

State of Arizona  
Senate  
Fiftieth Legislature  
Second Regular Session  
2012

# SENATE BILL 1061

AN ACT

AMENDING SECTION 15-242, ARIZONA REVISED STATUTES; RELATING TO THE DEPARTMENT  
OF EDUCATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 15-242, Arizona Revised Statutes, is amended to  
3 read:

4 15-242. Nutrition standards

5 A. ~~By July 1, 2006,~~ The department shall develop minimum nutrition  
6 standards that meet at least federal guidelines and regulations for foods and  
7 beverages sold or served on the school grounds of elementary schools, middle  
8 schools and junior high schools during the normal school day. These  
9 nutrition standards may include portion sizes, minimum nutrient values and a  
10 listing of contents. This subsection does not prohibit the department from  
11 developing minimum nutrition standards that are more stringent than the  
12 federal guidelines and regulations for foods and beverages sold or served on  
13 school grounds during the normal school day.

14 B. ~~All~~ Elementary schools, middle schools and junior high schools  
15 ~~shall~~ MAY participate in the national school lunch program as defined in  
16 Public Law 108-265 ~~except that a school district with fewer than one hundred~~  
17 ~~pupils that is not currently participating in the national school lunch~~  
18 ~~program may be exempt from this subsection if the school district governing~~  
19 ~~board determines at a public meeting to not participate in the requirements~~  
20 ~~of this subsection.~~

21 C. Food and beverages sold or served on the school grounds of  
22 elementary schools, middle schools and junior high schools or at  
23 school-sponsored events of elementary schools, middle schools and junior high  
24 schools during the normal school day shall meet the nutrition standards  
25 developed by the department, including foods and beverages offered as any of  
26 the following:

27 1. A la carte items in the food service program.

28 2. Food and beverages sold in vending machines, snack bars and  
29 meal-period kiosks and at school stores.

30 D. Foods of minimal nutritional value as defined by 7 Code of Federal  
31 Regulations section 210.11(2) shall not be served or sold during the normal  
32 school day on any elementary school, middle school or junior high school  
33 campus.

34 E. ~~Beginning on July 15, 2006,~~ New contracts and renewal contracts for  
35 food or beverages, or both, shall expressly prohibit the sale of sugared,  
36 carbonated beverages and all other foods of minimal nutritional value as  
37 defined by 7 Code of Federal Regulations section 210.11(2) on elementary  
38 school, middle school and junior high school campuses. The department may  
39 approve, ~~on or after the effective date of this section,~~ a carbonated drink  
40 that is determined by the department to meet or exceed the department's  
41 minimum nutrition standards.

42 F. Parents, pupils and community members may review food and beverage  
43 contracts to ensure that food and beverages sold on elementary school, middle  
44 school and junior high school campuses provide nutritious sustenance to

1 pupils, promote good health, help students learn, provide energy and model  
2 fit living for life.

3 G. School districts that offer instruction in grades nine through  
4 twelve may adopt nutrition standards for high school campuses.

5 ~~H. School districts that offer instruction in grades nine through~~  
6 ~~twelve may adopt nutrition standards for high school campuses.~~

7 H. HIGH SCHOOLS MAY PARTICIPATE IN THE NATIONAL SCHOOL LUNCH PROGRAM  
8 AS DEFINED IN PUBLIC LAW 108-265.

9 I. ANY ELEMENTARY SCHOOL, MIDDLE SCHOOL, JUNIOR HIGH SCHOOL OR HIGH  
10 SCHOOL PARTICIPATING IN THE NATIONAL SCHOOL LUNCH PROGRAM AS DEFINED IN  
11 PUBLIC LAW 108-265 THAT STOPS PARTICIPATING IN THE NATIONAL SCHOOL LUNCH  
12 PROGRAM PURSUANT TO THIS SECTION SHALL NOTIFY THE PARENT OR LEGAL GUARDIAN OF  
13 EVERY PUPIL ENROLLED AT THAT SCHOOL AT LEAST SIXTY DAYS PRIOR TO THE END OF  
14 THE SCHOOL'S PARTICIPATION IN THE NATIONAL SCHOOL LUNCH PROGRAM.

15 ~~I.~~ J. ~~Nothing in~~ This section shall NOT be construed to:

16 1. Prohibit a school district from developing and adopting nutrition  
17 standards that are more stringent than those developed pursuant to this  
18 section.

19 2. Prohibit or limit the sale or distribution of any food or beverage  
20 item through fund-raising activities of students, teachers or educational  
21 groups when the items are intended for sale off the school grounds.

22 3. Prohibit or limit the sale or distribution of any food or beverage  
23 items to teachers, administrators or other adults in a faculty lounge or  
24 under other circumstances where the sale or distribution is limited to  
25 teachers, administrators or other adults.