

HB 440 -- Redline

Comparison to Sub #1 to Comparison to Original Bill -- School Lunch Amendments

Deletions ~~struck~~ · Insertions underlined

HB0440S02 compared with ~~HB0440S01~~HB0440 {Omitted text} shows text that was in ~~HB0440S01~~HB0440 but was omitted in HB0440S02 inserted text shows text that was not in ~~HB0440S01~~HB0440 but was inserted into HB0440S02 DISCLAIMER:

This bill enacts provisions related to ~~school~~meals ~~community~~served councils~~in~~ ~~and~~a meals~~public~~ } ~~school~~ community councils, school meals, and recess in an elementary } public school.

? requires a local education agencies } agency to establish a share table program;

? requires elementary schools and a school community councils } council and a charter school's wellness committee or a charter trust land council to hold an annual } a school lunch planning meeting;

~~H~~? {requires the State Board of Education to research best practices related to school ~~Bunch;~~Hunch;} ? creates certain requirements regarding recess in an elementary school;

and ~~OB~~ ? makes technical and conforming changes.

4 Money Appropriated in this Bill:

~~SHB0440~~ None ~~1~~ ~~HB0440S01~~ compared with HB0440S02 None Other Special Clauses:

53G-7-1207 , Utah Code Annotated 1953 53G-9-216 , Utah Code Annotated 1953 53G-9-217 , Utah Code Annotated 1953 Be it enacted by the Legislature of the state of Utah:

- 2 - HB0440 compared with HB0440S02 (i) subject to legislative appropriations, reimburse an LEA for each reimbursable lunch provided under this section in an amount equal to the difference between the federal reimbursement rates for a meal and a reduced-price meal, as determined annually by the United States Department of Agriculture;

~~- 2 - HB0440S01 compared with HB0440S02~~ (ii) establish a reimbursement system where the board provides a monthly reimbursement to an LEA that provides a meal under Subsection (2);

- 3 - HB0440 compared with HB0440S02 (a) "Digital citizenship" means the norms of appropriate, responsible, and healthy behavior related to technology use, including digital literacy, ethics, etiquette, and security.

~~- 3 - HB0440S01 compared with HB0440S02~~ (c) (i) "Parent member" means a member of a school community council who is a parent of a student who:

- 4 - HB0440 compared with HB0440S02 (ii) hold a school lunch planning meeting in accordance with Section 53G-7-1207;

~~- 4 - HB0440S01 compared with HB0440S02~~ (A) the school and its programs;

- 5 - HB0440 compared with HB0440S02 (c) A school or school district administrator may not prohibit or discourage a school community council from discussing issues, or offering advice or recommendations, regarding the school and its programs, school district programs, the curriculum, or the community environment for students.

(4) ~~- 5 - HB0440S01 compared with HB0440S02~~ (a) Except as provided in Subsection (4)(e), each school community council shall consist of school employee members and parent members in accordance with this section.

(5) - 6 - HB0440 compared with HB0440S02 (a) Except as provided in Subsection (5)(f), a school employee member, other than the principal, shall be elected by secret ballot by a majority vote of the school employees and serve a two-year term.

(b) ~~- 6 - HB0440S01 compared with HB0440S02~~ (i) Except as provided in Subsection (5)(f), a parent member shall be elected by secret ballot at an election held at the school by a majority vote of those voting at the election and serve a two-year term.

- 7 - HB0440 compared with HB0440S02 (iii) The principal of the school, or the principal's designee, shall oversee the elections held under Subsections (5)(a) and (5)(b).

~~- 7 - HB0440S01 compared with HB0440S02~~ (d) Results of the elections held under Subsections (5)(a) and (5)(b) shall be made available to the public upon request.

and - 8 - HB0440 compared with HB0440S02 (ii) a vice chair from either its parent members or school employee members, excluding the principal.

~~- 8 - HB0440S01 compared with HB0440S02~~ (i) advise or make recommendations to the council;

- 9 - HB0440 compared with HB0440S02 (4) A charter school governing board may serve as the charter school's council if the membership of the charter school governing board meets the requirements of Subsection (3)(b).

(5) ~~- 9 - HB0440S01 compared with HB0440S02~~ (a) Except as provided in Subsection (5)(b), council members who are parents or grandparents of students enrolled at the school shall be elected in accordance with procedures established by the charter school governing board.

(9) A charter trust land council ~~{shall}~~ may hold a school lunch planning meeting in accordance with Section 53G-7-1207.

School lunch planning ~~meeting~~ ~~meeting~~. ~~{-- Target goal--}~~

~~{{(1)(1) {As used in this section:} } (a){(1)} {"School"} As used in this section, "school" means a district or charter school that provides instruction to a student in kindergarten or grade 1, 2, 3, 4, 5, or 6.~~

~~{{(b)}A {"School lunch target goal" means a minimum standard that each elementary school seeks community to council achieve and by:} } {{(i) {providing a student charter with school's a wellness minimum committee of or 20 charter minutes trust of land {seated council } eating shall: time to consume lunch; and} (1){(a)} } in {{(ii) accordance {scheduling with lunch recess to occur immediately prior to the lunch requirements period of in Section the 53G-7-1203, daily} schedule.} hold {a } (2) an Annual school community lunch council planning and meeting at to: charter school's wellness committee or charter trust land council shall:~~

~~(a) hold {a } an annual school lunch planning meeting to:~~

~~and -(B) 10 the -survey HB0440S01 results compared from with HB0440S02 {{(B) the research survey the described state board provides in under Subsection (3), (2)(c)(i); on recess } {schedules and student eating time;~~

~~and}}- (B) {{{(C)} 10 {{}}- {{{(B)} HB0440 }} compared 2H with } HB0440S02 the (ii) survey propose results a from plan for how each school can work toward implementing the survey policies described in Subsection the {{(c)(i)} state (2) board's (c)(i); model policy on health and wellness regarding school lunch;~~

~~{{(ii) and {plan (a){(iii)} } } discuss propose a plan for how each to school best can achieve work toward {achieving-} implementing create the a policies proposed described plan in for the state {school board's} models school's policy lunch on {target health goal and defined wellness in regarding Section school 53G-9-216; } lunch and {target recess goal} times, +including:~~

~~and (A) {{(iii) how create much time a proposed student plan will for have the to school's eat lunch lunch; and recess times, including:~~

~~(A) and (b) {{(B)} } create a plan for the school's lunch and recess times, including how much {{seated seated }} time a student will have to eat lunch and } if midday recess will be before or after lunch;~~

~~{{(c) {review and (B) discuss if the midday research recess the will state be board before provides or in after accordance lunch; with Subsection 53G-9-216(4), on:} } {{(i) {recess schedules;~~

~~(b) and} } {{(ii) {student eating time;} } (2) {{(b)} ensure that the meeting described in Subsection {{(1)(a)} (2)(a):~~

~~{{(i)} (a) {{(i)} } is } complies with the open {to members of the } and public meeting requirements described in Section 53G-7-1203;~~

~~and {{(i)} (b) {{(ii)} } allows for public comment during the course of the meeting without the requirement that a member of the public sign up to speak before the meeting starts;~~

~~(i) before holding the meeting described in Subsection (2)(a)(2)(a), -> instruct the principal of each school to send a survey to each parent of a student enrolled at the school through email to collect the parent's input on the:~~

~~(A) policies described in the state board's model policy on health and wellness regarding school lunch lunch; {target goal} -;~~

~~and (B) proposed school lunch plan the school community council council, {plans to } -; charter school wellness committee, or charter trust land council will discuss {in } during the meeting;~~

~~and {{(i)} (3) {{(ii)} } at least one week in advance of the date on which the meeting is set to occur, } notify each parent of a student enrolled at the school of:~~

~~{{(A)} {{(a)} {the research that the school community council plans to review and discuss at the planning meeting, in accordance with Subsection (2)(a)(i); (1)(c); } } (B) {{(A)} (b) {{(A)} } the meeting's time;~~

~~and (C) {{(B)} (c) {{(B)} } the meeting's location; and {{(d)} (4) {hold the meeting described in Subsection (2)(a); (1)(a); } } {{(i)} - 11 - HB0440 compared with HB0440S02 {{(a)} {once per year for five years;~~

~~or} } {{(i)} (b) {until the school community council's plan meets the school lunch target goal; goal defined in Section 53G-9-216;~~

~~and} } -(5) {{(d)} 11 - HB0440S01 compared with HB0440S02 (e) {{(d)} } after holding the meeting described in Subsection (2)(a) {, } {{(1)(a)} (2)(a) instruct the principal of each school to send to send a signed, written assurance to the state board:~~

~~{{(a) {send a survey to each parent of a student enrolled at the school through email to collect the parent's input on the school lunch plan; } } (i) confirming the occurrence of the meeting;~~

~~and (i) {{(i)} (b) {{(ii)} } {send report a signed, written assurance to } detailing the {state board on the agreed upon } proposed plan discussed at the meeting{;~~

~~342a {{(c)} H? {{(ii)} - {if the school community council cannot does not meet the school lunch target goal, goal submit defined a in signed, Section written 53G-9-216, assurance to the state board and the Education Interim Committee explaining the reasons the school community council was unable to implement the school~~

~~lunch target goal.} } {(ii) if the school community council does not agree to work toward the school lunch target goal, provide a signed, written assurance explanation to the state board detailing why the school community council failed to implement the school lunch target goal.} {(3) The Section state5. board shall:} {(a) research best practices in schools on:} {(i) recess scheduling;~~

~~and} {(ii) student eating time;~~

~~and} {(b) provide the results of the research described in Subsection (4)(a) to each school community council in accordance with this section.} Section 5.~~

{School lunch target goal} Recess in an elementary school.

(1) As used in this section:

(a) {"School} "Elementary school" means a district or charter school that provides instruction to a student in {grades kindergarten, one, two, three, four, five, } kindergarten or {six.} grade 1, 2, 3, 4, or 5.

(b) {"School lunch target goal} "Elementary school student" means {a minimum standard } the same as that {each school seeks to achieve by:} term is defined in Section 53G-7-501.

{(i) {providing a student with a minimum of 20 minutes of seated eating time to consume lunch;

and} {(ii) {scheduling lunch recess to occur immediately prior to the lunch period in the daily schedule.} } {(2) } (a){(2)} {A } An elementary school {shall hold an annual planning meeting to} may not:

{(i) {plan how the school can work toward achieving the school lunch target goal;

and} {(ii) {discuss how the school plans to comply with the requirements of Section 53G-9-217.} } {(b) {After holding the annual planning meeting described in Subsection (2)(a) a school shall:} } {(i) {affirmatively work toward the target goal;

or} {(ii) {in accordance with Subsection (3), affirmatively choose to explain the failure to follow the target goal to the state board.} } - 12 - HB0440 compared with HB0440S02 {(3) {A school shall provide a written explanation to the state board that states the reasons the school failed to implement the school lunch target goal if:} } {(a) {the school does not implement the school lunch target goal after the required annual meeting described in Subsection (2)(a);

or} {(a) withhold, from an elementary school student, recess, physical education, or other physical activity, as a punishment for:

(i) poor behavior;

(ii) incomplete classwork;

or (iii) remediation purposes;

and (b) {a school that implements } reduce the {school lunch target goal later chooses } total minutes of daily recess for any grade level to {no longer follow } meet the school lunch target goals as that term is defined in Section 53G-7-1207.

{(4) {The state board shall:} } {(a) {research best practices in schools on:} } {(i) {recess scheduling; and} } {(ii) {student eating time;

and} {(b) {provide the results of the research described in Subsection (4)(a) to:} } (3)

Notwithstanding Subsection (2), an educator or administrator may withhold recess, physical education, or other physical activities from an elementary school student if:

(a) the restriction is consistent with the elementary student's:

(i) {each school} IEP;

{and} or (ii) {each school community council in accordance with } Section {53G-7-1207.} 504 accommodation plan;

(b) there is an immediate or significant risk to the health or safety of the elementary student or others;

or (c) the student engaged in poor behavior during recess or a physical education class.

Section 4.

Section 4 is enacted to read:

53G-9-217.

(a) "Elementary school" means a district or charter school that provides instruction to a student in kindergartengrades or kindergarten, gradeone, 1,two, 2,three, 3,four, 4,or 5-five.

- 13 - HB0440 compared with HB0440S02 (2) An elementary school may not:

and - 12 - HB0440S01 compared with HB0440S02 (b) reduce the total minutes of daily recess for any grade level to meet the school lunch target goal as that term is defined in Section 53G-7-1207,53G-9-216.

or (ii) Section 504 accommodation plan;{plan; or}} (b) there is an immediate or significant risk to the health or safety of the elementary student or others{.}};

or 373a(b) (c)(c)there theis studentan engagedimmediate inor poorssignificant behaviorrisk duringto

~~recess~~ the health or safety ~~physical of education~~ the class- elementary student or others.

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