

March 26, 2009

**S 977. OBESITY PREVENTION IN THE PUBLIC SCHOOLS.** Filed 3/25/09. *TO ESTABLISH AN OBESITY PREVENTION PROGRAM IN THE PUBLIC SCHOOLS.*

Adds various new provisions related to childhood obesity and schools.

*School obesity programs.* Adds new GS 115C-81.4 to (1) require every school to adopt a comprehensive and coordinated approach to obesity prevention in grades K-12, (2) require every school to adopt a program for grades K-8 that includes specific components, (3) require schools to consider adopting ethnically appropriate programs where appropriate, (4) allow schools currently using SPARK to continue to do so as long as all major components are incorporated, (5) require that schools designate a school health coordinator, (6) require school boards to assemble advisory councils on school health, (7) require physical fitness assessments for students. Directs the State Board of Education (State Board) to develop incentives and accountability mechanisms for these programs and develop honors level mandatory health and/or physical education courses for students. Directs school boards to allow students sufficient time to select and eat meals. Requires State Board to give implementation priority to schools with the greatest prevalence of obesity and tobacco use. Allows local school boards to accept donations to support implementation. Prohibits the inclusion of any promotional information about companies that have significant involvement in alcohol or tobacco products on materials involved with the obesity prevention program. Requires implementation of these provisions before the 2012-13 school year.

*Vending contracts.* Amends GS 115C-264.2 to require principals of schools where vending machines are present to enter into memoranda of agreement related to the contents of the machine and requires that copies of the agreements be submitted to the Department of Public Instruction.

*Joint use agreements.* Amends GS 115C-12 directing the State Board to encourage local boards to enter into agreements with local governments and other entities regarding the joint use of their school facilities for physical activity.

*Child nutrition program.* Directs the State Board, in consultation with others, to establish statewide standards for foods and beverages available in schools during the instructional day. Requires annual review and updating of the standards.

*Restaurant menus.* Directs the Department of Health and Human Services, in collaboration with others, to develop a plan to encourage restaurant owners to make nutrition information readily available to consumers.

*Other.* Requires state agencies to expand dissemination of certain physical activity and nutrition standards for preschools. Directs the Child Care Commission to evaluate incorporating physical activity and nutrition into the state's rating system for licensed child care centers. Directs all state agencies to implement worksite wellness programs.

*Appropriations.* Appropriates \$5,200,000 to the Department of Public Instruction for fiscal year 2009-10 for the implementation of the requirements related to individual schools' obesity prevention programs. Appropriates \$210,700 to the Department of Public Instruction in each of fiscal years 2009-10 and 2010-11 to assist with worksite wellness efforts in schools. Appropriates \$48,125 to the Department of Health and Human Services in each of fiscal years 2009-10 and 2010-11 to support the Department's efforts to help all agencies implement worksite wellness efforts. Appropriate \$43,750 to the Department of Health and Human Services and \$203,125 to the Department for allocation to the North Carolina Partnership for Children in each of fiscal years 2009-10 and 2010-11 to support efforts related to physical activity and nutrition in preschools.

**Intro. By Bingham.**

GS 115C, APPROP