



Substitute House Bill No. 6525

Public Act No. 13-173

AN ACT CONCERNING CHILDHOOD OBESITY AND PHYSICAL EXERCISE IN SCHOOLS.

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

Section 1. (*Effective October 1, 2013*) (a) There is established a Task Force on Childhood Obesity to study the effects of obesity on children's health. The task force shall consist of the following members: (1) The Commissioner of Children and Families, or said commissioner's designee, (2) the Commissioner of Social Services, or said commissioner's designee, (3) the Commissioner of Education, or said commissioner's designee, (4) the Commissioner of Public Health, or said commissioner's designee, (5) the president pro tempore of the Senate, or the president's designee, (6) the speaker of the House of Representatives, or the speaker's designee, (7) the majority leader of the Senate, or said majority leader's designee, (8) the majority leader of the House of Representatives, or said majority leader's designee, (9) the minority leader of the Senate, or said minority leader's designee, (10) the minority leader of the House of Representatives, or said minority leader's designee, (11) the chairpersons, vice-chairpersons and ranking members of the joint standing committee of the General Assembly having cognizance of matters relating to children, (12) a dietician-nutritionist licensed under chapter 384b of the general statutes who has a background in food service appointed by the

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Commissioner of Public Health, and (13) two members of the public appointed by the chairpersons of the joint standing committee of the General Assembly having cognizance of matters relating to children, one of whom is an advocate for children's health matters and one of whom is an academic, civic or cultural leader specializing in children's health matters. All appointments to the task force shall be made not later than July 31, 2013. Any vacancy shall be filled by the appointing authority.

(b) The task force shall: (1) Gather and maintain current information regarding childhood obesity that can be used to better understand the impact of obesity on children's health; (2) examine the nutrition standards for all food procured by the state; (3) explore ways to increase physical activity in children; (4) recommend the implementation of a pilot program through one local or regional board of education to schedule recess before lunch in elementary school; and (5) advise the General Assembly and Governor concerning the coordination and administration of state programs that may reduce the incidents of childhood obesity.

(c) Not later than October 1, 2014, the task force shall submit a report to the joint standing committee of the General Assembly having cognizance of matters relating to children, in accordance with the provisions of section 11-4a of the general statutes, detailing the task force's findings pursuant to subsection (b) of this section.

Sec. 2. Section 10-221o of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2013*):

(a) Each local and regional board of education shall require each school under its jurisdiction to (1) offer all full day students a daily lunch period of not less than twenty minutes, and (2) include in the regular school day for each student enrolled in [grades kindergarten to five, inclusive,] elementary school time devoted to physical exercise of

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not less than twenty minutes in total, except that a planning and placement team may develop a different schedule for a child requiring special education and related services in accordance with chapter 164 and the Individuals With Disabilities Education Act, 20 USC 1400 et seq., as amended from time to time. In the event of a conflict with this section and any provision of chapter 164, such other provision of chapter 164 shall be deemed controlling.

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

Sec. 3. (NEW) (*Effective July 1, 2013*) Not later than October 1, 2013, each local and regional board of education shall adopt a policy, as the board deems appropriate, concerning the issue regarding any school employee being involved in requiring any student enrolled in grades kindergarten to twelve, inclusive, to engage in physical activity as a form of discipline during the regular school day. For purposes of this section, "school employee" means (1) a teacher, substitute teacher, school administrator, school superintendent, guidance counselor, psychologist, social worker, nurse, physician, school paraprofessional

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or coach employed by a local or regional board of education or working in a public elementary, middle or high school; or (2) any other individual who, in the performance of his or her duties, has regular contact with students and who provides services to or on behalf of students enrolled in a public elementary, middle or high school, pursuant to a contract with the local or regional board of education.

Approved June 21, 2013