

1 COMMITTEE SUBSTITUTE

2 FOR

3 **H. B. 4307**

4 (By Delegates Campbell, Perry, Barill, M. Poling,
5 Pasdon, Hamrick, Sponaugle, Hamilton, Tomblin, Marcum and Storch)

6 (Originating in the House Committee on Education.)

7 [February 21, 2014]

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9
10 A BILL to amend the Code of West Virginia, 1931, as amended, by
11 adding thereto a new section, designated §18-2-6c, relating to
12 school celebrations, recognition programs and events;
13 standards, authorizations and requirements; plan required;
14 parental participation; permissible activities and
15 refreshments; and responsibilities of schools, faculty
16 senates, principals, and Department of Education Office of
17 Child Nutrition.

18 *Be it enacted by the Legislature of West Virginia:*

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

22 **ARTICLE 2. STATE BOARD OF EDUCATION.**

23 **§18-2-6c. School celebrations, recognition programs and events.**

24 (a) The Legislature recognizes that periodic celebrations

1 where students enjoy non-instructional or recreational activities
2 are valuable means for increasing students' interest and engagement
3 in school and that recognition programs increase students' desire
4 to succeed in school.

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

14 (c) The celebrations shall be scheduled for purposes
15 designated by the faculty senate and approved by the school
16 principal. Such purposes may include events designed to motivate
17 students, or to celebrate the following: (1) Holidays; (2) special
18 events; (3) student accomplishments, recognitions or successes; (4)
19 school achievements; (5) school or student awards; or (6) such
20 other purposes as designated by the faculty senate and approved by
21 the principal.

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

24 (e) Schools are encouraged to focus attention to enjoyable and

1 relaxing activities for students, including physical activities
2 when possible, and to minimize attention on refreshments.

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

8 (1) The requirement that any such food item shall be either:

9 (A) Commercially pre-packaged and unopened, whether provided
10 in bulk or per individual serving; or

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

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

17 (3) Access to and information contained in the Office of Child
18 Nutrition publication provided for in subsection (g) of this
19 section.

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

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

1 (2) Furnish semi-annually to each faculty senate a copy of its
2 publication providing guidance for planning healthy school parties;
3 and

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