

School Nutrition and Physical Activity Act  
Public Law 54-2006 (Senate Enrolled Act 111)

Digest

The law lowers the percentage in the definition of "qualifying school building" from 25% to 15% beginning July 1, 2007 for purposes of the school breakfast and lunch programs. It requires school boards to establish a coordinated school health advisory council to develop a local wellness policy that complies with certain federal requirements. It requires the department of education to provide information concerning health, nutrition, and physical activity. It establishes requirements applying to food and beverage items that are available for sale to students outside the federal school meal programs, including a requirement that a certain percentage of the food and beverage items qualify as better choices. It provides that the requirements do not apply after school hours or to fundraisers. It requires daily physical activity for elementary school students in public schools, with certain exceptions. It allows a school to continue a vending machine contract in existence before the passage of this bill.

Summary

1. Before **July 1, 2007**, each school board shall establish a coordinated school health advisory council (IC 20-26-9-18). Also, schools must maintain compliance with federal P.L. 108-265, Sec. 204 (Local Wellness Policy Provision) and IC 5-22-15-24(c).
2. Effective **July 1, 2006**, every school corporation must provide daily physical activity for students in elementary school (IC 20-30-5-7.5).
3. A vending machine at an elementary school that dispenses food or beverage items may not be accessible to students beginning **July 1, 2006**. (IC 20-26-9-19)
4. The law defines "better choice" foods and beverages that may be available for sale at a school or on school grounds during the school day. (IC 20-26-9-19)
5. Vending machine contracts that are renewed or executed after **July 1, 2006**, must comply with the requirements outlined in IC 20-26-9-19. Beginning July 1, 2006, thirty-five percent of foods and beverages that are available for sale to students, including on a la carte lines of a school cafeteria, must meet the "better choice" criteria as described in the new IC 26-9-19-(c). This will increase to fifty percent September 1, 2007. The law establishes other limits for food and beverage items that may be offered for sale at school or on school grounds. There are exceptions for items sold after normal school hours or as a part of a fundraiser, if the items are not intended for consumption during the school day.
6. Beginning **July 1, 2007**, qualifying school buildings (those schools that serve lunch and have at least fifteen percent of the enrolled students that qualify for free or reduced price meals) must implement a school breakfast program. (IC 20-26-9-2, IC 20-26-9-13)