

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2005

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SENATE BILL 269  
Education/Higher Education Committee Substitute Adopted 5/26/05

Short Title: Child Nutrition Standards.

(Public)

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Sponsors:

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Referred to:

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March 1, 2005

A BILL TO BE ENTITLED

1 AN ACT DIRECTING THE STATE BOARD OF EDUCATION TO ESTABLISH  
2 STATEWIDE NUTRITION STANDARDS FOR SCHOOL MEALS, A LA  
3 CARTE FOODS AND BEVERAGES, AND THE AFTER SCHOOL SNACK  
4 PROGRAM ADMINISTERED BY THE DEPARTMENT OF PUBLIC  
5 INSTRUCTION AND CHILD NUTRITION PROGRAMS OF LOCAL SCHOOL  
6 ADMINISTRATIVE UNITS, AS RECOMMENDED BY THE STUDY  
7 COMMITTEE FOR CHILDHOOD OVERWEIGHT/OBESITY OF THE HEALTH  
8 AND WELLNESS TRUST FUND.  
9

10 The General Assembly of North Carolina enacts:

11 **SECTION 1.** Part 2 of Article 17 of Chapter 115C of the General Statutes is  
12 amended by adding the following new section to read:

13 **"§ 115C-264.2. Child Nutrition Program standards.**

14 The State Board of Education, in direct consultation with a cross section of local  
15 directors of child nutrition services, shall establish statewide nutrition standards for  
16 school meals, a la carte foods and beverages, and the After School Snack Program  
17 administered by the Department of Public Instruction and child nutrition programs of  
18 local school administrative units. The nutrition standards will promote gradual changes  
19 in school meals, a la carte foods and beverages, and items served in the After School  
20 Snack Program to increase fruits and vegetables, increase whole grain products, and  
21 decrease foods high in total fat, trans fat, saturated fat, and sugar. The nutrition  
22 standards adopted by the State Board of Education shall be implemented initially in  
23 elementary schools. All elementary schools shall achieve a basic level by the end of the  
24 2007-2008 school year, followed by middle schools and then high schools."

25 **SECTION 2.** "Eat Smart: North Carolina's Recommended Standards for all  
26 Foods Available in School" and the "United States Dietary Guidelines" may be used as  
27 references for establishing nutrition standards. Prior to statewide implementation, the  
28 nutrition standards will be piloted in a minimum of eight elementary, eight middle and  
29 eight high schools at a time to be determined by the State Board of Education. The

1 pilots shall be conducted in a manner that will hold the child nutrition program of a  
2 participating local school administrative unit financially harmless for its participation in  
3 the pilot project. It shall be the responsibility of the Child Nutrition Services Section of  
4 the Department of Public Instruction to oversee the pilot project, collect data from the  
5 pilots, interpret the data, and develop written guidance based on the outcomes of the  
6 pilots. The Child Nutrition Services Section of the Department of Public Instruction  
7 shall modify the nutrition standards as needed based on several criteria, including, but  
8 not limited to, the results of the pilot projects, current science, best practices in the food  
9 and beverage industry, and the availability and affordability of new foods and  
10 beverages. The Child Nutrition Services Section of the Department of Public  
11 Instruction shall monitor the progress of each local school administrative unit toward  
12 achieving the nutrition standards and shall provide technical assistance and training as  
13 needed to assist local school administrative units in implementing the nutrition  
14 standards. The Child Nutrition Services Section of the Department of Public Instruction  
15 shall report annually on the progress of each local school administrative unit to the State  
16 Board of Education and to the Joint Legislative Education Oversight Committee.

17 **SECTION 3.** This act is effective when it becomes law.