

111<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4958

To amend section 204 of the Child Nutrition and WIC Reauthorization Act of 2004 (42 U.S.C. 1751 note) to require each local educational agency participating in a program authorized by the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) or the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.) to include under the local wellness policy established by the agency a requirement that students receive 50 hours of school nutrition education per school year.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 25, 2010

Mr. BACA (for himself, Mr. SIRES, Mr. TOWNS, and Ms. NORTON) introduced the following bill; which was referred to the Committee on Education and Labor

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## A BILL

To amend section 204 of the Child Nutrition and WIC Reauthorization Act of 2004 (42 U.S.C. 1751 note) to require each local educational agency participating in a program authorized by the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) or the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.) to include under the local wellness policy established by the agency a requirement that students receive 50 hours of school nutrition education per school year.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Healthy Children  
3 Through School Nutrition Education Act”.

4 **SEC. 2. FINDINGS.**

5 Congress findings the following:

6 (1) The Child Nutrition and WIC Reauthoriza-  
7 tion Act of 2004 (42 U.S.C. 1751 note) requires all  
8 local educational agencies participating in a program  
9 authorized by the Richard B. Russell National  
10 School Lunch Act (42 U.S.C. 1751 et seq.) or the  
11 Child Nutrition Act of 1966 (42 U.S.C. 1771 et  
12 seq.) to establish a local school wellness policy for  
13 schools under the local educational agency that in-  
14 clude nutrition education goals. However, there are  
15 no specific requirements regarding the amount of  
16 time or type of classes that school children have to  
17 spend or take in nutrition education.

18 (2) Some schools include in their health edu-  
19 cation classes some general information about nutri-  
20 tion, but there are no specific guidelines of what the  
21 minimum requirements should be. The mean number  
22 of hours spent on nutrition education in the first 4  
23 years of school is only 13 hours per year. A min-  
24 imum of 50 hours per year are thought to be nec-  
25 essary to influence behavior.

1           (3) Each local educational agency participating  
2           in a program authorized by the Richard B. Russell  
3           National School Lunch Act (42 U.S.C. 1751 et seq.)  
4           or the Child Nutrition Act of 1966 (42 U.S.C. 1771  
5           et seq.) should have a minimum requirement for  
6           amount of time per year students should spend on  
7           nutrition education and the type of instruction that  
8           should be provided as part of such education.

9   **SEC. 3. SCHOOL NUTRITION EDUCATION REQUIREMENT.**

10          (a) AMENDMENTS.—Section 204(a) of the Child Nu-  
11          trition and WIC Reauthorization Act of 2004 (42 U.S.C.  
12          1751 note) is amended—

13                 (1) in paragraph (1), by striking “nutrition  
14                 education, physical activity,” and inserting “physical  
15                 activity”;

16                 (2) by redesignating paragraphs (2) through  
17                 (5) as paragraphs (3) through (6), respectively; and

18                 (3) by inserting after paragraph (1), the fol-  
19                 lowing:

20                         “(2) includes a requirement for 50 hours a  
21                         school year of school nutrition education per student  
22                         that includes instruction that—

23                                 “(A) is consistent with the rules promul-  
24                                 gated by the Secretary under section 9(a)(4)(B)  
25                                 of the Richard B. Russell National School

1 Lunch Act (42 U.S.C. 1758(a)(4)(B)) based on  
2 the most recent Dietary Guidelines for Ameri-  
3 cans published under section 310 of the Na-  
4 tional Nutrition Monitoring and Related Re-  
5 search Act of 1990 (7 U.S.C. 5341);

6 “(B) is offered at each grade level as part  
7 of a sequential, comprehensive, standards-based  
8 program designed to provide students with the  
9 knowledge and skills necessary to promote and  
10 protect their health;

11 “(C) is part of not only health education  
12 classes, but is also encouraged to be incor-  
13 porated into classroom instruction in subjects  
14 such as math, science, language arts, social  
15 sciences, and elective subjects;

16 “(D) includes enjoyable, developmentally  
17 appropriate, culturally relevant, participatory  
18 activities, such as contests, promotions, taste  
19 testing, farm visits, and school gardens;

20 “(E) promotes fruits, vegetables, whole  
21 grain products, low-fat and fat-free dairy prod-  
22 ucts, healthy food preparation methods, and  
23 health-enhancing nutrition practices;

24 “(F) emphasizes caloric balance between  
25 food intake and energy expenditure;

1           “(G) coordinates with school meal pro-  
2           grams, other school foods programs, and nutri-  
3           tion-related community services;

4           “(H) teaches media literacy with an em-  
5           phasis on food marketing;

6           “(I) provides training for teachers and  
7           other staff in nutrition education; and

8           “(J) establishes a process to evaluate the  
9           effectiveness of the requirements of school nu-  
10          trition education described in subparagraphs  
11          (A) through (I);”.

12          (b) EFFECTIVE DATE.—The amendments made by  
13          subsection (a) shall take effect at the beginning of the  
14          school year following the date of the enactment of this Act,  
15          but not earlier than 3 months after the date of the enact-  
16          ment of this Act.

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