Second Regular Session Seventy-fourth General Assembly STATE OF COLORADO

PREAMENDED

This Unofficial Version Includes Committee Amendments Not Yet Adopted on Second Reading

LLS NO. 24-0223.01 Chelsea Princell x4335

HOUSE BILL 24-1301

HOUSE SPONSORSHIP

Willford,

SENATE SPONSORSHIP

Marchman and Cutter,

House Committees

Senate Committees

Education Appropriations

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A BILL FOR AN ACT

CONCERNING PROGRAMS RELATING TO NONCURRICULAR TIME DURING THE SCHOOL DAY.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at http://leg.colorado.gov.)

The bill creates the time-to-eat task force (task force) in the department of education (department) to evaluate Colorado school districts' and other states' policies regarding scheduled lunch time (time-to-eat policies) and repeals the task force, effective January 1, 2025.

The bill creates the safe and healthy play grant program in the department to assist schools in implementing programs that support social

1	Be it enacted by the General Assembly of the State of Colorado:
2	SECTION 1. Legislative declaration. (1) The general assembly
3	finds that:
4	(a) Research shows that it is important for students in kindergarten
5	through twelfth grade to have access to healthy school meals to promote
6	learning;
7	(b) Colorado invested in students by establishing the healthy
8	school meals for all program in 2022, which ensures all students have
9	access to healthy school lunches. School lunches provide students with
10	essential daily nutrients and, for many students, help reduce the impact of
11	food insecurity.
12	(c) Eating high-quality meals with fresh and whole produce and
13	using eating utensils require more time than grab-and-go food items;
14	(d) The American Academy of Pediatrics and the Center for
15	Disease Control and Prevention recommend that students have at least
16	twenty minutes of seated lunch time;
17	(e) If students do not have adequate time to eat meals, their
18	concentration is impeded, their behavior is often negatively impacted, and
19	the meal they were not given adequate time to finish will likely be thrown
20	away;
21	(f) Colorado schools, and the people who work in schools, play a
22	vital role in a student's well-being and should be included in any decision
23	made regarding school meal time;
24	(g) Schools report that play time, when scheduled before lunch,
25	results in less food waste and higher consumption of milk, fruits, and

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1	vegetables, and may result in fewer behavioral problems; and
2	(h) Children today play 50% less than their parents did as
3	children. However, play is a critical element in healthy brain development
4	and emotional regulation as it is through play that children learn how to
5	interact with the world around them.
6	(2) Therefore, the general assembly finds and declares that
7	Colorado must evaluate and improve its schools' meal time policies and
8	prioritize school programs that support students' social and emotional
9	learning through play.
10	SECTION 2. In Colorado Revised Statutes, add 22-2-150 as
11	follows:
12	22-2-150. Time-to-eat task force - purpose - membership -
13	report - definitions - repeal. (1) As used in this section, unless the
14	CONTEXT OTHERWISE REQUIRES:
15	(a) "TASK FORCE" MEANS THE TIME-TO-EAT TASK FORCE CREATED
16	IN SUBSECTION (2) OF THIS SECTION.
17	(b) "TIME-TO-EAT POLICY" MEANS A POLICY FOCUSED ON ENSURING
18	STUDENTS HAVE ADEQUATE TIME TO EAT LUNCH DURING THE ALLOTTED
19	SCHOOL LUNCH TIME.
20	(2) THERE IS CREATED IN THE DEPARTMENT OF EDUCATION THE
21	TIME-TO-EAT TASK FORCE.
22	(3) (a) The purpose of the task force is to evaluate
23	COLORADO SCHOOL DISTRICTS' TIME-TO-EAT POLICIES USING A SAMPLE OF
24	POLICIES THAT ARE REPRESENTATIVE OF ALL SCHOOL DISTRICTS AND ARE
25	DIVERSE WITH RESPECT TO SCHOOL DISTRICT SIZE, DEMOGRAPHICS, AND
26	THE NUMBER OF STUDENTS ELIGIBLE FOR FREE OR REDUCED-PRICE LUNCH
27	UNDER THE FEDERAL "RICHARD B. RUSSELL NATIONAL SCHOOL LUNCH

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1	ACT", 42 U.S.C. SEC. 1751 ET SEQ. IN EVALUATING THE TIME-TO-EAT
2	POLICIES, THE TASK FORCE SHALL USE DATA AND INFORMATION THAT IS
3	CURRENTLY AVAILABLE TO CONSIDER SCHOOL DISTRICTS THAT:
4	(I) HAVE INCREASED SEATED LUNCH TIME AND THE ASSOCIATED
5	OUTCOMES;
6	(II) SCHEDULE RECESS BEFORE SEATED LUNCHTIME AND THE
7	ASSOCIATED OUTCOMES;
8	(III) HAVE NOT CHANGED OR INCREASED THE SCHOOL DISTRICTS'
9	TIME-TO-EAT POLICIES AND THE ASSOCIATED OUTCOMES; AND
10	(IV) HAVE UTILIZED VARIOUS TYPES OF FOOD SERVICE MODELS,
11	INCLUDING MULTIPLE FOOD SERVICE LINES AND GRAB-AND-GO STATIONS,
12	AND THE ASSOCIATED COSTS AND OUTCOMES.
13	(b) To determine the associated outcomes of the
14	EVALUATION TOPICS SPECIFIED IN SUBSECTION (3)(a) OF THIS SECTION, THE
15	TASK FORCE SHALL CONSIDER CURRENTLY AVAILABLE DATA ON THE
16	SCHOOL DISTRICTS':
17	(I) FOOD WASTE;
18	(II) ACADEMIC PERFORMANCE AND BEHAVIORAL OUTCOMES;
19	(III) MEAL QUALITY AND FOOD CHOICES OFFERED;
20	(IV) NUMBER OF STUDENTS EATING SCHOOL MEALS AND STUDENT
21	SATISFACTION WITH THE MEALS SERVED; AND
22	$(V)\ CHALLENGES\ AND\ BARRIERS\ IN\ IMPLEMENTING\ LONGER\ LUNCH$
23	TIME PERIODS, INCLUDING SYSTEMIC DISPARITIES.
24	(c) THE TASK FORCE SHALL ALSO EVALUATE EXISTING RESEARCH
25	AND STUDIES ON TIME-TO-EAT POLICIES FOCUSED ON COLORADO AND
26	OTHER STATES AND ASSESS STATE POLICIES WITH MANDATED SEATED
2.7	LUNCH TIME

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1	(d) THE DEPARTMENT OF EDUCATION SHALL PROVIDE THE TASK
2	FORCE WITH DATA COLLECTED ON THE AMOUNT OF TIME SCHOOL
3	DISTRICTS PROVIDE FOR MEAL TIME AND RECESS, IF AVAILABLE.
4	(4) THE TASK FORCE CONSISTS OF:
5	(a) A REPRESENTATIVE FROM THE STATE BOARD OF EDUCATION,
6	APPOINTED BY THE STATE BOARD OF EDUCATION;
7	(b) The following members, appointed by the commissioner
8	OF EDUCATION:
9	(I) A DEPARTMENT OF EDUCATION STAFF MEMBER;
10	(II) Two food service directors, one of whom is a
11	REGISTERED DIETITIAN AND AT LEAST ONE OF WHOM IS A MEMBER OF A
12	STATEWIDE SCHOOL NUTRITION ASSOCIATION;
13	(III) TWO SCHOOL NUTRITION STAFF MEMBERS WHO SERVE AND
14	PREPARE SCHOOL MEALS, ONE OF WHOM MUST BE EMPLOYED BY AN
15	ELEMENTARY SCHOOL;
16	(IV) EITHER A SCHOOL SUPERINTENDENT OR A REPRESENTATIVE
17	OF CENTRAL ADMINISTRATION;
18	(V) A SCHOOL ADMINISTRATOR EMPLOYED BY AN ELEMENTARY
19	SCHOOL WHO HAS KNOWLEDGE OF SCHOOL OPERATIONS AND EXPERTISE IN
20	SCHEDULING; AND
21	(VI) A SCHOOL-BASED MENTAL HEALTH PROFESSIONAL WITH
22	EXPERIENCE WORKING WITH STUDENTS WITH DISABILITIES;
23	(c) THE FOLLOWING MEMBERS APPOINTED BY THE GOVERNOR:
24	(I) A SCHOOL ADMINISTRATOR EMPLOYED BY A CHARTER SCHOOL
25	WHO HAS KNOWLEDGE OF SCHOOL OPERATIONS AND EXPERTISE IN
26	SCHEDULING; AND
27	(II) An individual from a university or research

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1	ORGANIZATION WITH EXPERTISE IN TIME-TO-EAT RESEARCH;
2	(d) THE FOLLOWING MEMBERS, APPOINTED BY THE PRESIDENT OF
3	THE SENATE:
4	(I) AN ELEMENTARY SCHOOLTEACHER;
5	(II) Two school board members; and
6	(III) A PARENT OF A SCHOOL-AGED CHILD;
7	(e) The following members, appointed by the speaker of the
8	HOUSE OF REPRESENTATIVES:
9	(I) AN INDIVIDUAL FROM A LABOR ORGANIZATION REPRESENTING
10	TEACHERS;
11	(II) A REPRESENTATIVE OF A STATEWIDE NONPROFIT
12	ORGANIZATION THAT DIRECTLY PROVIDES TECHNICAL ASSISTANCE TO
13	SCHOOL MEAL PROGRAMS ACROSS THE STATE;
14	(III) A PARENT OF AN ELEMENTARY SCHOOL-AGED CHILD;
15	
16	(f) Two public school students, one appointed by the
17	SPEAKER OF THE HOUSE OF REPRESENTATIVES AND ONE APPOINTED BY THE
18	PRESIDENT OF THE SENATE. IN MAKING THE APPOINTMENTS, THE SPEAKER
19	OF THE HOUSE OF REPRESENTATIVES AND PRESIDENT OF THE SENATE MUST
20	CONSIDER STUDENTS INVOLVED IN STUDENT ADVOCACY PROGRAMS.
21	(g) Two individuals from community-based organizations
22	FOCUSED ON K-12 POLICIES OR K-12 EDUCATION, ONE APPOINTED BY THE
23	SPEAKER OF THE HOUSE OF REPRESENTATIVES AND ONE APPOINTED BY THE
24	PRESIDENT OF THE SENATE.
25	(5) On or before August 31, 2024, the appointing
26	AUTHORITIES SHALL MAKE TASK FORCE APPOINTMENTS. THE
2.7	APPOINTMENTS MUST BE REPRESENTATIVE OF DIFFERENT GRADE LEVELS.

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1	GEOGRAPHIC REGIONS, DEMOGRAPHICS, AND SCHOOLS WITH VARIOUS FREE
2	AND REDUCED-PRICE LUNCH ELIGIBILITY.
3	(6) A VACANCY MUST BE FILLED BY THE APPOINTING AUTHORITY
4	AS SOON AS POSSIBLE BUT WITHIN FOURTEEN DAYS AFTER THE VACANCY.
5	(7) (a) The task force shall meet at least four but not
6	More than five times from July 2024 through January $1,2025$.
7	(b) THE TASK FORCE MAY BEGIN MEETING ONCE AT LEAST
8	THIRTEEN MEMBERS ARE APPOINTED.
9	(c) DURING THE FIRST MEETING, THE TASK FORCE SHALL ELECT A
10	MEMBER TO SERVE AS THE CHAIR OF THE TASK FORCE AND A MEMBER TO
11	SERVE AS THE VICE-CHAIR OF THE TASK FORCE.
12	(d) MEETINGS MUST BE OPEN TO THE PUBLIC AND ALLOW TIME FOR
13	PUBLIC COMMENT.
14	(8) Task force members serve without compensation;
15	EXCEPT THAT TASK FORCE MEMBERS SPECIFIED IN SUBSECTIONS $(4)(d)(III)$,
16	(4)(e)(III), and $(4)(f)$ of this section must receive per diem
17	COMPENSATION. ALL TASK FORCE MEMBERS MAY BE REIMBURSED FOR
18	EXPENSES INCURRED WHILE PERFORMING THE TASK FORCE MEMBERS'
19	DUTIES.
20	(9) Upon the request of the chair of the task force, the
21	DEPARTMENT OF EDUCATION MUST PROVIDE STAFF ASSISTANCE, MEETING
22	SPACE, OR AUDIO-VISUAL COMMUNICATION TECHNOLOGY TO THE TASK
23	FORCE AS NECESSARY FOR THE PERFORMANCE OF ITS DUTIES.
24	(10) THE DEPARTMENT OF EDUCATION SHALL CONTRACT WITH A
25	THIRD-PARTY ENTITY WITH EXPERTISE IN TASK FORCE FACILITATION AND
26	STAKEHOLDER INPUT TO ASSIST WITH THE ADMINISTRATION OF THE TASK
2.7	FORCE AND DRAFTING THE REPORT PURSUANT TO SUBSECTION (11) OF THIS

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1	SECTION.
2	(11) On or before February 1, 2025, the task force shall
3	SUBMIT A REPORT TO THE STATE BOARD OF EDUCATION AND THE
4	EDUCATION COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND THE
5	EDUCATION COMMITTEE OF THE SENATE, OR ANY SUCCESSOR COMMITTEES,
6	DETAILING ITS FINDINGS REGARDING THE TOPICS DETAILED IN SUBSECTION
7	(1) OF THIS SECTION. AT A MINIMUM, THE REPORT MUST CONTAIN:
8	(a) FINDINGS FROM THE EVALUATION AND OUTCOMES;
9	(b) Findings from studies on Colorado and on other
10	STATES; AND
11	(c) RECOMMENDATIONS FOR SCHOOL DISTRICTS TO IMPLEMENT
12	TIME-TO-EAT POLICIES THAT ALLOW FOR INCREASED TIME TO EAT. THESE
13	RECOMMENDATIONS MUST ENSURE:
14	(I) INCREASED POSITIVE OUTCOMES FOR STUDENTS, INCLUDING
15	NUTRITIONAL OUTCOMES; AND
16	(II) COMPLIANCE WITH FEDERAL INSTRUCTION TIME AND OTHER
17	RELEVANT POLICIES.
18	(12) This section is repealed, effective July 1, 2025.
19	SECTION 3. In Colorado Revised Statutes, add 22-2-151 as
20	follows:
21	22-2-151. Safe and healthy play grant program - fund -
22	creation - report - definitions. (1) As used in this section, unless
23	THE CONTEXT OTHERWISE REQUIRES:
24	(a) "FUND" MEANS THE SAFE AND HEALTHY PLAY GRANT PROGRAM
25	FUND CREATED IN SUBSECTION (8) OF THIS SECTION.
26	(b) "Grant program" means the safe and healthy play
27	GRANT PROGRAM CREATED IN SUBSECTION (2) OF THIS SECTION.

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1	(2) THERE IS CREATED IN THE DEPARTMENT OF EDUCATION THE
2	SAFE AND HEALTHY PLAY GRANT PROGRAM TO PROVIDE MONEY TO
3	UNDER-RESOURCED SCHOOL DISTRICTS AND SCHOOLS IN ORDER TO
4	PROVIDE SCHOOL PROGRAMMING THAT SUPPORTS SOCIAL AND EMOTIONAL
5	LEARNING THROUGH PLAY. THE DEPARTMENT OR A SCHOOL MAY
6	CONTRACT AND PARTNER WITH A COMMUNITY NON-PROFIT ORGANIZATION
7	TO CARRY OUT THE PURPOSE OF THE GRANT PROGRAM.
8	(3) (a) SCHOOL DISTRICTS MAY APPLY FOR THE GRANT PROGRAM
9	IF THE SCHOOL DISTRICT MEETS THE ELIGIBILITY REQUIREMENTS DETAILED
10	IN SUBSECTION (3)(b) OF THIS SECTION. SCHOOLS MAY APPLY FOR THE
11	GRANT PROGRAM IF THE SCHOOL MEETS THE ELIGIBILITY REQUIREMENTS
12	DESCRIBED IN SUBSECTION (3)(c) OF THIS SECTION.
13	(b) To be eligible for a grant, a school district must
14	CONSIST OF SCHOOLS THAT HAVE FIFTY PERCENT OR MORE STUDENTS WHO
15	ARE ELIGIBLE FOR FREE OR REDUCED-PRICE LUNCH UNDER THE "RICHARD
16	B. RUSSELL NATIONAL SCHOOL LUNCH ACT", 42 U.S.C. SEC. 1751 ET SEQ.
17	AND EMPLOY A FULL-TIME PHYSICAL EDUCATION TEACHER.
18	(c) TO BE ELIGIBLE FOR A GRANT, A SCHOOL MUST HAVE FIFTY
19	PERCENT OR MORE STUDENTS WHO ARE ELIGIBLE FOR FREE OR
20	REDUCED-PRICE LUNCH UNDER THE "RICHARD B. RUSSELL NATIONAL
21	SCHOOL LUNCH ACT", 42 U.S.C. SEC. 1751 ET SEQ. AND EMPLOY A
22	FULL-TIME PHYSICAL EDUCATION TEACHER.
23	(4) THE DEPARTMENT SHALL ADMINISTER THE GRANT PROGRAM
24	AND, SUBJECT TO AVAILABLE APPROPRIATIONS, SHALL AWARD GRANTS AS
25	PROVIDED IN SUBSECTION (6) OF THIS SECTION. GRANTS MUST BE PAID OUT
26	OF THE SAFE AND HEALTHY PLAY GRANT PROGRAM FUND CREATED IN
27	SUBSECTION (8) OF THIS SECTION. THE DEPARTMENT MAY PROMULGATE

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1	RULES NECESSARY TO IMPLEMENT THE GRANT PROGRAM.
2	(5) AN ELIGIBLE SCHOOL DISTRICT OR SCHOOL SHALL APPLY FOR
3	A GRANT IN THE FORM AND MANNER PRESCRIBED BY THE DEPARTMENT. AT
4	A MINIMUM, AN ELIGIBLE SCHOOL DISTRICT OR SCHOOL SHALL INCLUDE
5	THE FOLLOWING INFORMATION WHEN APPLYING FOR A GRANT THROUGH
6	THE GRANT PROGRAM:
7	(a) A DESCRIPTION OF THE ELIGIBLE SCHOOL DISTRICT'S OR
8	SCHOOL'S NEED FOR THE GRANT;
9	(b) How the eligible school district or school intends to
10	USE THE GRANT MONEY TO INCORPORATE SOCIAL AND EMOTIONAL
11	LEARNING PLAY-TIME PROGRAMMING INTO THE SCHOOL DAY;
12	(c) THE COMMUNITY ORGANIZATION THE ELIGIBLE SCHOOL
13	DISTRICT OR SCHOOL INTENDS TO CONTRACT OR PARTNER WITH TO
14	IMPLEMENT THE PROGRAMMING;
15	(d) The amount of money needed in order to fully
16	IMPLEMENT SCHOOL PROGRAMMING THAT SUPPORTS SOCIAL AND
17	EMOTIONAL LEARNING THROUGH PLAY. THE AMOUNT OF MONEY
18	REQUESTED FOR EACH SCHOOL MUST NOT EXCEED TWENTY THOUSAND
19	DOLLARS; AND
20	(e) IF THE GRANT APPLICANT IS A SCHOOL DISTRICT, WHICH
21	SCHOOLS THE GRANT MONEY WILL BE USED FOR.
22	(6) (a) The department shall review the applications
23	RECEIVED PURSUANT TO THIS SECTION AND AWARD GRANTS ON A FIRST
24	COME, FIRST SERVED BASIS. GRANTS AWARDED MUST NOT EXCEED
25	TWENTY THOUSAND DOLLARS PER SCHOOL.
26	(b) The department shall distribute the grant money
27	WITHIN THIRTY DAYS AFTER THE DEPARTMENT AWARDS THE GRANTS.

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1	(7) A SCHOOL DISTRICT OR SCHOOL AWARDED A GRANT THROUGH
2	THE GRANT PROGRAM MUST USE THE GRANT MONEY FOR SOCIAL AND
3	EMOTIONAL LEARNING PLAY-TIME PROGRAMMING.
4	(8) THERE IS CREATED IN THE STATE TREASURY THE SAFE AND
5	HEALTHY PLAY GRANT PROGRAM FUND. THE FUND CONSISTS OF MONEY
6	TRANSFERRED OR APPROPRIATED TO IT AND ANY OTHER MONEY THAT MAY
7	BE MADE AVAILABLE BY THE GENERAL ASSEMBLY. THE MONEY IN THE
8	FUND IS CONTINUOUSLY APPROPRIATED TO THE DEPARTMENT FOR THE
9	DIRECT AND INDIRECT COSTS ASSOCIATED WITH IMPLEMENTING THE
10	GRANT PROGRAM. ANY AMOUNT REMAINING IN THE FUND AT THE END OF
11	A FISCAL YEAR MUST REMAIN IN THE FUND AND NOT BE CREDITED OR
12	TRANSFERRED TO THE GENERAL FUND OR TO ANY OTHER FUND.
13	(9) BEGINNING JANUARY 2025, AND IN JANUARY OF EACH YEAR
14	THEREAFTER, THE DEPARTMENT SHALL INCLUDE AS PART OF ITS "SMART
15	ACT" HEARING, REQUIRED BY SECTION 2-7-203, INFORMATION
16	CONCERNING THE SCHOOL DISTRICTS THAT RECEIVED GRANTS THROUGH
17	THE GRANT PROGRAM IN THE PREVIOUS YEAR, INCLUDING:
18	(a) How the school district used the grant money to
19	IMPLEMENT PLAY-TIME PROGRAMMING DURING THE SCHOOL DAY THAT
20	SUPPORTS SOCIAL AND EMOTIONAL LEARNING;
21	(b) THE AMOUNT OF MONEY AWARDED TO THE SCHOOL DISTRICT
22	THROUGH THE GRANT PROGRAM; AND
23	(c) THE EFFECTS OF IMPLEMENTING THE PROGRAMMING ON:
24	(I) STUDENT ATTENDANCE;
25	(II) STUDENT SAFETY AND INCLUSIVENESS;
26	(III) STUDENT INTERACTIONS WITH TEACHERS AND OTHER SCHOOL
27	FACULTY MEMBERS AND PEERS;

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1	(IV) THE AMOUNT OF CLASSROOM INSTRUCTIONAL TIME;
2	(V) THE NUMBER OF BULLYING AND DISCIPLINARY INCIDENTS; AND
3	(VI) CHANGES IN PHYSICAL ACTIVITY LEVELS AMONG STUDENTS.
4	(10) $\overline{\text{N}}$ othing in this section shall be construed to supplant
5	A SCHOOL'S OR SCHOOL DISTRICT'S PHYSICAL EDUCATION PROGRAM.
6	SECTION 4. Safety clause. The general assembly finds,
7	determines, and declares that this act is necessary for the immediate
8	preservation of the public peace, health, or safety or for appropriations for
9	the support and maintenance of the departments of the state and state
10	institutions.

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