

WEST VIRGINIA LEGISLATURE

2016 REGULAR SESSION

Introduced

House Bill 2510

FISCAL
NOTE

2015 Carryover

(BY DELEGATES CAMPBELL, KELLY, WAGNER, ROWAN,
PERRY, AMBLER, ROMINE, COOPER, REYNOLDS,
HOUSEHOLDER AND MARCUM)

[Introduced January 13, 2016; referred to the
Committee on Health and Human Resources then
Education.]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
 2 designated §18-2-6c, relating to school celebrations, recognition programs and events;
 3 standards, authorizations and requirements; plan required; parental participation;
 4 permissible activities and refreshments; and responsibilities of schools, faculty senates,
 5 principals, and Department of Education Office of Child Nutrition.

Be it enacted by the Legislature of West Virginia:

1 That the Code of West Virginia, 1931, as amended, be amended by adding thereto a
 2 new section, designated §18-2-6c, to read as follows:

ARTICLE 2. STATE BOARD OF EDUCATION.

§18-2-6c. School celebrations, recognition programs and events.

1 (a) The Legislature recognizes that periodic celebrations where students enjoy
 2 noninstructional or recreational activities are valuable means for increasing students' interest and
 3 engagement in school and that recognition programs increase students' desire to succeed in
 4 school.

5 (b) Each public school faculty senate, together with the school principal, shall adopt a plan
 6 regarding how that school will administer school or classroom celebrations on a periodic basis as
 7 determined by the school principal in compliance with provisions of this code and state board
 8 policy governing required instructional time. Subject to approval of the local school improvement
 9 council, and for the purpose of such events only, a school is authorized to waive only the
 10 nutritional and caloric content requirements of state board policies regarding standards for school
 11 nutrition.

12 (c) The celebrations shall be scheduled for purposes designated by the faculty senate and
 13 approved by the school principal. The purposes may include events designed to motivate
 14 students, or to celebrate the following: (1) Holidays; (2) special events; (3) student

15 accomplishments, recognitions or successes; (4) school achievements; (5) school or student
16 awards; or (6) such other purposes as designated by the faculty senate and approved by the
17 principal.

18 (d) Each school is encouraged to facilitate participation of parents and the parent-teacher
19 organization for the events.

20 (e) Schools are encouraged to focus attention to enjoyable and relaxing activities for
21 students, including physical activities when possible, and to minimize attention on refreshments.

22 (f) The faculty senate shall educate parents regarding permissible activities and
23 refreshments for the events. The faculty senate specifically shall inform parents of the following
24 regarding any food item provided for consumption by a student other than one's own child:

25 (1) The requirement that the food item shall be either:

26 (A) Commercially prepackaged and unopened, whether provided in bulk or per individual
27 serving; or

28 (B) Fresh, whole foods which are provided for on-site preparation in the school cafeteria
29 pursuant to school meal preparation guidelines;

30 (2) Applicable state board and federal standards for food safety, individual student dietary
31 needs, and nutritional and caloric content; and

32 (3) Access to and information contained in the Office of Child Nutrition publication provided
33 in subsection (g) of this section.

34 (g) The Department of Education Office of Child Nutrition shall accomplish the following:

35 (1) Annually educate school personnel and central board office food service personnel on
36 the array of healthy and permissible options for student refreshments;

37 (2) Furnish semiannually to each faculty senate a copy of its publication providing
38 guidance for planning healthy school parties; and

39 (3) Provide guidance for implementing the provisions of the publication.

NOTE: The purpose of this bill is to allow sweets to be served at elementary school parties to teach balanced nutrition through moderation.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.

This section is new; therefore it is completely underscored.