

By: Representative Scott

To: Education

HOUSE BILL NO. 494

1 AN ACT TO AMEND SECTION 37-13-137, MISSISSIPPI CODE OF 1972,
 2 TO REQUIRE THE STATE BOARD OF EDUCATION TO ADOPT A REGULATION
 3 REQUIRING LOCAL SCHOOL DISTRICTS TO PROVIDE LOW-FAT SNACKS AND
 4 MEALS TO CHILDREN DIAGNOSED BY A PHYSICIAN AS OVERWEIGHT AND TO
 5 CHILDREN WHOSE PARENTS REQUEST ONLY LOW-FAT SNACKS AND MEALS FOR
 6 THEIR CHILDREN; TO REQUIRE THE STATE BOARD OF EDUCATION TO ADOPT A
 7 REGULATION ADDRESSING FOOD SALES OUTSIDE OF THE CHILD NUTRITION
 8 SCHOOL BREAKFAST AND LUNCH PROGRAMS WHICH ARE MADE AVAILABLE AT
 9 THE DISCRETION OF THE LOCAL SCHOOL DISTRICT; AND FOR RELATED
 10 PURPOSES.

11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

12 **SECTION 1.** Section 37-13-137, Mississippi Code of 1972, is
 13 amended as follows:

14 37-13-137. (1) The State Board of Education shall adopt
 15 regulations * * * for the Child Nutrition School Breakfast and
 16 Lunch Programs * * * which are not in conflict with the
 17 regulations of the United States Department of Agriculture (USDA).
 18 The regulations shall take into account the most recent and
 19 advanced scientific principles regarding good human health and
 20 fitness, and the effect of the regulations must be that the good
 21 health, well-being and fitness of Mississippi school children



22 shall be advanced. The regulations shall include, but not be
23 limited to, the following areas:

24 (a) Healthy food and beverage choices;

25 (b) Healthy food preparation;

26 (c) Marketing of healthy food choices to students and
27 staff;

28 (d) Food preparation ingredients and products;

29 (e) Minimum and maximum time allotment for students and
30 staff lunch and breakfast periods;

31 (f) The availability of food items during the lunch and
32 breakfast periods of the Child Nutrition School Breakfast and
33 Lunch Programs; * * *

34 (g) Methods to increase participation in the Child
35 Nutrition School Breakfast and Lunch Programs * * *;

36 (h) Preparation of low-fat snacks and meals for the
37 lunch and breakfast periods, which low-fat snacks and meals must
38 be provided to those children who have been diagnosed as
39 overweight by a physician duly licensed to practice medicine in
40 the United States and to any child whose parent or guardian
41 submits a written request to the child's school requesting that
42 the child be provided only low-fat snacks and meals; and

43 (i) Food sales outside of the Child Nutrition School
44 Breakfast and Lunch Programs which are made available at the
45 discretion of local school districts.



46 (2) The Office of Healthy Schools of the State Department of
47 Education shall provide comprehensive training for
48 superintendents, business managers, food service directors and
49 food service managers of a local school district, or the designees
50 appointed by those individuals for training purposes, as required
51 by the department on marketing healthy foods, creating a healthy
52 cafeteria environment, effective and efficient food service
53 operations, the standards and expectations of food service staff,
54 and other topics as identified by the department. The department
55 may determine the time and location of the trainings and the
56 frequency with which they are held. Persons employed by a local
57 school district having the certification as a Food Service
58 Administrator III or IV shall be exempt from the training
59 requirements of this subsection.

60 (3) Local school districts may adopt rules and regulations
61 that * * * are more stringent but not in conflict with those
62 adopted by the State Board of Education under this section.

63 **SECTION 2.** This act shall take effect and be in force from
64 and after July 1, 2018.

