

Reprinted

FILED SEP 10 1990

SENATE FILE 2326
BY COMMITTEE ON EDUCATION
Education (p. 515)
(SUCCESSOR TO SSB 2212)

Failed
Passed Senate, Date 2/27/90 (p. 739) Passed House, Date 3/28/90 (p. 1518)
Vote: Ayes 24 Nays 24 Vote: Ayes 60 Nays 38

Approved

Motion to reconsider (p. 765) prevailed (p. 769)
Passed Senate 2/27/90 (p. 5261)
27-18 A BILL FOR

1 An Act requiring the department of education to develop and
2 maintain nutrition guidelines for food and beverages sold on
3 public school grounds.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 256.9, Code Supplement 1989, is amended
2 by adding the following new subsection:

3 NEW SUBSECTION. 39. Develop and maintain nutrition
4 guidelines for school lunches and breakfasts, and for all food
5 and beverages sold on public school grounds in addition to the
6 requirements imposed under the federal child nutrition program
7 regulations. The nutrition guidelines shall include
8 guidelines for fat, saturated fat, and cholesterol, and shall
9 provide that where comparable food products of equal
10 nutritional value are available, the food product lower in
11 fat, saturated fat, or cholesterol shall be used.

12 Sec. 2. Section 283A.1, Code 1989, is amended to read as
13 follows:

14 283A.1 DEFINITIONS.

15 For the purpose of this chapter:

16 1. "Nutritionally adequate meal" means a lunch or
17 breakfast which meets the guidelines established by the
18 department of education under section 256.9.

19 2. "School" means a public school of high school grade or
20 under.

21 3. "School board" means a board of school directors
22 regularly elected by the qualified voters of a school
23 corporation or district of the state of Iowa.

24 ~~2. "School" means a public school of high school grade or~~
25 ~~under.~~

26 3 4. "School lunch program" means a program under which
27 lunches are served by any public school in the state of Iowa
28 on a nonprofit basis to children in attendance, including any
29 such program under which a school receives assistance out of
30 funds appropriated by the Congress of the United States.

31 Sec. 3. Section 283A.2, Code 1989, is amended to read as
32 follows:

33 283A.2 SCHOOL BOARDS -- RULES.

34 School boards ~~shall have power to~~ may operate or provide
35 for the operation of school lunch programs in schools under

1 their jurisdiction, and may use ~~therefor~~ funds disbursed to
2 them under the provisions of this chapter, gifts, funds
3 received from sale of school lunches under such programs, and
4 any other funds legally available for that purpose.

5 All school districts shall operate or provide for the
6 operation of school lunch programs at all public schools in
7 each district, ~~which.~~ The programs shall provide students
8 with nutritionally adequate meals and shall be operated in
9 compliance with the rules of the department-of-public
10 instruction state board of education and pertinent federal
11 rules, for all students in each district who attend public
12 school four or more hours each school day and wish to
13 participate in a school lunch program, and school. School
14 districts may provide such school lunch programs for other
15 students.

16 Sec. 4. Section 283A.5, Code 1989, is amended to read as
17 follows:

18 283A.5 ACCOUNTS, RECORDS, REPORTS, AND OPERATIONS.

19 The director of the department of education shall prescribe
20 regulations for the keeping of accounts and records and the
21 making of reports by or under the supervision of school
22 boards. Such accounts and records shall at all times be
23 available for inspection and audit by authorized officials and
24 shall be preserved for such period of time, not in excess of
25 five years, as the director may lawfully prescribe. The
26 director shall conduct or cause to be conducted such audits
27 and inspections with respect to school lunch programs as may
28 be necessary to determine whether its agreement with school
29 boards and regulations made pursuant to this chapter are being
30 complied with, and to insure that school lunch programs are
31 effectively administered and nutritionally adequate meals are
32 served.

33 EXPLANATION

34 This bill requires the department of education to develop
35 nutrition standards for school lunches, breakfasts, and for

1 other food and beverages served on public school grounds. The
2 nutrition guidelines are to be in addition to the federal
3 nutrition guidelines under the federal child nutrition program
4 and shall include guidelines for fat, saturated fat, and
5 cholesterol.

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SENATE FILE 2326
FISCAL NOTE

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A fiscal note for Senate File 2326 is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note is available from the Legislative Fiscal Bureau to members of the Legislature upon request.

Senate File 2326 requires the Department of Education to develop nutrition standards for school lunches, breakfasts, and for other food and beverages served on public school grounds. The nutrition guidelines are to be in addition to the federal nutrition guidelines.

Assumptions:

1. School Districts cost for meals will not increase because of the new standards. The effect on cost per meals because of the new standards is unknown.
2. Federal funds will not be lost. If this legislation results in conflict with federal standards or is ruled a discriminatory practice because the law only relates to public school, federal money could be lost.
3. A growth rate of 5%.

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Fiscal Impact:

The Department of Education would need a consultant at a cost of \$38,800, a secretary at a cost of \$21,500, support at a cost of \$14,500, and equipment at a cost of \$2,280. This would result in a fiscal impact of \$77,080 for FY 1991 and \$71,712 for FY 1992.

Source: Department of Education

(LSB 8287sv, JAS)

FILED FEBRUARY 23, 1990

BY DENNIS PROUTY, FISCAL DIRECTOR

35

LSB 8287SV 73

lw/cf/24

SENATE FILE 2326

S-5152

1 Amend Senate File 2326 as follows:

2 1. Page 1, line 5, by inserting after the word
3 "grounds" the following: "or the grounds of a
4 nonpublic school receiving funds under section
5 283A.10, which are".

6 2. Page 2, by inserting after line 32, the
7 following:

8 "Sec. ____ . Section 283A.10, Code 1989, is amended
9 to read as follows:

10 283A.10 SCHOOL LUNCH IN NONPUBLIC SCHOOLS.

11 The authorities in charge of nonpublic schools may
12 operate or provide for the operation of school lunch
13 programs in schools under their jurisdiction and may
14 use funds appropriated to them by the general
15 assembly, gifts, funds received from sale of school
16 lunches under such programs, and any other funds
17 available to the nonpublic school. However, school
18 lunch programs shall not be required in nonpublic
19 schools. The department of education shall direct the
20 disbursement of state funds to nonpublic schools for
21 school lunch programs in the same manner as state
22 funds are disbursed to public schools. If a nonpublic
23 school receives state funds for the operation of a
24 school lunch program, meals served under the program
25 shall be nutritionally adequate meals, as defined in
26 section 283A.1."

27 3. By numbering and renumbering as necessary.

By JIM LIND

LARRY MURPHY

S-5152 FILED FEBRUARY 20, 1990

Adopted 2/26 (p. 731)

SENATE FILE 2326

S-5240

1 Amend Senate File 2326 as follows:

2 1. Page 1, line 8, by striking the words
3 "cholesterol, and" and inserting the following:
4 "cholesterol;"

5 2. Page 1, line 11, by inserting after the word
6 "used" the following: "; and shall provide that each
7 meal is to contain at least one-third of the
8 recommended dietary allowance established by the
9 national research council in effect on January 1,
10 1990".

By MIKE CONNOLLY

S-5240 FILED FEBRUARY 26, 1990

Adopted 2/21 (p. 738)

SENATE FILE 2326

S-5261

1 Amend Senate File 2326 as follows:

2 1. Page 2, by inserting after line 32, the
3 following:

4 "Sec. ____ . NEW SECTION. 283A.11 VENDING MACHINES
5 AND NUTRITIONAL GUIDELINES.

6 Public schools, and any accredited nonpublic school
7 which receives funds for the operation of a school
8 lunch program under this chapter, shall not operate,
9 or cause to be operated, vending machines during the
10 hours that regular classes are in session, or for
11 thirty minutes before or after those hours. However,
12 this requirement shall not apply to schools which
13 operate, or cause to be operated, vending machines
14 which meet the nutritional guidelines established by
15 the department under section 256.9, subsection 39."

16 2. By renumbering as necessary.

By RAY TAYLOR

DALE L. TIEDEN

S-5261 FILED FEBRUARY 27, 1990

ADOPTED (p. 5261)

1 Section 1. Section 256.9, Code Supplement 1989, is amended
2 by adding the following new subsection:

3 NEW SUBSECTION. 39. Develop and maintain nutrition
4 guidelines for school lunches and breakfasts, and for all food
5 and beverages sold on public school grounds or the grounds of
6 a nonpublic school receiving funds under section 283A.10,
7 which are in addition to the requirements imposed under the
8 federal child nutrition program regulations. The nutrition
9 guidelines shall include guidelines for fat, saturated fat,
10 and cholesterol; shall provide that where comparable food
11 products of equal nutritional value are available, the food
12 product lower in fat, saturated fat, or cholesterol shall be
13 used; and shall provide that each meal is to contain at least
14 one-third of the recommended dietary allowance established by
15 the national research council in effect on January 1, 1990.

16 Sec. 2. Section 283A.1, Code 1989, is amended to read as
17 follows:

18 283A.1 DEFINITIONS.

19 For the purpose of this chapter:

20 1. "Nutritionally adequate meal" means a lunch or
21 breakfast which meets the guidelines established by the
22 department of education under section 256.9.

23 2. "School" means a public school of high school grade or
24 under.

25 ± 3. "School board" means a board of school directors
26 regularly elected by the qualified voters of a school
27 corporation or district of the state of Iowa.

28 ~~2. -- "School" means a public school of high school grade or~~
29 ~~under.~~

30 3 4. "School lunch program" means a program under which
31 lunches are served by any public school in the state of Iowa
32 on a nonprofit basis to children in attendance, including any
33 such program under which a school receives assistance out of
34 funds appropriated by the Congress of the United States.

35 Sec. 3. Section 283A.2, Code 1989, is amended to read as

1 follows:

2 283A.2 SCHOOL BOARDS -- RULES.

3 School boards ~~shall have power to~~ may operate or provide
4 for the operation of school lunch programs in schools under
5 their jurisdiction, and may use ~~therefor~~ funds disbursed to
6 them under the provisions of this chapter, gifts, funds
7 received from sale of school lunches under such programs, and
8 any other funds legally available for that purpose.

9 All school districts shall operate or provide for the
10 operation of school lunch programs at all public schools in
11 each district, ~~which~~. The programs shall provide students
12 with nutritionally adequate meals and shall be operated in
13 compliance with the rules of the ~~department of public~~
14 instruction state board of education and pertinent federal
15 rules, for all students in each district who attend public
16 school four or more hours each school day and wish to
17 participate in a school lunch program, ~~and school~~. School
18 districts may provide ~~such~~ school lunch programs for other
19 students.

20 Sec. 4. Section 283A.5, Code 1989, is amended to read as
21 follows:

22 283A.5 ACCOUNTS, RECORDS, REPORTS, AND OPERATIONS.

23 The director of the department of education shall prescribe
24 regulations for the keeping of accounts and records and the
25 making of reports by or under the supervision of school
26 boards. Such accounts and records shall at all times be
27 available for inspection and audit by authorized officials and
28 shall be preserved for such period of time, not in excess of
29 five years, as the director may lawfully prescribe. The
30 director shall conduct or cause to be conducted such audits
31 and inspections with respect to school lunch programs as may
32 be necessary to determine whether its agreement with school
33 boards and regulations made pursuant to this chapter are being
34 complied with, and to insure that school lunch programs are
35 effectively administered and nutritionally adequate meals are

1 served.

2 Sec. 5. Section 283A.10, Code 1989, is amended to read as
3 follows:

4 283A.10 SCHOOL LUNCH IN NONPUBLIC SCHOOLS.

5 The authorities in charge of nonpublic schools may operate
6 or provide for the operation of school lunch programs in
7 schools under their jurisdiction and may use funds
8 appropriated to them by the general assembly, gifts, funds
9 received from sale of school lunches under such programs, and
10 any other funds available to the nonpublic school. However,
11 school lunch programs shall not be required in nonpublic
12 schools. The department of education shall direct the
13 disbursement of state funds to nonpublic schools for school
14 lunch programs in the same manner as state funds are disbursed
15 to public schools. If a nonpublic school receives state funds
16 for the operation of a school lunch program, meals served
17 under the program shall be nutritionally adequate meals, as
18 defined in section 283A.1.

19 Sec. 6. NEW SECTION. 283A.11 VENDING MACHINES AND
20 NUTRITIONAL GUIDELINES.

21 Public schools, and any accredited nonpublic school which
22 receives funds for the operation of a school lunch program
23 under this chapter, shall not operate, or cause to be
24 operated, vending machines during the hours that regular
25 classes are in session, or for thirty minutes before or after
26 those hours. However, this requirement shall not apply to
27 schools which operate, or cause to be operated, vending
28 machines which meet the nutritional guidelines established by
29 the department under section 256.9, subsection 39.

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SENATE FILE 2326

H-5591

- 1 Amend Senate File 2326, as amended, passed, and
2 reprinted by the Senate, as follows:
- 3 1. Page 1, line 2, by striking the word
4 "subsection" and inserting the following:
5 "subsections".
- 6 2. Page 1, line 3, by inserting after the word
7 "Develop" the following: "by January 1, 1991,".
- 8 3. Page 1, line 4, by inserting after the word
9 "guidelines" the following: "which are consistent
10 with the dietary guidelines for Americans recommended
11 dietary allowances established by the national
12 research council and regulations adopted by the United
13 States department of agriculture".
- 14 4. Page 1, line 9, by inserting after the words
15 "saturated fat," the following: "sugar, sodium,
16 fiber,".
- 17 5. Page 1, line 12, by inserting after the words
18 "saturated fat," the following: "sugar, sodium,".
- 19 6. Page 1, line 15, by inserting after the figure
20 "1990." the following: "If, however, dietary
21 guidelines for children are published by the United
22 States department of agriculture and department of
23 health and human services, the director shall cause
24 the previous Iowa nutrition guidelines to be rescinded
25 and the new federal dietary guidelines for children
26 shall be adopted in place of the previous guidelines."
- 27 7. Page 1, by inserting after line 15, the
28 following:
29 "NEW SUBSECTION. 40. Provide educational
30 resources and technical assistance to schools relating
31 to the implementation of the nutritional guidelines
32 for food and beverages sold on public school grounds
33 or on the grounds of nonpublic schools receiving funds
34 under section 283A.10."
- 35 8. Page 1, by inserting after line 19, the
36 following:
37 "1. "Competitive food" or "competitive foods"
38 means all food or beverages sold by students, the
39 school administration, or other groups or
40 organizations, or commercial companies on public
41 school grounds or the grounds of a nonpublic school
42 which receives funds under section 283A.10, and
43 includes those foods or beverages which are sold at
44 snack bars, vending machines, or by other similar
45 means."
- 46 9. Page 1, line 20, by striking the figure "1"
47 and inserting the following: "2".
- 48 10. Page 1, line 23, by striking the figure "2"
49 and inserting the following: "3".
- 50 11. Page 1, line 25, by striking the figure "3"

H-5591

Page 2

- 1 and inserting the following: "4".
- 2 12. Page 1, line 30, by striking the figure "4"
- 3 and inserting the following: "5".
- 4 13. Page 3, by striking lines 19 through 29.

By COMMITTEE ON EDUCATION
OLLIE of Clinton, Chairperson

H-5591 FILED MARCH 12, 1990
Adopted as amended by 5366 3/18 (p. 1512)

SENATE FILE 2326

H-5806

- 1 Amend the amendment, H-5591, to Senate File 2326,
- 2 as amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 1, by striking lines 6 and 7, and insert-
- 5 ing the following:
- 6 "_____. Page 1, line 3, by striking the word
- 7 "Develop" and inserting the following: "Establish by
- 8 July 1, 1991, a six-month pilot project to develop".
- 9 2. Page 1, by inserting after line 16 the fol-
- 10 lowing:
- 11 "_____. Page 1, line 10, by striking the word
- 12 "provide" and inserting the following: "encourage".
- 13 3. Page 1, by striking lines 23 through 26 and
- 14 inserting the following: "health and human services,
- 15 the nutrition guidelines used in the pilot project
- 16 shall conform to the new federal dietary guidelines
- 17 for children. The department shall, through
- 18 establishment of the pilot project, determine the
- 19 feasibility of extending the nutrition guidelines
- 20 established in the project to other schools and school
- 21 districts in the state. In determining the
- 22 feasibility of extending the nutrition guidelines, the
- 23 department shall consult with school food service
- 24 directors in the state. The department shall submit a
- 25 report to the general assembly outlining and
- 26 describing the proposed pilot project, including the
- 27 proposed pilot project guidelines, by January 1, 1991,
- 28 and shall submit, at the conclusion of the pilot
- 29 project, a report, along with any recommendations,
- 30 relating to the modification of those guidelines and
- 31 the feasibility of extending the guidelines to other
- 32 schools and school districts."
- 33 4. By striking page 1, line 35, through page 2,
- 34 line 3, and inserting the following:
- 35 "_____. Page 1, line 22, by striking the words
- 36 "under section 256.9".
- 37 5. By numbering and renumbering as necessary.

By ADAMS of Hamilton

H-5806 FILED MARCH 22, 1990

Adopted 3/22 (p. 1518)

3"

HOUSE AMENDMENT TO
SENATE FILE 2326

S-5794

1 Amend Senate File 2326, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 1, line 2, by striking the word
4 "subsection" and inserting the following:
5 "subsections".

6 2. Page 1, line 3, by striking the word "Develop"
7 and inserting the following: "Establish by July 1,
8 1991, a six-month pilot project to develop".

9 3. Page 1, line 4, by inserting after the word
10 "guidelines" the following: "which are consistent
11 with the dietary guidelines for Americans recommended
12 dietary allowances established by the national
13 research council and regulations adopted by the United
14 States department of agriculture".

15 4. Page 1, line 9, by inserting after the words
16 "saturated fat," the following: "sugar, sodium,
17 fiber,".

18 5. Page 1, line 10, by striking the word
19 "provide" and inserting the following: "encourage".

20 6. Page 1, line 12, by inserting after the words
21 "saturated fat," the following: "sugar, sodium,".

22 7. Page 1, line 15, by inserting after the figure
23 "1990." the following: "If, however, dietary
24 guidelines for children are published by the United
25 States department of agriculture and department of
26 health and human services, the nutrition guidelines
27 used in the pilot project shall conform to the new
28 federal dietary guidelines for children. The
29 department shall, through establishment of the pilot
30 project, determine the feasibility of extending the
31 nutrition guidelines established in the project to
32 other schools and school districts in the state. In
33 determining the feasibility of extending the nutrition
34 guidelines, the department shall consult with school
35 food service directors in the state. The department
36 shall submit a report to the general assembly
37 outlining and describing the proposed pilot project,
38 including the proposed pilot project guidelines, by
39 January 1, 1991, and shall submit, at the conclusion
40 of the pilot project, a report, along with any
41 recommendations, relating to the modification of those
42 guidelines and the feasibility of extending the
43 guidelines to other schools and school districts.

44 8. Page 1, by inserting after line 15, the
45 following:

46 "NEW SUBSECTION. 40. Provide educational
47 resources and technical assistance to schools relating
48 to the implementation of the nutritional guidelines
49 for food and beverages sold on public school grounds
50 or on the grounds of nonpublic schools receiving funds

Page 2

1 under section 283A.10."

2 9. Page 1, line 22, by striking the words "under
3 section 256.9".

4 10. Page 3, by striking lines 19 through 29.

5 11. By numbering and renumbering as necessary.

RECEIVED FROM THE HOUSE

LLOYD. JONES, CH.
SZYMONIAK
TINSMAN

SSB 2212
EDUCATION

SENATE FILE 2326
BY (PROPOSED COMMITTEE ON
EDUCATION BILL BY CHAIRPERSON
MURPHY)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act requiring the department of education to develop and
2 maintain nutrition guidelines for food and beverages sold on
3 public school grounds.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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2 by adding the following new subsection:

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4 guidelines for school lunches and breakfasts, and for all food
5 and beverages sold on public school grounds in addition to the
6 requirements imposed under the federal child nutrition program
7 regulations. The nutrition guidelines shall include
8 guidelines for fat, saturated fat, and cholesterol, and shall
9 provide that where comparable food products of equal
10 nutritional value are available, the food product lower in
11 fat, saturated fat, or cholesterol shall be used.

12 Sec. 2. Section 283A.1, Code 1989, is amended to read as
13 follows:

14 283A.1 DEFINITIONS.

15 For the purpose of this chapter:

16 1. "Nutritionally adequate meal" means a lunch or
17 breakfast which meets the guidelines established by the
18 department of education under section 256.9.

19 2. "School" means a public school of high school grade or
20 under.

21 3. "School board" means a board of school directors
22 regularly elected by the qualified voters of a school
23 corporation or district of the state of Iowa.

24 ~~2. "School" means a public school of high school grade or~~
25 ~~under.~~

26 3 4. "School lunch program" means a program under which
27 lunches are served by any public school in the state of Iowa
28 on a nonprofit basis to children in attendance, including any
29 such program under which a school receives assistance out of
30 funds appropriated by the Congress of the United States.

31 Sec. 3. Section 283A.2, Code 1989, is amended to read as
32 follows:

33 283A.2 SCHOOL BOARDS -- RULES.

34 School boards ~~shall have power to~~ may operate or provide
35 for the operation of school lunch programs in schools under

1 their jurisdiction, and may use ~~therefor~~ funds disbursed to
2 them under the provisions of this chapter, gifts, funds
3 received from sale of school lunches under such programs, and
4 any other funds legally available for that purpose.

5 All school districts shall operate or provide for the
6 operation of school lunch programs at all public schools in
7 each district~~7-which~~ . The programs shall provide students
8 with nutritionally adequate meals and shall be operated in
9 compliance with the rules of the department-of-public
10 instruction state board of education and pertinent federal
11 rules, for all students in each district who attend public
12 school four or more hours each school day and wish to
13 participate in a school lunch program~~7-and-school~~. School
14 districts may provide such school lunch programs for other
15 students.

16 Sec. 4. Section 283A.5, Code 1989, is amended to read as
17 follows:

18 283A.5 ACCOUNTS, RECORDS, REPORTS, AND OPERATIONS.

19 The director of the department of education shall prescribe
20 regulations for the keeping of accounts and records and the
21 making of reports by or under the supervision of school
22 boards. Such accounts and records shall at all times be
23 available for inspection and audit by authorized officials and
24 shall be preserved for such period of time, not in excess of
25 five years, as the director may lawfully prescribe. The
26 director shall conduct or cause to be conducted such audits
27 and inspections with respect to school lunch programs as may
28 be necessary to determine whether its agreement with school
29 boards and regulations made pursuant to this chapter are being
30 complied with, and to insure that school lunch programs are
31 effectively administered and nutritionally adequate meals are
32 served.

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EXPLANATION

34 This bill requires the department of education to develop
35 nutrition standards for school lunches, breakfasts, and for

1 other food and beverages served on public school grounds. The
2 nutrition guidelines are to be in addition to the federal
3 nutrition guidelines under the federal child nutrition program
4 and shall include guidelines for fat, saturated fat, and
5 cholesterol.

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SENATE FILE 2326

AN ACT

REQUIRING THE DEPARTMENT OF EDUCATION TO DEVELOP AND MAINTAIN NUTRITION GUIDELINES FOR FOOD AND BEVERAGES SOLD ON PUBLIC SCHOOL GROUNDS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 256.9, Code Supplement 1989, is amended by adding the following new subsections:

NEW SUBSECTION. 39. Establish by July 1, 1991, a six-month pilot project to develop and maintain nutrition guidelines which are consistent with the dietary guidelines for Americans recommended dietary allowances established by the national research council and regulations adopted by the

United States department of agriculture for school lunches and breakfasts, and for all food and beverages sold on public school grounds or the grounds of a nonpublic school receiving funds under section 283A.10, which are in addition to the requirements imposed under the federal child nutrition program regulations. The nutrition guidelines shall include guidelines for fat, saturated fat, sugar, sodium, fiber, and cholesterol; shall encourage that where comparable food products of equal nutritional value are available, the food product lower in fat, saturated fat, sugar, sodium, or cholesterol shall be used; and shall provide that each meal is to contain at least one-third of the recommended dietary allowance established by the national research council in effect on January 1, 1990. If, however, dietary guidelines for children are published by the United States department of agriculture and department of health and human services, the nutrition guidelines used in the pilot project shall conform to the new federal dietary guidelines for children. The department shall, through establishment of the pilot project, determine the feasibility of extending the nutrition guidelines established in the project to other schools and school districts in the state. In determining the feasibility of extending the nutrition guidelines, the department shall consult with school food service directors in the state. The department shall submit a report to the general assembly outlining and describing the proposed pilot project, including the proposed pilot project guidelines, by January 1, 1991, and shall submit, at the conclusion of the pilot project, a report, along with any recommendations, relating to the modification of those guidelines and the feasibility of extending the guidelines to other schools and school districts.

NEW SUBSECTION. 40. Provide educational resources and technical assistance to schools relating to the implementation of the nutritional guidelines for food and beverages sold on

public school grounds or on the grounds of nonpublic schools receiving funds under section 283A.10.

Sec. 2. Section 283A.1, Code 1989, is amended to read as follows:

283A.1 DEFINITIONS.

For the purpose of this chapter:

1. "Nutritionally adequate meal" means a lunch or breakfast which meets the guidelines established by the department of education.

2. "School" means a public school of high school grade or under.

3. "School board" means a board of school directors regularly elected by the qualified voters of a school corporation or district of the state of Iowa.

4. ~~"School" means a public school of high school grade or under.~~

5. "School lunch program" means a program under which lunches are served by any public school in the state of Iowa on a nonprofit basis to children in attendance, including any such program under which a school receives assistance out of funds appropriated by the Congress of the United States.

Sec. 3. Section 283A.2, Code 1989, is amended to read as follows:

283A.2 SCHOOL BOARDS -- RULES.

School boards ~~shall have power to~~ may operate or provide for the operation of school lunch programs in schools under their jurisdiction, and may use ~~therefor~~ funds disbursed to them under the provisions of this chapter, gifts, funds received from sale of school lunches under such programs, and any other funds legally available for that purpose.

All school districts shall operate or provide for the operation of school lunch programs at all public schools in each district, ~~which.~~ The programs shall provide students with nutritionally adequate meals and shall be operated in compliance with the rules of the department of public

instruction state board of education and pertinent federal rules, for all students in each district who attend public school four or more hours each school day and wish to participate in a school lunch program ~~and school.~~ School districts may provide such school lunch programs for other students.

Sec. 4. Section 283A.5, Code 1989, is amended to read as follows:

283A.5 ACCOUNTS, RECORDS, REPORTS, AND OPERATIONS.

The director of the department of education shall prescribe regulations for the keeping of accounts and records and the making of reports by or under the supervision of school boards. Such accounts and records shall at all times be available for inspection and audit by authorized officials and shall be preserved for such period of time, not in excess of five years, as the director may lawfully prescribe. The director shall conduct or cause to be conducted such audits and inspections with respect to school lunch programs as may be necessary to determine whether its agreement with school boards and regulations made pursuant to this chapter are being complied with, and to insure that school lunch programs are effectively administered and nutritionally adequate meals are served.

Sec. 5. Section 283A.10, Code 1989, is amended to read as follows:

283A.10 SCHOOL LUNCH IN NONPUBLIC SCHOOLS.

The authorities in charge of nonpublic schools may operate or provide for the operation of school lunch programs in schools under their jurisdiction and may use funds appropriated to them by the general assembly, gifts, funds received from sale of school lunches under such programs, and any other funds available to the nonpublic school. However, school lunch programs shall not be required in nonpublic schools. The department of education shall direct the disbursement of state funds to nonpublic schools for school

lunch programs in the same manner as state funds are disbursed to public schools. If a nonpublic school receives state funds for the operation of a school lunch program, meals served under the program shall be nutritionally adequate meals, as defined in section 283A.1.

JO ANN ZIMMERMAN
President of the Senate

DONALD D. AVENSON
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2326, Seventy-third General Assembly.

JOHN F. DWYER
Secretary of the Senate

Approved April 6, 1990

SF 2326

TERRY E. BRANSTAD
Governor