

ALASKA STATE LEGISLATURE
SENATE HEALTH, EDUCATION AND SOCIAL SERVICES STANDING COMMITTEE

March 1, 2006

1:43 p.m.

MEMBERS PRESENT

Senator Fred Dyson, Chair
Senator Lyda Green
Senator Kim Elton
Senator Donny Olson

MEMBERS ABSENT

Senator Gary Wilken, Vice Chair

COMMITTEE CALENDAR

SENATE BILL NO. 281

"An Act relating to interdistrict operation of public schools; relating to enrollment of students by school districts and regional educational attendance areas; and relating to charter schools and correspondence programs."

HEARD AND HELD

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 199

"An Act relating to public school funding for a prohibition on the sale of food and beverages of minimal nutritional value in schools and for placing restrictions on the use of vending machines in public schools; and providing for an effective date."

HEARD AND HELD

SENATE BILL NO. 162

"An Act relating to monitoring and reporting of student discipline and safety, of student health pertaining to height, nutrition, and physical activity, of the percentage of the legislative body with a body mass index that exceeds 25.0, and of state capitol vending machine profits; requiring schools to report school health status and policy, the percentage of students that are overweight and at risk of being overweight, and profits from vending machines; and requiring the evaluation of health education programs on the basis of health reports and screening."

BILL HEARING CANCELED

PREVIOUS COMMITTEE ACTION

BILL: SB 281

SHORT TITLE: SCHOOL DIST. ENROLLMENT SHARING/CORRESPON

SPONSOR(S): SENATOR(S) DYSON

02/13/06 (S) READ THE FIRST TIME - REFERRALS
02/13/06 (S) HES, FIN
03/01/06 (S) HES AT 1:30 PM BUTROVICH 205

BILL: SB 199

SHORT TITLE: SCHOOL NUTRITION SUPPORT GRANTS

SPONSOR(S): SENATOR(S) ELTON

05/09/05 (S) READ THE FIRST TIME - REFERRALS
05/09/05 (S) HES, FIN
02/03/06 (S) SPONSOR SUBSTITUTE INTRODUCED-REFERRALS
02/03/06 (S) HES, FIN
03/01/06 (S) HES AT 1:30 PM BUTROVICH 205

WITNESS REGISTER

Wes Keller, Staff
to Senator Fred Dyson
Alaska State Legislature
Alaska State Capitol
Juneau, AK 99801-1182

POSITION STATEMENT: Presented SB 281.

Eddy Jeans, Director
School Finance
Department of Education and Early Development
801 West 10th Street.
Juneau, AK 99801-1894

POSITION STATEMENT: Had no position yet on SB 281.

Carl Rose, Executive Director
Association of Alaska School Boards
1111 West 9th Street
Juneau, Alaska 99801

POSITION STATEMENT: Had no position on SB 281.

Lee Young, Principal
Connections
Kenai Peninsula Borough Schools
Soldotna, AK

POSITION STATEMENT: Testified on SB 281.

Jesse Kiehl, Staff
to Senator Kim Elton
Alaska State Legislature
Alaska State Capitol
Juneau, AK 99801-1182
POSITION STATEMENT: Answered questions on SSSB 199.

Dave Jones, Director of Finance
Kodiak Island Borough School District
722 Mill Bay Road
Kodiak, AK 99615
POSITION STATEMENT: Testified on SSSB 199.

Suzanne Meunier, Director of Advocacy
American Heart Association
Anchorage, AK
POSITION STATEMENT: Testified in support of SSSB 199.

Tammy Green, Section Chief
Chronic Disease Prevention and Health Promotion
Division of Public Health
Department of Health and Social Services
Anchorage, AK
POSITION STATEMENT: Testified on SSSB 199.

Peggy Cowan, Superintendent
Juneau Borough Schools
10014 Crazy Horse Drive
Juneau, AK 99801
POSITION STATEMENT: Testified in support of SSSB 199 and suggested a change.

Barbara Thompson, Director
Teaching and Learning Support
Department of Education and Early Development
801 West 10th Street, Suite 200
Juneau, AK 99801
POSITION STATEMENT: Introduced Ms. Goade during hearing on SSSB 199.

Stacy Goade, School Food Coordinator
Teaching and Learning Support
Department of Education and Early Development
801 West 10th Street, Suite 200
Juneau, AK 99801
POSITION STATEMENT: Answered questions on SSSB 199 and suggested a change.

ACTION NARRATIVE

CHAIR FRED DYSON called the Senate Health, Education and Social Services Standing Committee meeting to order at [1:43:22 PM](#). Present were Senators Lyda Green, Kim Elton, Donny Olson and Chair Fred Dyson.

^#SB281

SB 281-SCHOOL DIST. ENROLLMENT SHARING/CORRESPONDENCE

CHAIR DYSON announced SB 281 to be up for consideration. As the sponsor, he invited Mr. Keller to present the bill.

[1:44:11 PM](#)

WES KELLER, Staff to Senator Fred Dyson, Alaska State Legislature, explained that SB 281 authorizes school districts to design, promote and administer statewide distance-learning programs; it makes explicit what is implied, since no existing law prohibits a school district from enrolling students from any area of Alaska; it allows contractual agreements - already allowed in statute - between school districts; and it adds a new definition of correspondence programs, currently defined in regulation only, by defining a program in terms of whether it takes on the daily, routine care of children.

He requested that the Senate Finance Committee deal with financial implications, noting he'd asked the Department of Education and Early Development (DEED) to assist with wording. Mr. Keller said state funding would follow the student to the new district, as would federal impact aid; however, local contributions would not, maintaining the status quo.

CHAIR DYSON moved to adopt the proposed CS, Version F[24-LS1430\F, Mischel, 2/15/06] as the working document. Without objection, Version F was before the committee.

MR. KELLER pointed out that SB 281 presses one question: How will district costs be factored into the funding formula for non-correspondence students that enroll in another district if it happens more often because of this legislation? Suggesting it's an issue for the Senate Finance Committee, he added, "I think answering this question in open discussion will clarify things and be helpful to us as far as legislative intent." He said SB 281 doesn't propose or promote any particular program, doesn't impose mandates and introduces no new legislative

intent. He asserted that it elevates the importance of district boundary lines because it's a statement of confidence in local school districts.

He informed members that technology - which makes the impacts of distance disappear - drives SB 281. Relating personal background, Mr. Keller said he has new hope for Alaska's K-12 education. He discussed a "virtual box" designed for a child, based on the child's needs and current level, an individual learning plan, state standards and so forth; this would facilitate personal teacher-student and teacher-teacher communication never before available. Mr. Keller elaborated, suggesting security measures already exist, for example, and saying small communities can take advantage of expertise from people outside the community.

He expressed enthusiasm for education technology and highlighted the following myths: technology removes teachers from the equation; technology usage only occurs between teachers and students, not among students; distance technology is primarily for correspondence schools or home schooling; teachers need deep technological knowledge to be effective; kids don't have the ability to take care of technological hardware such as laptops; technology for education is expensive, with no cost savings; and accurate predictions can not be made about future technology and software. Mr. Keller concluded by citing a 2003 census that found three out of four Alaskan families have computers - which puts Alaska near the top - and that 68.5 percent of Alaskans use the Internet.

[2:00:11 PM](#)

SENATOR ELTON asked whether protections should be included to keep one school district from losing students to another, causing the school to fall below the minimum number of students.

MR. KELLER suggested that was for legislators to answer. He offered his opinion, however, that if a local school district had the best situation to attract its own students with its own programs, then nothing had to be done.

SENATOR ELTON asked whether Section 1 allowed something new to happen so one district could create a charter school in another district.

MR. KELLER agreed it wasn't happening already, but said he wasn't sure it was illegal.

SENATOR ELTON expressed interest in having the committee discuss it, since it would be a significant shift and he didn't understand all the ramifications.

SENATOR OLSON asked about the difference between Version G, the original bill, and Version F.

[2:02:32 PM](#)

MR. KELLER explained that the first version didn't specify that districts could make contractual agreements with each other. In many remote locations, the school building is the center for culture in the community. A school that wasn't happy with its teachers that come and go from the community might be eager to participate in a program offered by another district and yet still use the building. This would allow such agreements.

CHAIR DYSON added an example: Hope, a small community south of his district, has just 10 students, but a nice school built for 60. If the number fell below the threshold of 10, the local district or school could contract with the Anchorage or Kenai school district to have a distance-delivery charter school there, using the building and providing a teacher's aide as a monitor and proctor in the classroom and/or providing support for students with disabilities. Some districts conduct their administration from Anchorage already, and Chair Dyson suggested this would allow small schools and districts to take advantage of another district's economies of scale or to work collaboratively.

He highlighted the problem of a small high school trying to provide a variety of classes and experiences to students. A virtual school could combine three students in one village who wanted to learn Russian, aviation or medical technology, for example, with dozens of other students in schools throughout the area or the state; it would be taught by highly qualified teachers from another locale. Chair Dyson related his understanding that all the bill's language is permissive.

MR. KELLER requested that the legislation be moved forward unless some questions couldn't be answered. Regarding Senator Elton's earlier question, he said charter schools have another "layer": the state board, which can approve or disapprove a decision that has been made at the local district level.

CHAIR DYSON opened public testimony.

2:07:57 PM

EDDY JEANS, Director, School Finance, Department of Education and Early Development, informed members that DEED hadn't taken a position on the bill yet, mainly because of lack of opportunity for feedback from the state Board of Education and Early Development. Concurring that many items in the bill are in statute, he noted, for example, that AS 14.14.110 has the title "Cooperation with other districts."

He conjectured that some concerns of the state board might relate to Section 1, which allows a district to create a charter school to operate in another school district, and to Section 3, which allows a local school board to establish a school in another district. Mr. Jeans pointed out that children cross boundaries now, with funding going to the district where the children actually attend school. He gave examples. In response to Chair Dyson, he clarified that under Section 1, subsection (d), it appears a local school board could establish a charter school outside the district boundaries with approval of the state board, but without consent of the other school board - a substantial change. He surmised, at minimum, that the state board would want both local school boards to be a party to such a charter.

2:12:20 PM

MR. JEANS, in further response, said he believes the state board will meet March 17; he covers current legislation during such meetings and will ensure this is before the board. In response to Senator Olson regarding the bill's necessity, Mr. Jeans mentioned that at least the existing cooperation component between districts is clearly allowed by statute. In further response, he explained that he would present the bill to the state board to receive feedback, but would also point out that, for this particular section, current statute already addresses the cooperative nature between districts.

2:14:41 PM

CHAIR DYSON asked Mr. Jeans whether he believes the present law allows a district "on invitation, with agreement" to establish a new charter school in another district.

MR. JEANS answered that it hadn't happened yet, other than with the Delta Cyber School, which was approved as a charter school,

serves students statewide via the Internet and is funded as a correspondence program.

CHAIR DYSON indicated Version F differs from current law in allowing a charter school to operate specifically within another district. He proposed getting a legal opinion as to whether additional authorization is needed beyond existing statute.

MR. JEANS, in response to Senator Elton, said he reads Section 3, paragraph (1), to say a district can establish a brick-and-mortar school in another district without the second district's approval.

CHAIR DYSON surmised the drafter thought the approval of the state board provided a safeguard. He asked about options if a recalcitrant school district at some point isn't doing what is necessary.

SENATOR ELTON remarked that it's an interesting point, but said he reads Section 1 as being different from Section 3. Section 1 provides that the state board would be involved in decisions, but Section 3 is just a local response.

MR. JEANS noted that Section 1 amends the charter school legislation, which already has a state board approval component. Section 3 amends AS 14.14, adding a new subsection that deals with operations of districts.

MR. KELLER added that he couldn't imagine a school district going out and building a school in a rural area. He reported that one big concern he has heard from districts is administration. Although he could see safeguards so students aren't viewed as revenue sources, he suggested this is more of an opportunity to "put sizes and needs together, rather than trying to take over another district."

[2:21:49 PM](#)

CHAIR DYSON asked about financial implications.

MR. JEANS answered that DEED hadn't analyzed it for financial impact. Regarding the issue raised by Mr. Keller about cost differentials and the dollars following the students, Mr. Jeans offered the belief that it's being achieved already by providing funding to the schools and districts that are serving the children. In further response, he said there may not be any cost implications.

[2:23:56 PM](#)

CARL ROSE, Executive Director, Association of Alaska School Boards (AASB), testified that AASB has no formal position on the bill because all the implications aren't known. Addressing possibilities, he pointed out that those wanting to do a charter school might seek other sponsors; thus the bill could be far-reaching. Mr. Rose offered his understanding that the bill intends to restate the latitude already possessed by districts. As for financial implications, he pondered whether going to a district with another cost differential might affect costs.

[2:27:08 PM](#)

LEE YOUNG, Principal, Connections, Kenai Peninsula Borough Schools, informed members that Connections is a home school program. He requested clarification as to whether the bill's focus is distance delivery, for remote students especially, or is to perhaps shape core school districts. He predicted financial benefits if school districts can go outside their boundaries; he also believes his program is better off because of the competition. Mr. Young suggested if there were a way to rate districts for doing a good job, then perhaps charter schools wouldn't be allowed to set up new brick-and-mortar schools. He asked about ways to craft the legislation to avoid having new brick-and-mortar schools draw students from the old school programs, thereby watering them down. He asked members to continue to analyze this and do good work.

CHAIR DYSON asked whether anyone else wished to testify.

[2:30:23 PM](#)

CHAIR DYSON announced SB 281 would be held over.

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^#SB199

SSSB 199-SCHOOL NUTRITION SUPPORT GRANTS

CHAIR DYSON announced SSSB 199 to be up for consideration.

[2:31:02 PM](#)

SENATOR ELTON, sponsor, pointed out that the fiscal note is wrong and should predict a cost of \$843,000 each year, rather than for one year. He explained that SSSB 199 provides an

option for school districts to receive a \$4-per-student bonus if they sell healthful food in the schools, as set forth in the bill. It doesn't affect the cap, and is meant to provide an incentive and be part of a solution to obesity and other health issues. It applies to food sold in vending machines, in cafeterias or at student-run fundraisers, but doesn't cover food that isn't sold, such as pizza at a class party. Furthermore, it doesn't cover food funded under the federal school lunch and nutrition program.

He acknowledged that food sales at schools support ancillary programs and clubs, but disputed the assumption that sales would drop if foods weren't sugar-rich; he indicated a decline in sales likely would happen the first year only, followed by a recovery. Additionally, Senator Elton surmised that adding \$4 per student to the budgets of districts that choose this option may add an incremental amount of money to the school activity funds. Thus the bill provides for healthful food and supports student activities, with the goal of a healthier student population.

He reported that the sponsor substitute reflects changes suggested by the numerous school districts and organizations that reviewed the bill after its introduction. For example, rural school districts had expressed concern that traditional foods would be precluded; the bill was changed so those aren't implicated. Senator Elton noted differences of opinion on whether certain foods are healthful; for example, whole milk is allowed because some people in the health field suggest the benefits of calcium outweigh other issues, though some in the schools feel otherwise. Highlighting the basic nature of the "recipes" in the bill, which don't prevent the departments from developing stricter ones, Senator Elton brought attention to letters of support in the committee packets, saying additional letters had been received as well.

[2:38:39 PM](#)

CHAIR DYSON referred to page 2, line 9, which begins, "(B) depict only physical activity". He asked what that means.

SENATOR ELTON replied that it reflects picking and choosing among what other states have done. Several states have used the idea that a school vending machine should depict a healthful food. The intent is that advertising on the front shouldn't undermine what is actually offered in the machine.

2:39:45 PM

JESSE KIEHL, Staff to Senator Kim Elton, Alaska State Legislature, added that along with paragraph (C), the aforementioned phrase refers to what is depicted on vending machines in schools in a district that chooses to apply for the grant. Rather than having a scantily clad individual eating pork rinds, for instance, the images would depict physical activity or foods and beverages allowable under the bill.

SENATOR ELTON suggested a more likely image would be someone drinking a cola.

CHAIR DYSON pointed out that someone could be shown smoking a cigarette or performing another activity not seen as desirable. He suggested the sponsor might want to consider this.

2:41:28 PM

SENATOR GREEN asked about calculations for the fiscal note, which wasn't in committee packets.

SENATOR ELTON suggested those who wrote the fiscal note could answer better. He remarked that some districts have initiated programs that likely would qualify under the bill, but without the incentive. He reiterated that the fiscal note he'd received was in error because it assigned a one-year cost.

MR. KIEHL affirmed he had a copy. He related his understanding that the fiscal note assumed every district would participate in the first year, as shown on an attached spreadsheet showing all 53 districts.

CHAIR DYSON noted that Eddy Jeans, Department of Education and Early Development (DEED), had nodded his assent. Chair Dyson asked whether Senator Elton had done research on the costs of dental disease and other implications on public budgets when people have unhealthful diets.

SENATOR ELTON revealed he'd opted not to provide an overview that ranged "from scary to horrific." He reported that close to 25 percent of the Alaskan population is classified as obese, much higher than in recent years. There are many causes; this bill isn't the silver bullet to solve them all. However, increased health problems correlate with obesity or poor eating habits, including diabetes and dental health problems. While DEED could prepare its fiscal note by applying an upper limit of

\$4 across all the districts, Senator Elton pointed out that it doesn't address hypothetical costs such as those for bad health habits that begin at an early age, or savings from good health habits over time.

CHAIR DYSON suggested statistics might be available for public money paid for nonpreventative dental care for K-12 children.

2:47:50 PM

CHAIR DYSON opened public testimony.

DAVE JONES, Director of Finance, Kodiak Island Borough School District, explained that his district has been looking at this issue. He cited his high school as a good example: it has vending machines and on-site sales that generate a significant amount of money to fund activities and to allow students to participate who otherwise would be unable to. Many of the items currently sold are not nutritional. Mr. Jones predicted that adopting this new policy would result in a large drop in funding and thus a drop in physical activity. However, part of the reason he'd support this bill is because the revenue won't replace what is being raised already, but will help.

He informed members that his only concern relates to sales in elementary schools. He gave an example of a local school used for community activities. During the day, the soda machine is shut down, but it works in the off hours; the money is used for student field trips and so forth. Mr. Jones emphasized ensuring that the bill doesn't eliminate more than is desired.

SENATOR ELTON suggested the aforementioned machine would be protected in two ways. First, the bill only relates to sales of food from one hour before school until one hour after. Because of concerns from rural communities with K-12 students in the same building, the bill ensures that the presence of elementary students in the building doesn't preclude having a vending machine. He added that teachers and school administrators would be expected to try to control the purchasing behavior of elementary students by posting and enforcing signs on the machines, for example.

CHAIR DYSON asked how many students are in the school district.

MR. JONES replied about 2,736.

CHAIR DYSON noted that \$4 per student would be about \$11,000. He asked how much profit is netted from the vending machines.

MR. JONES answered about \$17,000 a year. There are sales beyond that. Observing that the bill relates to the adjusted ADM, he said he'd been figuring about \$16,000 to \$18,000. He added that the booster club's morning sales of coffee and donuts contribute more than the vending machines.

[2:54:20 PM](#)

SUZANNE MEUNIER, Director of Advocacy, American Heart Association (AHA), stated support for the bill. Noting that obesity is a cause of cardiovascular disease - Alaska's leading cause of death - as well as high blood pressure, elevated cholesterol and diabetes, she predicted that preventing obesity through good nutrition and physical education would help to significantly reduce these killers. Mentioning research directly linking good nutrition and the ability to learn, play, grow and develop, Ms. Meunier said well-nourished children have higher test scores, better attendance and fewer behavioral problems. She noted currently there is little guidance for food sold outside the federal school meals program; she suggested the school environment should reinforce classroom nutrition education. On behalf of AHA, she respectfully urged the committee to move the bill forward.

[2:56:41 PM](#)

TAMMY GREEN, Section Chief, Chronic Disease Prevention and Health Promotion, Division of Public Health, Department of Health and Social Services (DHSS), spoke in support of efforts to increase nutritional content in the schools, particularly in relation to vending machines. She mentioned working with schools and parents to increase the health of children, noting that obesity is a problem projected to grow over the next several years. However, this is an education bill. Ms. Green indicated DHSS would defer to DEED's lead and would support its decisions in any way possible if this were to become law.

SENATOR ELTON asked if the figures are correct.

MS. GREEN replied they are correct.

[2:58:59 PM](#)

PEGGY COWAN, Superintendent, Juneau Borough Schools, spoke in support of SSSB 199, noting that her school district is focusing on health this year. She highlighted the common interest of decreasing obesity and increasing activity. Although she couldn't predict an exact monetary amount and agreed with previous speakers that this would be lowballing current revenues from vending machines and other sales, Ms. Cowan said this would be an incentive to implement such a program. She pointed out that the Juneau school district funding goes not only to student activities, but also to items like classroom computers.

She reported that one local middle school switched to more healthful snacks at lunchtime this year, resulting in a dramatic decrease in sales; she expressed hope that Senator Elton's prediction that sales would decline only in the first year would hold true. Ms. Cowan expressed appreciation for leadership at the state level to promote health and partnering with the school districts to do so.

She recommended one change: link the definition of "minimal nutritional value" with the federal definition. Noting the bill's definition is more rigorous, Ms. Cowan pointed out the problems for school districts struggling to keep up with federal definitions and then having new state definitions as well.

CHAIR DYSON asked whether the federal standard mentions dental health.

MS. COWEN pointed out that experts from DEED were present. She offered her understanding that the federal standards relate to nutritional content and preparation methods for various beverages and foods, rather than particular health standards.

CHAIR DYSON recalled attending a seminar about the effects of sugar and carbonic acid on the enamel of immature teeth.

MS. COWEN said she hadn't belabored the statistics except to acknowledge that Juneau unfortunately shares them, but added that carbonated beverages aren't good for bones either. In further response, she estimated the school district's take from food sales to be about \$8 to \$10 a head, for about 5,000 students.

CHAIR DYSON asked whether the district receives \$40,000 to \$50,000 net income, then, from food sales.

MS. COWEN replied, "At least." She related her understanding that, according to Mr. Jeans, this new program would provide about \$30,000.

[3:05:12 PM](#)

SENATOR ELTON suggested a complete correlation is difficult. A bake sale in conjunction with a basketball game wouldn't be covered by this bill, for example, if it happened more than an hour past the end of the school day - which is the usual case.

MS. COWEN agreed, surmising that most vending machine sales happen when there are community - rather than school district - activities. She again expressed appreciation for a financial incentive for doing what the districts should be doing.

[3:06:21 PM](#)

CHAIR DYSON called upon Stacy Goade and Barbara Thompson of DEED to answer questions.

BARBARA THOMPSON, Director, Teaching and Learning Support, Department of Education and Early Development, explained that Ms. Goade is the administrator for all the child nutrition programs.

CHAIR DYSON asked Ms. Goade what she thinks about the pressure school districts are under when someone from a company comes to a school and proposes renting floor space in return for money.

STACY GOADE, School Food Coordinator, Teaching and Learning Support, Department of Education and Early Development, affirmed this happens. She said behind the bill is the "local wellness" law that came with the Child Nutrition [and WIC] Reauthorization Act of 2004. The national school lunch program now requires participating school districts to have a local school wellness policy. Thus the commissioner's office and her office have worked with school districts this year and partnered with the Alaska Association of School Boards (AASB) and Tammy Green's staff at DHSS to develop a sample policy for school boards to use; it's a template, not a requirement.

She noted this is a confusing time for school districts, since the local policy has slightly different "nutrition standards," which she suggested is a better term than "foods of minimal nutritional value."

CHAIR DYSON asked Ms. Goude what she would have school districts do, if she had her preference.

MS. GOUDE said she couldn't answer, but understood all the underlying issues. They're short on funding, she concluded.

SENATOR ELTON asked whether the federal definition is looser with respect to the definition of good food and beverages.

MS. GOUDE affirmed it's much less rigorous; it helps mostly with items such as licorice, marshmallows and other sugar-laden foods. She suggested the "food and beverage standards" in the bill are much more rigorous than the "foods of minimal nutritional value" under the federal law for child nutrition programs. In response to Senator Elton, she specified that she believed the term, not the standards, should be changed. She noted that in working with districts, there are three different definitions of foods, which is confusing.

SENATOR ELTON announced he would consult with Ms. Goude on the aforementioned language. He indicated it had been decided that the federal standards are weak.

MS. GOUDE said "foods of minimal nutritional value" is a specific category defined in federal law. In response to Chair Dyson, she indicated schools have dealt with perhaps 20 new changes under the school lunch program since the 2004 federal Act. She listed five components for school boards: 1) develop a policy to increase physical activity in schools; 2) address and increase nutrition education; 3) deal with all the foods outside the national school lunch program, which has its own nutrition standards; 4) address other health-related issues; and 5) have a team, implement it and monitor it.

CHAIR DYSON asked what is required with respect to foods available in the schools.

MS. GOUDE answered that they're required to develop a policy; then the superintendents would develop the administrative regulations under the school board policy to address all foods outside of the federally funded national school lunch program - à la carte foods and items from food stores, morning sales and vending machines. It's a local policy, for the school districts themselves to determine - the federal government has been specific about that - and the policy is developed with a group that represents the community and the schools. In further response, Ms. Goude said there definitely is parent

communication involvement in this policy development, at each school site.

CHAIR DYSON asked whether, when the process is completed, there is a requirement that parents be informed of the policy.

MS. GOADE said yes, there needs to be communication with the parents.

CHAIR DYSON asked whether it has to meet any standard.

MS. GOADE answered that they don't have to meet any specific standard, but the aforementioned board policy was developed with the AASB and two state agencies to complete a template to help them begin somewhere. The sample policy is much more rigorous than the "foods of minimal nutritional value," she added.

CHAIR DYSON asked whether there is any way to audit how well the goals are accomplished.

MS. GOADE answered that part of the state agency administrative responsibility for the child nutrition programs is to review them next year as they begin to be implemented. They need to have these policies July 1. Next school year the policies will be developed, and then it will be seen what is actually implemented in these schools. "We will report back to the feds on what our state has done with local wellness policy development," she added.

CHAIR DYSON asked what happens if the policy is to continue to sell food that rots children's teeth because of the money generated.

MS. GOADE indicated the department does a federal on-site review, looks to see what the policy is, and reports back to the federal government that there is a policy in place. She noted that the federal guidance to the state agencies is not to be subjective or to personally evaluate the local policy.

CHAIR DYSON surmised the federal government wouldn't do anything about it either.

MS. GOADE replied that it will be determined at a later date. She observed that the practice has been to implement such programs and then see what the states report back. She noted it was the federal government that implemented the local wellness policy, because sales from vending machines and outside food

sales were impacting the federally funded school food program - to extinction in some places.

[3:16:24 PM](#)

SENATOR GREEN suggested a far greater problem is that many school lunch programs provide food that isn't any more nutritional than what comes from a vending machine, and isn't as tasty.

MS. GOUDE noted the federal government will be ramping up its "school meal initiative standards" and the commodity program for foods used by school districts to be more in line with the dietary guidelines for Americans. Thus she suggested the federal government sees the need to strengthen those areas.

[3:17:33 PM](#)

SENATOR ELTON announced he probably would bring an amendment to the next hearing after working with Ms. Goude. He estimated sales in Alaska from vending machines, à la carte sales and student store sales to be about \$1.5 million. At \$4 a student, the bill would recover about \$843,000. Senator Elton said he wouldn't object to raising the limit to \$7, which would provide more incentive; he encouraged other members to offer such an amendment if they believed this to be a good and workable idea.

SSSB 199 was held over.

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There being no further business to come before the committee, Chair Dyson adjourned the Senate Health, Education and Social Services Standing Committee meeting at [3:18:40 PM](#).