

**Introduced by Senator Jackson**February 21, 2013

---

---

An act to add Article 23.5 (commencing with Section 8490) to Chapter 2 of Part 6 of Division 1 of Title 1 of the Education Code, relating to child care.

## LEGISLATIVE COUNSEL'S DIGEST

SB 464, as introduced, Jackson. Child care: Healthy Eating and Physical Activity Act.

Existing law, the Child Care and Development Services Act, is enacted for, among other purposes, the purpose of providing a comprehensive, coordinated, and cost-effective system of child care and development services for children from infancy to 13 years of age and their parents, including a full range of supervision, health, and support services through full- and part-time programs.

This bill would enact the Healthy Eating and Physical Activity Act, and add it to the Child Care and Development Services Act. The bill would establish standards with respect to nutrition and physical activity for early childhood education programs, infant care programs, and afterschool programs conducted under the Child Care and Development Services Act. The bill would express legislative intent to encourage all child care providers to implement educational programs for parents that provide parents with physical activity and nutritional information relevant to the health of their children.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Article 23.5 (commencing with Section 8490) is  
2 added to Chapter 2 of Part 6 of Division 1 of Title 1 of the  
3 Education Code, to read:

4  
5 Article 23.5. Healthy Eating and Physical Activity Act  
6

7 8490. This article shall be known, and may be cited, as the  
8 Healthy Eating and Physical Activity Act. This article shall  
9 establish standards for early childhood education programs, infant  
10 care programs, and afterschool programs conducted pursuant to  
11 this chapter.

12 8490.1. Early childhood education programs conducted under  
13 this chapter shall meet all of the following standards:

14 (a) Opportunities for light, moderate, and vigorous physical  
15 activity shall be provided for at least 15 minutes per hour while  
16 children are in care.

17 (b) There shall be no “screen time,” which is time spent  
18 watching a television or computer screen, for children who are  
19 under two years of age. Children two to five years of age, inclusive,  
20 shall be limited to no more than 30 minutes per day of screen time  
21 for children in half-day programs and no more than 60 minutes of  
22 screen time for children in full-day programs.

23 (c) Fruits and vegetables shall be served at every meal, which  
24 shall be eaten family-style whenever feasible. No fried foods shall  
25 be served.

26 (d) Water shall be offered at the table during every meal, and  
27 shall be accessible at all times. Beverages with added sugars shall  
28 not be served.

29 (e) Children of two years of age or older may be served low-fat  
30 (1 percent) or nonfat milk, or 100 percent fruit juice, in quantities  
31 of four to six ounces.

32 8490.2. Infant care programs conducted under this chapter shall  
33 meet all of the following standards:

34 (a) Opportunities shall be provided each day for infants to move  
35 freely under adult supervision to explore their indoor and outdoor  
36 environments and to optimize adult-infant interactions.

1 (b) Daily “tummy time,” which is time spent in the prone  
2 position, shall be provided for infants who are six months old or  
3 younger.

4 (c) There shall be no screen time for children who are under  
5 two years of age.

6 (d) Adults who work with infants and their families shall  
7 promote and support exclusive breastfeeding for six months and  
8 continuation of breastfeeding in conjunction with complementary  
9 foods for one year or more.

10 8490.3. Afterschool programs conducted under this chapter  
11 shall meet all of the following standards:

12 (a) The program shall ensure that children engage in at least 60  
13 minutes of physical activity per day for full-day programs,  
14 including a mixture of moderate and vigorous physical activities  
15 that promote bone and muscle strengthening. Play shall be outdoors  
16 whenever feasible.

17 (b) There shall be no access to television or motion pictures.  
18 Time spent with digital devices shall be limited to one hour per  
19 day or less, and access to digital devices shall only be allowed in  
20 connection with homework or a program that actively engages  
21 children in activity.

22 (c) Fruits and vegetables shall be served at every meal, which  
23 shall be eaten family-style whenever feasible. No fried foods shall  
24 be served.

25 (d) Children may be served water, low-fat (1 percent) or nonfat  
26 milk, or 100 percent fruit juice, in quantities of six to eight ounces  
27 per day.

28 8490.4. It is the intent of the Legislature to encourage all child  
29 care providers to implement educational programs for parents that  
30 provide parents with physical activity and nutritional information  
31 relevant to the health of their children.