

**House Select Committee on Childhood Obesity**  
**Findings and Recommendations**  
(Working Draft – Based on Recommendations Approved 4/25/12)

**Improving Child Nutrition Programs**

**Recommendation 1:** The House Select Committee on Childhood Obesity recommends that the General Assembly appropriate:

- \$20 million dollars for the 2012-13 fiscal year to the Department of Public Instruction to assist child nutrition programs in meeting nutrition standards.
- and
- \$1.7 million dollars for the 2012-13 fiscal year to the Department of Public Instruction to support the elimination of the student cost of the reduced-price breakfast in order to increase the participation rate.
- and
- funds for the 2012-13 fiscal year to the Department of Public Instruction to support the cost of any increases in salaries and benefits required by the State for child nutrition personnel.

These recommendations are contained in bill drafts 2011-SHza-12, 2011-SHza-13, and 2011-SHza-14.

**Background 1:** The Program Evaluation Division report on December 8, 2011, indicated that 32 states supplement federal child nutrition funds. Some states have a recurring flat appropriation amount, some fund labor costs, and some provide meal reimbursements. The Department of Public Instruction indicated that since 2007, the State Board of Education has requested \$20 million annually to assist Child Nutrition programs in meeting nutrition standards. Following the Committee's March meeting, the Department of Public Instruction provided supplemental information indicating a cost of \$1.7 million dollars to eliminate the cost of a reduced-price breakfast for children who qualify for reduced-price meals.

**Recommendation 2:** The House Select Committee on Childhood Obesity recommends that the General Assembly require the Department of Public Instruction to work with school districts to decrease food costs and increase the use of locally grown fresh fruits and vegetables through 1) increased participation in the North Carolina Procurement Alliance and 2) increased participation in the Farm to School program, and to report progress on this recommendation on or before November 1, 2013, to the Joint Legislative Education Oversight Committee. To support these initiatives the House Select Committee on Childhood Obesity recommends that the General Assembly appropriate \$80,000 for the 2012-13 fiscal year to the Department of Public Instruction to provide administrative support for the NC Procurement Alliance; and to appropriate \$5000 to the Department of Public Instruction for each school district, for a total of \$575,000 for the 2012-13 fiscal year, to purchase chopping/slicing devices, or other equipment, that would encourage the purchase and consumption of locally grown fresh fruits and vegetables in school food services.

This recommendation is contained in bill draft 2011-TLza-17.

**Background 2:** The Program Evaluation Division report on December 8, 2011, presented information on opportunities for child nutrition programs to save money when purchasing food and supplies through the North Carolina Procurement Alliance. The Division found that Members have realized an average savings of 6% on the purchase of food and supplies. The Division recommended funding administrative support for the Procurement Alliance in the amount of \$80,000.

Following the Committee's March meeting, the Department of Public Instruction provided information indicating that 87 school districts currently participate in the Procurement Alliance. The Department funds a position to support the work of Alliance and the remaining support is provided through federal grants and the efforts of school district volunteers. The Department indicated that the funds provided to support the Procurement Alliance are not sufficient to enable the buying group to operate at an optimal level or to expand.

During meetings on January 12, 2012, and February 15, 2012, the Committee heard presentations on the North Carolina Farm to School Program coordinated by the North Carolina Department of Agriculture. The Farm to School program has been in operation for 15 years. Comments by the Committee members indicated that the purchase of locally grown produce from farmers and the consumption of this produce by school children was a win-win situation for North Carolina. However, some concerns were shared with the Committee that many school kitchens are not equipped to handle the preparation of fresh fruits and vegetables for consumption by children.

Following the Committee's March meeting, the Department of Public Instruction provided information on the need for funding to support the purchase of equipment that supports the use of fresh, locally-grown produce. Within the last several years, districts did receive some federal funding for equipment purchases. However the equipment requests received totaled \$12.5 million, but the funding received was only \$3.2 million. Equipment needs include: pass-through refrigerators, refrigerated display cases, chopping/slicing devices, and walk-in coolers. The Department indicated that a vertical cutter mixer would cost approximately \$5,000 and could facilitate the use of fresh produce.

**Recommendation 3:** The House Select Committee on Childhood Obesity recommends that the General Assembly amend G.S. 143-64 to remove "local school administrative units" which is anticipated to save \$500,000 by removing the requirement that school districts procure juice and water separately from other foods and beverages.

This recommendation is contained in bill draft 2011-SHz-15.

**Background 3:** Following the Committee's March meeting, the Department of Public Instruction provided information indicating that G.S. 143-64 requires local school administrative units to competitively bid contracts for the sale of bottled water separately from each other and separately from any other contract. The Department reported that this requires school districts to procure juice and water separately from each other and from all other foods and beverages served in the school breakfast and lunch program and the approximate cost of this administrative burden exceeds \$500,000. The Department reported that all purchases of foods and beverages in the child nutrition program are made in compliance with federal regulations. An amended version of G.S. 143-64 has been provided below.

**§ 143-64. Beverages contracts.**

~~Notwithstanding any other provision of law, local school administrative units, community colleges, and constituent institutions~~ Notwithstanding any other provision of the law,

community colleges and constituent institutions of The University of North Carolina shall competitively bid contracts that involve the sale of juice or bottled water. Contracts for the sale of juice and contracts for the sale of bottled water shall each be bid separately from each other and separately from any other contract, including contracts for other beverages or vending machine services. ~~The local school administrative units, community colleges, Community Colleges~~ and constituent institutions may set quality standards for these beverages, and these standards may be used to accept or reject a bid.

**Recommendation 4:** The House Select Committee on Childhood Obesity recommends that the General Assembly require the State Board of Education and the Department of Public Instruction to determine the optimal amount of seat time students need for breakfast and lunch and to explore innovative options for utilizing meal time as instructional time and to report on or before January 1, 2014, to the Joint Legislative Education Oversight Committee.

This recommendation is contained in bill draft 2011-TLz-18.

**Background 4:** On December 8, 2011, Child Nutrition Services reported the following breakfast participation levels: 37% in Elementary School, 19% in Middle School, 12% in High School. The following lunch participation levels were reported: 77% in Elementary School, 69% in Middle School, 42% in High School. According to information presented by the Department of Public Instruction, North Carolina has the tenth most food insecure student body in the nation and the fifth fattest student body in the nation. For some students a school breakfast and/or lunch may provide a significant portion of their daily food intake. Many studies have shown a link between decreased instructional outcomes when children are hungry. The Committee expressed concerns that all school students may not have adequate time to go through the cafeteria line and to eat breakfast and lunch. However, it is not clear how much time is appropriate. The Committee also expressed an awareness of the importance of instructional time. The Department mentioned several options that included “grab and go” meals and other options which may include facilitating students eating breakfast in the classroom. A study would explore both the optimal seat time and innovative approaches to ensuring students have the opportunity to eat breakfast and lunch.

## **Increasing the Consumption of Healthy Food in Communities**

**Recommendation 5:** The House Select Committee on Childhood Obesity recommends that the General Assembly require the Department of Health and Human Services to increase participation in Supplemental Nutrition Assistance Program Education (SNAP-Ed) and to report progress on or before October 1, 2013, to the Joint Legislative Oversight Committee on Health and Human Services.

This recommendation is contained in bill draft 2011-TLz-19.

**Background 5:** On December 8, 2011, the Division of Social Services, Department of Health and Human Services, presented information on Food and Nutrition Services and Supplemental Nutrition Assistance Program Education (SNAP-Ed). SNAP-Ed is an optional nutrition education and obesity prevention grant program that is 100% federally funded. The Division provided that the goals of SNAP-Ed include: healthy food choices within a limited budget, physically active lifestyles, and education on Dietary Guidelines for Americans and MyPlate. The focus of the program is to encourage consumption of fruits, vegetables, whole grains, and fat free or low-fat milk instead of unhealthy alternatives. The program also encourages physical activity, caloric intake monitoring and drinking water instead of sugary drinks.

**Recommendation 6:** The House Select Committee on Childhood Obesity appreciates and supports efforts to assist farmers in becoming Good Agricultural Practices (GAP) certified in order to increase participation in the Farm to School program and to increase the availability, supply and consumption of healthy locally grown fruits and vegetables.

No legislation is necessary for this recommendation.

**Background 6:** During the meetings on January 12, 2012 and February 15, 2012, the Committee heard presentations on the Farm to School program and Good Agricultural Practices (GAP) certification for farmers. The Committee appreciates current and future efforts by the Department of Agriculture and the Carolina Farm Stewardship Association to assist farmers in obtaining GAP certification thereby increasing local farmer participation in the Farm to School program and public access to healthy fruits and vegetables.

**Recommendation 7:** The House Select Committee on Childhood Obesity recommends that the General Assembly require the Department of Health and Human Services, the Department of Agriculture & Consumer Services to work toward increasing the number of farmers markets accepting SNAP (Supplemental Nutrition Assistance Program) EBT (Electronic Benefit Transfer) cards, to make the location of these markets known to SNAP recipients, and to report progress on this recommendation on or before March 1, 2013 and November 1, 2013, to the Joint Legislative Oversight Committee on Health and Human Services.

This recommendation is contained in bill draft 2011-TLz-19.

**Background 7:** During the December 8, 2011 meeting the Committee heard a presentation on SNAP and SNAP-Ed. The Committee also heard from Dr. Alice Ammerman, Professor, Department of Nutrition, Gillings School of Global Public Health and School of Medicine Director, Center for Health Promotion and Disease Prevention, University of North Carolina at Chapel Hill, who presented information on SNAP-Ed and the economic case for local food. Dr. Ammerman presented Recommendation 13 from the Sustainable Local Food Advisory Council's 2011 report, which encouraged the SNAP-Ed Advisory Committee to work with the Council's subcommittee to consider a statewide coordinated approach to encourage the use of locally produced food by SNAP participants. The Committee is encouraged by the work thus far to increase the acceptance of SNAP EBT cards at farmers markets. Increasing acceptance of these cards will assist farmers and SNAP recipients by increasing consumption of locally grown fruits and vegetables.

**Recommendation 8:** The House Select Committee on Childhood Obesity recommends that the General Assembly continue the Sustainable Local Food Advisory Council until July 31, 2015.

This recommendation is contained in bill draft 2011-TLz-20.

**Background 8:** Session Law 2009-530 created the North Carolina Sustainable Local Food Advisory Council to address program and policy considerations regarding the development of a sustainable local food economy in North Carolina. The Council is set to expire on July 31, 2012. The Committee has heard from a number of groups that are involved with the Council and has benefited from information facilitated through the Council. The Council has requested continuation.

## Increasing Physical Activity Among Children

**Recommendation 9:** The House Select Committee on Childhood Obesity recommends that the General Assembly establish the Task Force on Physical Education and Physical Activity in Schools (Task Force) to examine strategies for increasing physical activity and quality physical education instruction in the public schools. In the course of the study, the Task Force shall consider and recommend to the General Assembly a strategic plan to:

- Increase the amount of time that K-8 students are engaged in daily moderate to vigorous physical activity.
- Increase the number of K-8 students that are receiving the amount of weekly physical education recommended by the State Board of Education.
- Provide adequate facilities, equipment, and licensed physical education instructors.
- Identify local and statewide funding sources, including potential public/private partnerships.
- Identify methods to provide and fund the collection of reliable data from fitness testing that can be used to monitor and improve student health.

The Task Force shall consider any recommendations that are received from the State Board of Education work group on fitness testing data and use. The Task Force shall also identify any other barriers to increasing physical activity and quality physical education instruction in the public schools and recommend any means to overcome those barriers. The Task Force shall include members of the North Carolina Senate and House of Representatives; representatives from the Department of Public Instruction; the Division of Public Health in the Department of Health and Human Services; and other interested stakeholders. The Task Force shall report interim progress on this recommendation on or before March 1, 2013 and shall provide a final report on or before March 15, 2014 to the Joint Legislative Education Oversight Committee.

This recommendation is contained in bill draft 2011-RJz-4.

**Background 9:** At the November 10 meeting, the Committee heard about the link between the amount of time that a child participated in daily activity and the child's grades in school. According to the Physical Activity and Nutrition Branch of DHHS, parents reported that 53% of children who spent over an hour in physical activity each day made mostly A's as compared to 42% of children who spent less than 20 minutes in physical activity each day made mostly A's.

Paula Hudson Hildebrand, Chief Health and Community Relations Officer for DPI, explained State Board of Education Policy HSP-S-000 that required schools to provide daily a minimum of 30 minutes of moderate to vigorous physical activity to all K-8 students. The requirement can be met through a regular physical education class or through other activities such as recess, dance, classroom energizers, or other curriculum based physical education activity programs. This time should not substitute for the physical education program.

During the February 15, 2012 meeting, Ms. Hildebrand provided the results of a 2011 study on the percentage of local school administrative units (LEAs) that are meeting the requirements of this policy. DPI combined city and county LEAs for the purposes of this report and 106/112 (combined LEAs) provided data. Slightly over half (51%) of the reporting LEAs indicated that all of their elementary schools are meeting the suggested 150 minutes per week with a certified Physical Education teacher. Slightly over half (52%) of the reporting LEAs indicate that all of their middle

schools are meeting the suggested 225 minutes per week of Healthful Living instruction taught by a certified Health and Physical Education teacher. Therefore, it appears that only about half of the State's school children are being provided with physical education by a certified PE teacher.

During the November 10<sup>th</sup> meeting, Dr. Michael Kanters, Associate Professor, Department of Parks, Recreation & Tourism Management, NCSU, spoke on the importance of providing intramural opportunities for students who do not participate in interscholastic athletic competition. Dr. Kanters mentioned that children who participate in sports are more active than children who don't participate in sports. He pointed out that his research found that about 32,000 6<sup>th</sup> graders don't have access to any school sports. Dr. Kanters mentioned that this is important because when children don't participate in sports their motivation to participate later diminishes. His research found that intramural sports attract more students than interscholastic sports and that African American and low-income students are more likely to participate in sports in schools that have intramural sports programs. Dr. Kanters presented research indicating that 47% of schools offer some type of intramurals but that sometimes facilities sit empty but intramurals more effectively use buildings.

**Recommendation 10:** The House Select Committee on Childhood Obesity recommends that the General Assembly direct the State Board of Education to coordinate a work group to examine how to continue the collection of data from fitness testing currently conducted in the public schools, methods to ensure that the data is reliable, procedures to allow the data to be shared appropriately with State agencies in order to have a Statewide picture of fitness levels of students, and funding sources for these activities. The work group should include representatives from the Department of Public Instruction; the NC Alliance for Athletics, Health, Physical Education, Recreation, and Dance; the Division of Public Health in the Department of Health and Human Services; the American Heart Association; and other organizations and agencies deemed appropriate. The work group shall report to the Task Force on Physical Education and Physical Activity in Schools by June 30, 2013 on the results of its work.

This recommendation is contained in bill draft 2011-RJz-4.

**Background 10:** At the November 10 meeting, Paula Hudson Hildebrand, Chief Health and Community Relations Officer for DPI, explained about the new fitness testing guidelines for K-8 students developed by the State Board of Education as required by Session Law 2010-61. The new tests should measure aerobic capacity, body composition, muscular strength, muscular endurance and flexibility. At the same meeting, the Committee heard that the Kate B. Reynolds grant funding that supports the efforts of the NC Alliance for Athletics, Health, Physical Education, Recreation, and Dance (NC AAHPERD) will end on July 31, 2012. Through the grant NCAAHPERD has collected data on the fitness levels of K-8 students.

Following the Committee's March meeting, the State Board and DPI provided information that DPI had lead the task force that initially developed the new fitness testing guidelines and would be the logical entity to lead this new task force.

### **Addressing Early Childhood Obesity**

**Recommendation 11:** The House Select Committee on Childhood Obesity recommends that North Carolina Institute of Medicine (NCIOM) present the findings and

**recommendations of the NCIOM Task Force on Early Childhood Obesity Prevention to the Joint Legislative Education Oversight Committee when those findings are available in 2013.**

**No legislation is necessary for this recommendation.**

**Background 11:** The North Carolina Institute of Medicine (NCIOM) Task Force on Early Childhood Obesity Prevention is working to develop recommendations to address barriers and to ensure the availability of systems and services to improve young children, ages 0-5, and the physical and nutritional health of their families. According to information from the NCIOM, the Task Force is charged to:

- (1) examine evidence-based and promising practices from prior North Carolina related task forces, as well as from the White House and national Institute of Medicine Committee on Childhood Obesity Prevention; and
- (2) develop a strategic plan to prevent or reduce early childhood obesity in North Carolina that can serve as a blueprint for foundations, government, health professional associations, and other community groups interested in improving the health of young children, ages 0-5.