

SENATE BILL NO. 107—COMMITTEE ON FINANCE

(ON BEHALF OF LEGISLATIVE COMMITTEE ON EDUCATION)

FEBRUARY 13, 2001

Referred to Committee on Finance

SUMMARY—Requires establishment of standards and programs pertaining to promotion of health, wellness, physical fitness and good nutrition at public schools. (BDR 34-835)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to education; requiring the state board of education to prescribe standards for the sale of candy and soft drinks at public schools within this state; requiring the department of education to develop a program to promote health and wellness among persons employed at public schools within this state; authorizing the transfer of certain sums of money from the state distributive school account to provide training to teachers and administrators regarding health, physical education and wellness; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Chapter 385 of NRS is hereby amended by adding thereto
2 the provisions set forth as sections 2 and 3 of this act.

3 **Sec. 2. 1. *The state board shall, by regulation, prescribe standards***
4 ***for the sale of candy and soft drinks at public schools within this state.***

5 ***2. The standards prescribed by the state board pursuant to subsection***
6 ***1 must be consistent with:***

7 ***(a) The standards of content and performance for the course of study***
8 ***of health, established pursuant to NRS 389.520 by the council to***
9 ***establish academic standards for public schools; and***

10 ***(b) Federal requirements pertaining to the sale, at schools, of***
11 ***competitive foods and foods of minimal nutritional value.***

12 ***3. Each public school, including, without limitation, each charter***
13 ***school, shall comply with the standards prescribed by the state board.***

14 ***4. As used in this section:***

15 ***(a) “Candy” includes candies, cakes, cookies, glaceed fruits, prepared***
16 ***cereals and other similar products, as determined by the state board.***



1 (b) "Competitive foods" has the meaning ascribed to it in 7 C.F.R. §
2 210.11.

3 (c) "Food of minimal nutritional value" has the meaning ascribed to
4 it in 7 C.F.R. § 210.11.

5 (d) "Soft drink" means any nonalcoholic beverage, whether
6 carbonated or not, that is sweetened by sucrose, high fructose corn syrup
7 or an artificial sweetener such as aspartame or saccharin. The term does
8 not include:

9 (1) Water, coffee, tea or milk, if such beverages are unsweetened;
10 or

11 (2) Beverages containing a minimum of 50 percent by volume of
12 fruit or vegetable juice.

13 **Sec. 3.** The department, in cooperation with the health division of
14 the department of human resources, shall develop a program to promote
15 health and wellness among persons who are employed at public schools
16 within this state. A program developed pursuant to this section must be
17 designed to:

18 1. Ensure that participants in the program will serve as role models
19 to pupils in the promotion of health and wellness; and

20 2. Reinforce standards for health and physical education.

21 **Sec. 4.** 1. Upon the adoption of a program pursuant to section 3 of
22 this act, the department of education is hereby authorized to transfer from
23 the state distributive school account to the school districts specified in this
24 section the following sums for use during fiscal years 2001-2002 and 2002-
25 2003:

| School District | Amount |
|-------------------------------------|------------------|
| Clark County School District | \$782,000 |
| Douglas County School District..... | \$272,000 |
| Elko County School District..... | \$289,000 |
| Washoe County School District | <u>\$357,000</u> |
| | \$1,700,000 |

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34 2. A school district that receives an allocation pursuant to subsection 1
35 shall use the money to provide, in accordance with the program developed
36 pursuant to section 3 of this act, training on health, physical education and
37 wellness through the regional training program for the professional
38 development of teachers and administrators established by the school
39 district pursuant to section 16 of chapter 559, Statutes of Nevada 1999, at
40 page 2930.

41 3. Any remaining balance of the transfers made pursuant to subsection
42 1 must not be committed for expenditure after June 30, 2003, and reverts to
43 the state distributive school account as soon as all payments of money
44 committed have been made.

45 **Sec. 5.** 1. On or before January 1, 2002:

46 (a) The state board of education shall adopt regulations prescribing
47 standards in accordance with section 1 of this act; and

48 (b) The department of education shall adopt a program in accordance
49 with section 3 of this act.



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1 2. Commencing with the 2002-2003 school year, each public school in
2 this state, including, without limitation, each charter school, shall comply
3 with the standards prescribed pursuant to section 1 of this act.

4 **Sec. 6.** 1. This section and sections 1, 3, 4 and 5 of this act become
5 effective on July 1, 2001.

6 2. Section 2 of this act becomes effective on July 1, 2001, for the
7 purpose of adopting regulations and on July 1, 2002, for all other purposes.

