

By: Menéndez

S.B. No. 757

A BILL TO BE ENTITLED

AN ACT

1
2 relating to creating a voluntary program to recognize licensed
3 before-school and after-school programs that promote healthy
4 eating and physical activity.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Subchapter C, Chapter 42, Human Resources Code,
7 is amended by adding Section 42.0429 to read as follows:

8 Sec. 42.0429. DISTINGUISHED BEFORE-SCHOOL AND AFTER-SCHOOL
9 HEALTH RECOGNITION PROGRAM. (a) In this section:

10 (1) "Program attendee" means a child enrolled in a
11 full-day or half-day before-school or after-school program.

12 (2) "Screen time" means time spent viewing television
13 or videos or working on computers, tablets, and handheld
14 entertainment devices, with or without Internet access.

15 (b) The department shall develop a voluntary program for
16 recognizing licensed before-school and after-school programs that
17 promote healthy eating and physical activity.

18 (c) The department shall assess a before-school or
19 after-school program applying for recognition under this section
20 based on the program's compliance with the following requirements:

21 (1) at least one staff member of the before-school or
22 after-school program is trained on the standards of this section
23 and the importance of modeling healthy eating and physical activity
24 in the presence of program attendees;

1 (2) the before-school or after-school program
2 provides opportunities for program attendees to participate in at
3 least 30 minutes of moderate to vigorous physical activity for a
4 half-day program and at least 60 minutes of moderate to vigorous
5 physical activity for a full-day program;

6 (3) the before-school or after-school program limits
7 screen time during the operational hours of the program to less than
8 30 minutes a day for a half-day program and two hours a day for a
9 full-day program, not including use in connection with homework or
10 an activity that engages program attendees in a physical activity
11 or educational experience;

12 (4) the before-school or after-school program:

13 (A) makes healthy foods, including fruits and
14 vegetables that are fresh, frozen, dried, or canned in their own
15 juice or water, without added sugar, available to program attendees
16 during meals or snacks; and

17 (B) encourages program attendees and staff while
18 in the presence of program attendees during the operational hours
19 of the program to not eat fried foods or foods that are primarily
20 sugar-based, are high in calories or sodium, or include trans fat;

21 (5) the before-school or after-school program
22 complies with the following guidelines relating to the serving and
23 consumption of beverages:

24 (A) program attendees are served water, low-fat
25 or nonfat milk, nonfat flavored milk, or 100 percent fruit juice;

26 (B) safe, clean drinking water is available and
27 accessible at all times to program attendees and staff; and

1 (C) beverages with added sugar are not served to
2 program attendees or consumed by staff in the presence of program
3 attendees during the operational hours of the program; and

4 (6) the before-school or after-school program engages
5 parents, guardians, and caregivers of program attendees using
6 informational materials and activities focused on healthy eating
7 and physical activity relevant to the health of program attendees
8 at least four times each year.

9 (d) The staff training described by Subsection (c)(1) must
10 comply with the requirements of the National Institute on
11 Out-of-School Time, the Healthy Out-of-School Time Coalition, or
12 other similar programs. The training may be completed in person or
13 online.

14 (e) The department shall establish the following levels of
15 recognition for before-school and after-school programs applying
16 for recognition under this section:

17 (1) bronze status for a before-school or after-school
18 program that:

19 (A) meets the staff training requirements
20 provided by Subsection (c)(1); and

21 (B) complies with at least one other requirement
22 listed in Subsection (c);

23 (2) silver status for a before-school or after-school
24 program that:

25 (A) meets the staff training requirements
26 provided by Subsection (c)(1); and

27 (B) complies with at least three other

1 requirements listed in Subsection (c); and

2 (3) gold status for a before-school or after-school
3 program that:

4 (A) meets the staff training requirements
5 provided by Subsection (c)(1); and

6 (B) complies with at least four other
7 requirements listed in Subsection (c).

8 (f) The department, as it determines appropriate, may
9 provide technical assistance to before-school and after-school
10 programs seeking to advance to a higher recognition level under
11 Subsection (e).

12 (g) A before-school or after-school program that meets the
13 requirements for a recognition level provided by Subsection (e) may
14 create a corresponding recognition certificate using a certificate
15 template created by the department. A recognition certificate
16 expires on December 31 of each odd-numbered year. A program may
17 renew a recognition certificate if the program applies for renewal
18 not later than January 1 of the year after the date a recognition
19 certificate expires.

20 (h) The department shall post information about the
21 recognition program on the department's Internet website,
22 including:

23 (1) resources and links that a before-school or
24 after-school program may use to meet the requirements of Subsection
25 (c); and

26 (2) a template that a before-school or after-school
27 program may use to create a certificate, signed by the director of

1 the before-school or after-school program, that describes the
2 program's recognition level.

3 (i) The department shall maintain a list of each
4 before-school or after-school program that qualifies for
5 recognition under this section and shall post the list on the
6 department's Internet website. The list must include the program's
7 recognition level and the date the program's recognition
8 certificate expires.

9 (j) The requirements of this section are in addition to any
10 other requirement imposed by law that applies to a before-school or
11 after-school program.

12 (k) The executive commissioner may adopt rules to implement
13 this section.

14 SECTION 2. This Act takes effect January 1, 2018.