

Legislative Success in Connecticut Improving School Nutrition

Representative Michael Cardin
Connecticut General Assembly

Centers for Disease Control & Prevention
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Connecticut is the first state to ban soda from the school day in all elementary, middle and high schools.

- Enacting the Connecticut school nutrition law of 2006 required several years' work and many pieces coming together...

Theory of public policy change: Policy is formed by forces shaping a dynamic process to address a perceived gap.

- These factors enabled passage of Connecticut's school nutrition bill:
 - Contextual factors (social, economic, political, ideological, etc.);
 - Constituency activities (e.g. pressure by organized and unorganized forces)
 - Values, principles and ideas that shape participants' vision or policy goal;
 - Public leaders and institutions that lead on an issue in the governmental process;
 - Media presentations (TV, radio, print, Internet, etc.);
 - Research (including knowledge-building, problem examination, policy/program studies.)

A national call to action

“Overweight and obesity may not be infectious diseases, but they have reached epidemic proportions in the United States ... When school lunchrooms ... do not provide healthy and appealing food choices, that is a community responsibility.”

-- U.S. Surgeon General David Satcher, in 2001

Other states took action...

- Arkansas ended elementary-school students' access to vending machines.
- Louisiana mandated 30 minutes a day of moderate-to-vigorous physical exercise for elementary-school students.

Connecticut's obesity trends

- Connecticut's adult obesity rate rose from 11.7% in 1990 to 19.7% in 2004.
- More than half (54.8%) of Connecticut adults are either overweight or obese – 35.7% are overweight and 19.1% are obese (2004).
- Approximately 9% of Connecticut students in grades 9 to 12 are overweight, according to a 1999 survey. However, more recent statistics suggest that the problem may be much more severe and may be increasing.
- A 2000 study of Hartford student records found that 13% of kindergarteners and 24% of sixth graders were overweight.

Connecticut families, pediatricians, educators grew concerned about:

- child health
- quality of school food
- relationship to educational performance

Around the state, innovative solutions to this problem began to emerge – including a nationally recognized family walking program in Norwalk.

A small first step toward improved student health

In 2004, Connecticut adopted P.A. 04-224, An Act Concerning Childhood Nutrition in Schools, Recess and Lunch Breaks. It requires each public school full-day student to have:

- 20 minutes for lunch;
- A daily physical exercise period in grades K-5 (except for special education plans that include a different schedule); and
- Nutritious, low-fat foods and drinks, and fresh or dried fruit available for purchase.

2005: Support for reform grows

- Connecticut political leadership gets on board:
 - Sen. Williams & Senate Democratic leaders
 - Coalition of House Democratic leaders
- Goals:
 - Improve school nutrition & student health
 - Create standards for school nutrition
 - Prevent obesity & related health problems later on

Constituency for reform: 2005

- Broad-based coalition forms to support school nutrition bill, led by End Hunger Connecticut
- Supported by American Heart Assoc., CT Public Health Association, CT Dieticians, Dentists, Pediatricians, School Nurses, Environment-Human Health Groups & many others
- Over 130 organizations write to Gov. Rell in support of bill

Constituency against reform: 2005

- Connecticut Association of Boards of Education
- Connecticut Association of Public School Superintendents
- Connecticut Association of School Business Officials
- Connecticut Business & Industry Association (CBIA)
- Soda and junk food industry & lobbyists
- Teamsters, representing truckers who deliver drinks to schools, claiming that replacing sodas with healthier products from the same companies in school vending machines would reduce sales and therefore business for the truckers
- Goals:
 - Maintain local district control
 - Oppose physical activity requirements that could lengthen or change school day schedule
 - Keep soda & unhealthy snacks in schools for business/revenue purposes

In early 2005, Morgan Spurlock, director and star of the film "Super Size Me," spoke at a forum at the State Capitol featuring legislators, pediatricians, health care and nutrition specialists, parents...



... and several hundred young people. Youth panelists talked about the impact of overweight in their lives, the challenge to stay healthy, and their ideas for good health at school and at home.



The 2005 bill (S.B. 1309):

- Banned sugared sodas from school (permitted sugar-free soda and electrolyte replacement beverages to be sold only in high schools a half-hour or more after lunch)
- Permitted sale of sugared sodas at middle and high school special events
- Required that the daily period of physical exercise for K-5 students be at least 20 minutes, in addition to physical education
- Permitted each board of education to establish a School Wellness Committee that would make recommendations on nutrition and physical exercise issues
- Required the State Department of Education to publish nutrition guidelines for foods sold at school except those sold as part of the National School Lunch Program or National School Breakfast Program.
- Limited sales of snack foods not approved by Department of Education guidelines to after-school or weekend events.

Media attention & public support for the bill grew through a number of events:

- Legislators' press conference showing poor-quality school food (2005)
- State Capitol with legislators, youth and Morgan Spurlock (2005)

The 2005 bill faced an 8-hour 'filibuster' on the House floor, the longest floor debate on any bill in the Connecticut General Assembly that year.

Major objections to the bill voiced by House Republicans:

- That the 20 minutes of physical activity for K-5 students would take time away from academics.
- That the bill did not teach our children about good choices; and that parents, not schools, should educate children about nutrition.
- That the bill lacked provisions for schools to educate children about nutrition, even as it regulated what foods they could have.
- That students would develop a 'black market' in junk food sales.

The note inside this vending machine requests students to contact the Governor and ask her to veto the bill.



Gov. Rell vetoed the bill on June 14, 2005.

Her reasons included:

- "The General Assembly has engaged in the unnecessary practice of usurping the long-standing authority of our local school districts."
- The bill's effort to impose state standards on local school districts for nutrition and physical education "undermines the control and responsibility of parents with school-aged children."
- "Initiatives should be taken on the local level by locally elected school boards, in cooperation with parents and students...The task of determining and meeting the health and dietary needs of children should, first and foremost, be undertaken by parents."
- The bill's requirement to add 100 minutes of physical activity per week for school children. She noted that the state does not currently mandate specific amounts of time for other – even more basic – school requirements of reading, writing, math and science.

After Gov. Rell's veto...

- Legislative leaders worked in late 2005 to craft a compromise that would be acceptable to Gov. Rell and local school leaders.
 - Sen. Williams, building on prior proposed legislation, worked to figure out what schools needed as an incentive to improve school nutrition.
- It also became apparent that the physical activity provision would need to be removed from the nutrition bill and placed in separate legislation.

Overall, the bill was changed in the following ways:

- School snack standards incentive funding added to get support of school leaders;
- Physical activity provision removed;
- Provision removed from 2005 bill that had allowed sugar-free soda and electrolyte replacement beverages to be sold only in high schools a half-hour or more after lunch; and
- Serving size of all non-water beverages (milk, juice, etc.) limited to 12 ounces

The 2006 bill:

- Requires public schools to only serve the following beverages:
 - Milk
 - Milk substitute (e.g. rice milk or soy milk)
 - 100% fruit or vegetable juice,
 - Water

The size of these beverages cannot be any larger than 12 ounces, except for water. All soda is banned from sale during school hours and from vending machines.
- Allows schools to sell soda and snack foods at after-school and weekend special events.
- Requires the State Department of Education to publish nutrition guidelines for foods sold at school except those sold as part of the National School Lunch Program or National School Breakfast Program.
- Triples the school lunch reimbursement (from 5 cents to 15 cents per lunch served) to school districts that follow the SDE nutrition guidelines.

With these changes, the 2006 bill was endorsed by:

- Governor Rell
- State Education Commissioner Betty Sternberg
- CT Association of Public School Superintendents
- (CT Association of Boards of Education neutral)

Support for the bill strengthens: 2006

- 130+ organizations support the bill with more intensive effort
- Strong union support from AFSCME, teachers (CFT), AFL-CIO and other municipal unions

Intensive advocacy efforts for the 2006 bill

- Legislators' press conference showing healthy foods (2006)



MEDIA ADVISORY

WHO: HEALTHY SCHOOLS – HEALTHY KIDS, A COALITION OF GROUPS SUPPORTING SB01, AAC HEALTHY FOOD AND BEVERAGES IN SCHOOLS

SPEAKERS: State Representative Andrew Fikschmann; State Senator Dan Williams; Dr. David Title, Superintendent of Schools, Bloomfield on behalf of the Connecticut Association Public School Superintendents; Dana Platts, President, School Nutrition Association of Connecticut; Marisa Usher, Legislative Chair, Connecticut PTA

WHAT: PRESS CONFERENCE HIGHLIGHTING THE FINANCIAL BENEFITS TO SCHOOLS THAT SERVE HEALTHY FOOD AND DRINKS
Samples and examples of healthy foods will be available for testing and for photo opportunities.

WHEN: FRIDAY, MARCH 3, 10:30 am

WHERE: LOB ROOM 1A

WHY:

BECAUSE THIS IS THE TIME TO GIVE SCHOOLS THE TOOLS THEY NEED TO BE MODELS FOR HEALTHY LIVING;

BECAUSE BANNING SODA AND SUGARY DRINKS WILL HELP – NOT HARM – SCHOOLS FINANCIALLY, AND IT'S THE RIGHT THING TO DO;

BECAUSE HEALTHY KIDS DO BETTER IN SCHOOL AND LIFE.

The soda industry mounted another full-court press in 2006 against the bill.

Among the claims – and the responses from advocates of the bill:

1. "The bill is really just feel-good legislation that doesn't do anything!"
2. "Nutrition for children is a matter for parents, not the schools and government!"
3. "What's really needed is better nutritional education in our schools!"
4. "The junk food and soda industries are the friends of diabetic children—they need diet soda!"
5. "If this bill passes schools will lose money!"
6. "When soda is banned, truck drivers who deliver beverages to schools will lose their jobs!"

Slow progress in legislative committees

- The 2006 nutrition bill made steady progress in the state legislature until it arrived at the Appropriations Committee. There, several Democrats joined Republicans to oppose the bill, and it was voted down.
- The bill was revived in another committee where it was approved; then the Appropriations Committee took a second vote and approved the bill.

Key Developments for Bill

- Sen. Williams and Attorney General Blumenthal held a press conference regarding pressure by soda companies on school districts to include sugary sodas over healthier products in vending contracts – and possible threats by soda companies to remove foundation support for school sports programs (a potential violation of law.)
- In a statewide poll, 68% of Connecticut registered voters approved of getting soda and sugary drinks out of schools.

May 2006

- Legislature approves the bill (after a shorter though still emotional debate this time), and
- Governor Rell signs it into law!

P.A. 06-63 - An Act Concerning Healthy Food and Beverages in School

Soda makers agree to limit school sales

- Six days after the Connecticut House approved the bill, a nationwide agreement by the 3 leading soda makers on school soda sales was announced by the Alliance for a Healthier Generation – a joint initiative of the William J. Clinton Foundation and the American Heart Association.
 - Coca-Cola, Pepsi & Cadbury Schweppes agreed to establish new guidelines to limit portion sizes and reduce the number of calories available to children during the school day.
 - Only lower calorie and nutritious beverages will be sold to schools across the nation.
 - Under the agreement, high schools will still be able to purchase drinks such as diet and unsweetened teas, diet sodas, sports drinks, flavored water, seltzer and low-calorie sports drinks from distributors.
- Connecticut remains the only state in which all soda – including diet soda and sports drinks – will be banned from the school day in elementary through high school.



State Rep. Michael Cardin
Connecticut General Assembly

Legislative Office Building
Room 4046
Hartford, CT
06106-1591

(860) 240-8488

or

(800) 842-8267

Mike.Cardin@cga.ct.gov
