

1 Sec. 1. 16 V.S.A. § 136 is amended to read:

2 § 136. WELLNESS PROGRAM; ADVISORY COUNCIL ON WELLNESS  
3 AND COMPREHENSIVE HEALTH

4 (a) As used in this section:

5 (1) “Fitness program” means a program that includes a physical  
6 education program and a physical activity program.

7 (2) “Nutrition” includes all food and beverages sold or served in the food  
8 service program, vending machines, snack bars, and school stores.

9 (3) “Physical activity program” means a program that includes, in  
10 addition to regular physical education classes, minimum daily physical activity  
11 for each student provided through activities such as recess and other recreation  
12 periods, and participation in athletics either during or after regular school  
13 hours. “Physical activity” means moderate and vigorous physical activities.

14 (4) “Physical education program” means a sequential, developmentally  
15 appropriate program that is an enjoyable experience for students and is  
16 designed to help students develop the knowledge, skill, self-management skill,  
17 attitudes, and confidence needed to adopt and maintain physical fitness  
18 throughout their lives.

19 (5) “Wellness program” means a program that includes comprehensive  
20 health education as defined in section 131 of this title, fitness, and nutrition.

1 (b) The Secretary ~~with the approval of the State Board~~ shall establish an  
2 Advisory Council on Wellness and Comprehensive Health that shall include at  
3 least three members with expertise in health services, health education, or  
4 health policy ~~associated with the health services field~~. The members shall  
5 serve without compensation ~~but shall receive their actual expenses incurred in~~  
6 ~~connection with their duties relating to wellness and comprehensive health~~  
7 ~~programs~~. The Council shall assist the Agency to plan, coordinate, and  
8 encourage wellness and comprehensive health programs in the public schools,  
9 and shall meet not less than twice a year.

10 (c) The Secretary shall collaborate with other agencies and councils  
11 working on childhood wellness to:

12 (1) Supervise the preparation of appropriate ~~nutrition and fitness~~  
13 wellness program curricula for use in the public schools, promote programs for  
14 the preparation of teachers to teach these curricula, and assist in the  
15 development of wellness programs.

16 (2) [Repealed.]

17 (3) Establish and maintain a website that displays data from a youth risk  
18 behavior survey in a way that enables the public to aggregate and disaggregate  
19 the information.

1           (4) Research funding opportunities for schools and communities that  
2 wish to build wellness programs and make the information available to the  
3 public.

4           ~~(5) Create a process for schools to share with the Department of Health~~  
5 ~~any data collected about the height and weight of students in kindergarten~~  
6 ~~through grade six. The Commissioner of Health may report any data compiled~~  
7 ~~under this subdivision on a countywide basis. Any reporting of data must~~  
8 ~~protect the privacy of individual students and the identity of participating~~  
9 ~~schools.~~

10          (d) The Agency shall offer assistance to school districts and supervisory  
11 unions to provide teacher instruction in wellness programs.

12          (e) Any school district board or supervisory union board may establish a  
13 wellness community advisory council to inventory community programs and  
14 assets and to assist the school board and community in developing and  
15 implementing wellness programs. The school board shall provide public notice  
16 to the community to allow all interested parties to apply for appointment. The  
17 school board shall endeavor to appoint members who represent various points  
18 of view and expertise within the community regarding wellness programs.  
19 Members may include representatives from coordinated school health teams,  
20 teachers, school administrators, students, community members, health care  
21 providers, parents, and others.

1       Sec. 2. SCHOOL WELLNESS POLICY

2           On or before January 15, 2021, the Agency of Education, in collaboration  
3           with the Advisory Council on Wellness and Comprehensive Health created  
4           under 16 V.S.A. § 136, shall update and distribute to school districts a model  
5           school wellness policy that shall be in compliance with all relevant state and  
6           federal laws and nationally accepted best practices for comprehensive health  
7           education and school wellness policies.