is necessary for the immediate
4 preservation of the public peace, health, or safety, or support of the
5 state government and its existing public institutions, and takes effect
6 immediately.

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