

***THE ILLINOIS CHILDHOOD OBESITY PREVENTION  
CONSENSUS AGENDA***

***POLICYMAKERS SUMMIT***

*December 8, 2004*

***BRIEFING PACKET***

***DRAFT***

*"We consider all our work in research, service, and education to be incomplete until our findings have achieved functional recognition through the implementation of policies that serve the communities and individuals..." Dr. Susan C. Srimshaw, Dean, University of Illinois Chicago, School of Public Health*

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# ILLINOIS CHILDHOOD OBESITY PREVENTION CONSENSUS AGENDA

## POLICY PRIORITIES Spring 2005

*"Obesity costs the nation \$117 billion in 2000. To address obesity-induced heart disease, diabetes, cancer and stroke, policymakers can encourage physical activity and good nutrition."* National Conference of State Legislators, Annual Meeting, July 22, 2004

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*"Regular physical activity substantially reduces the risk of dying of coronary heart disease, the nation's leading cause of death, and decreases the risk for stroke, colon cancer, diabetes, and high blood pressure. It also helps to control weight; contributes to healthy bones, muscles, and joints",* National Institutes for Health, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, "The Importance of Physical Activity", March 31, 2004.

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*"Since most children and adolescents are enrolled in schools, schools present a unique opportunity to promote healthy eating and regular physical activity. States, school districts and schools are addressing childhood obesity through multi-pronged strategies that include developing school nutrition and physical activity policies, implementing classroom instruction in nutrition and physical education, and creating a supportive school environment."* NGA Center for Best Practices, Issue Brief, February 4, 2003.

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*"In spite of the public health impact of obesity and overweight, these conditions have not been a major public health priority in the past. Halting and reversing the upward trend of the obesity epidemic will require effective collaboration among government, voluntary, and private sectors, as well as a commitment to action by individuals and communities across the nation."* National Institutes of Health, Center for Disease Control, Defining Overweight and Obesity, June 24<sup>th</sup> 2004

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*"We do not yet know the true rate of childhood obesity in Chicago communities at greatest risk (i.e., those that have populations that are African American, Hispanic, or predominately lower socio-economic status communities). We hope that childhood obesity prevention work will help children grow well and feel good about themselves, but we need to find out if it may also increase the prevalence or severity of body image disorders in adolescents... Obesity prevention programs and policies will require rigorous planning and evaluation."* CLOCC, 2003.

## **POLICY PRIORITIES**

### **BACKGROUND:**

Childhood obesity is a critical public health issue, and, as such, policy must be driven by data. Yet practical approaches at the core of the issue—improving physical activity and nutrition—must be developed and promoted. A comprehensive and consensus policy approach to this epidemic is being called for by national, State and local leaders.

On September 29, 2004, the Consortium to Lower Obesity in Chicago Children (CLOCC) convened a broad-based *Advocates' Summit* to develop a consensus legislative agenda addressing the epidemic of childhood obesity. Participants and their sponsoring organizations believe in working collaboratively to develop long-term, systemic approaches to addressing this complex societal problem.

During the Advocate's Summit, over 75 participants from more than 50 organizations representing views across the policy spectrum created practical and achievable legislative goals for the Spring 2005 session of the Illinois General Assembly. Participants broke out into four working groups: 1) Agriculture and Commerce; 2) Education; 3) Health and Human Services; and 4) Transportation and Recreation. The working groups prioritized issues which were then vetted by the entire group. Revisions to the prioritized policy concepts were made by a planning committee and by reconvened working groups in each area. The product of this process is the Illinois Childhood Obesity Prevention Consensus Agenda.

Policy priorities in the Consensus Agenda include:

### ***APPROPRIATING THE OBESITY STUDY AND PREVENTION FUND***

- **ISSUE:** In 2003, the General Assembly enacted P.A. 93-0060 establishing the Obesity Study and Prevention Fund. To date, no money has been appropriated to establish the fund. In order to create sound state-wide policy to address childhood obesity, the Study and Prevention Fund must be appropriated.
- **ACTION:** Three immediate initiatives under the Fund can be: 1) collecting, analyzing and disseminating children's Body Mass Indices (height, weight age and gender) as required by P.A. 93-966; 2) establishing a health related fitness assessment to determine the impact of physical education programs on student fitness levels; and 3) matching Federal funds to support the state Nutrition and Physical Activity Program to Prevent Obesity and Related Chronic Diseases managed by the Illinois Department of Public Health.

### ***PROMOTING EARLY CHILDHOOD NUTRITION AND PHYSICAL ACTIVITY STANDARDS***

- **ISSUE:** High quality early care and education programs include recommended standards for children's nutrition and nutrition education delivered in a safe, sanitary, supportive environment. Nutrition standards promote healthy growth and development in very young children. Providing guidance to health care practitioners, day-care providers, and parents about menu adequacy and planning, food preparation, foodservice, food safety, and nutrition education, as well as physical activity recommendations, for children in day care centers is essential to promote good health habits among young children, preventing disease and enabling growth and development.
- **ACTION:** Include nutrition and physical activity standards in the Early Learning Council.

### ***REFORMING THE PHYSICAL EDUCATION WAIVER PROCESS (DRAFT)***

- **ISSUE:** Section 27-6 *et seq.* of the Illinois School Code requires schools to include physical education as a course of study. Illinois is a national leader in requiring a physical education curriculum. Each year, school districts apply for, and are granted physical education instruction waivers under Section 2-35g of the Illinois School Code.
- **ACTION:** Amend section 2-35g(d) of the Illinois School Code to: 1) require the Illinois State Board of Education to file waiver reports on March 1 instead of May 1 of each year, and increase the time for the General Assembly to act on waiver requests to 60 days, to allow more time for review and hearings concerning such waivers; and 2) provide for each chamber of the General Assembly to hold hearings and approve waiver requests in alternative years. Amend section 27-6 of the School Code to accommodate districts that have block scheduling, and therefore cannot provide daily physical education. Require ISBE to adopt rules and regulations to strictly construe and enforce the 2001 ISBE Policy on physical education waivers, and to provide more clearly defined criteria for granting or denying such waivers. Reestablish the Illinois Learning Standards for Physical Development and Health eliminated in 2004.

### ***CREATING THE ILLINOIS FOOD SYSTEM POLICY COUNCIL***

- **ISSUE:** Key to healthy children and communities is the food system. Food access and security have a direct impact on individual and community health and well-being. Where children get food, what they eat, where they eat it, and who prepares it, are all key components to a child's health and readiness to learn. As significantly, the culture of food is key to our communities' and families' productivity. Because Illinois' agricultural system is one of the top 5 in the nation, that system becomes a key component to self-sustainability, economic viability and health and well-being.
- **ACTION:** Create the Illinois Food Systems Policy Council to coordinate food production, access, delivery and security of food, and to encourage public/private partnerships around healthy food options. The Council will be administered through the Department of Commerce and Economic Opportunity, and will consist, at a minimum, of state agencies, farmers and farm associations including farm bureaus, business and business associations, including agri-business and food processing, and community based organizations, including those working on food access, food security, and food delivery.

### ***PROVIDING SAFE ROUTES TO SCHOOLS AND PARKS***

- **ISSUE:** House Bill 6954 was stalled in Senate Rules at the end of the Spring legislative session. The legislation provides that, upon enactment of a federal transportation bill with a dedicated fund available to states for safe routes for schools, the Department of Transportation shall, in cooperation with the State Board of Education and the Department of State Police, establish and administer a Safe Routes to School Construction Program for the construction of bicycle and pedestrian safety and traffic-calming projects, with construction grants being made available to local governmental agencies.
- **ACTION:** Send House Bill 6954 to the Governor, and work with the Illinois Congressional Delegation to ensure adequate federal funding for Illinois Safe Routes.

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**THE OBESITY STUDY AND PREVENTION FUND**

**ISSUE:**

In 2003, the General Assembly enacted P.A. 93-0060 to establish the Obesity Study and Prevention Fund. To date, no moneys have been appropriated to establish the fund. In order to create sound state-wide policy to address childhood obesity, the Study and Prevention Fund must be funded.

**PROPOSED ACTION:**

Appropriate \$3 Million to fund initiatives under the Obesity Study and Prevention Fund.

**RATIONALE:**

Three immediate initiatives under the Fund can be: 1) collecting, analyzing and disseminating children's Body Mass Indices (height, weight age and gender) as required by P.A. 93-966; 2) establishing a health related fitness assessment to determine the impact of physical education programs on student fitness levels; and 3) matching Federal funds to support the Statewide Obesity Steering Committee chaired by the Illinois Department of Public Health.

Childhood overweight is a public health issue. As such, sound policy must be data driven. Under P.A. 93-966, the IDPH, ~~in collaboration with ISBE,~~ is required to collect children's BMI data from school health data forms submitted by individual students. Once the data is de-identified and aggregated, policy-makers will be able to tactically address the issue through targeted programs in areas hardest hit by this public health epidemic.

At the same time, parents should know how their children are progressing in their physical fitness. Following the Arkansas model, policy-makers can develop a health related fitness assessment to provide a report to parents on student fitness levels. This data can also be aggregated to provide policy-makers key information for determining how best to fight the issues of childhood overweight.

**PLEASE SUPPORT AN APPROPRIATION FOR THE OBESITY STUDY AND PREVENTION FUND.**

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**EARLY CHILDHOOD NUTRITION STANDARDS**  
**House Bill 210**

*ISSUE:*

Young children are spending more time in early care and education programs. Key to growth and development is a healthy diet. Young children should be eating nutritious food while enrolled in early childhood programs. These children should also be educated on the importance of good nutrition and food-related wellness.

*PROPOSED ACTION:*

Amend section 5 of the Illinois Early Learning Council Act, 20 ILCS 3933/1 to require nutrition standards and nutrition education in early care and education programs.

*RATIONALE:*

With the increase in children's attendance in early care and education programs, it is imperative that nutritious foods are provided to children and that children begin to learn important life-lessons in good eating habits. According to the American Dietetic Association, early care and education programs should serve children nutritious meals and snacks consistent with the Dietary Guidelines for Americans, and in proportion to the amount of time they spend in the program. Food service and preparation should be consistent with best practices for food safety and sanitation. Also, nutrition education should be a component of the child care program.

**PLEASE SUPPORT H.B. 210 AMENDING THE ILLINOIS EARLY LEARNING COUNCIL ACT TO REQUIRE NUTRITION STANDARDS, NUTRITION EDUCATION, AND PHYSICAL ACTIVITY IN EARLY CARE PROGRAMS.**

Public Act 094-0124

HB0210 Enrolled

LRB094 05725 RSP 35777 b

AN ACT concerning State government.

Be it enacted by the People of the State of Illinois,  
represented in the General Assembly:

Section 5. The Illinois Early Learning Council Act is  
amended by changing Section 5 as follows:

(20 ILCS 3933/5)

Sec. 5. Illinois Early Learning Council. The Illinois Early Learning Council is hereby created to coordinate existing programs and services for children from birth to 5 years of age in order to better meet the early learning needs of children and their families. The goal of the Council is to fulfill the vision of a statewide, high-quality, accessible, and comprehensive early learning system to benefit all young children whose parents choose it. The Council shall guide collaborative efforts to improve and expand upon existing early childhood programs and services, including those related to nutrition, nutrition education, and physical activity, in coordination with the Interagency Nutrition Council. This work shall include making use of existing reports, research, and planning efforts.

(Source: P.A. 93-380, eff. 7-24-03.)

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**REFORMING PHYSICAL EDUCATION WAIVER PROCESS**

ISSUE:

Section 27-6 *et seq.* of the Illinois School Code requires schools to include physical education as a course of study. Illinois is a national leader in requiring a physical education curriculum. Each year, school districts apply for, and are granted physical education instruction waivers under Section 2-35g of the Illinois School Code.

PROPOSED ACTION:

Amend section 2-35g(d) of the Illinois School Code to: 1) require the Illinois State Board of Education to file waiver reports on March 1 instead of May 1 of each year, and increase the time for the General Assembly to act on waiver requests to 60 days, to allow more time for review and hearings concerning such waivers; and 2) provide for each chamber of the General Assembly to hold hearings and approve waiver requests in alternative years. Amend section 27-6 of the School Code to accommodate districts that have block scheduling, and therefore cannot provide daily physical education. Require ISBE to adopt rules and regulations to strictly construe and enforce the 2001 ISBE Policy on physical education waivers, and to provide more clearly defined criteria for granting or denying such waivers. Reestablish the Illinois Learning Standards for Physical Development and Health eliminated in 2004.

RATIONALE:

Physical education programs are mandated under the Illinois School Code. Physical activity through physical education improves student health. Daily physical education should be offered to students as a rule, and waiving the mandate should be the exception. By allowing more time for the waiver process, and additional review by the General Assembly, and by clearly defining the waiver criteria and promulgating the 2001 ISBE Physical Education Waiver Policy, the physical education mandate waiver process will be improved.

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**SUPPORT AMENDMENTS TO THE SCHOOL CODE AND PROMULGATING ADDITIONAL RULES AND REGULATIONS TO IMPROVE THE PHYSICAL EDUCATION WAIVER PROCESS.**



# DRAFT

## PHYSICAL EDUCATION WAIVER REFORM AMENDMENT

1. School Code shall be submitted to the State Board within 15 days after approval by the board or regional superintendent of schools. The application as submitted to the State Board of Education shall include a description of the public hearing. The description shall include, but need not be limited to, the means of notice, the number of people in attendance, the number of people who spoke as proponents or opponents of the waiver, a brief description of their comments, and whether there were any written statements submitted. The State Board shall review the applications and requests for completeness and shall compile the requests in reports to be filed with the General Assembly. The State Board shall file reports outlining the waivers requested by eligible applicants and appeals by eligible applicants of requests disapproved by the State Board with the Senate and the House of Representatives before each ~~May 1~~ **March 1** and October 1. The General Assembly may disapprove the report of the State Board in whole or in part within ~~30~~ **60** calendar days after each house of the General Assembly next convenes after the report is filed by adoption of a resolution by a record vote of the majority of members elected in each house. **In alternative years, the House or Senate committee overseeing education shall hold hearings regarding such waivers.** If the General Assembly fails to disapprove any waiver request or appealed request within such ~~30~~ **60** day period, the waiver or modification shall be deemed granted. Any resolution adopted by the General Assembly disapproving a report of the State Board in whole or in part shall be binding on the State Board.

2. (a) Pupils enrolled in the public schools and State universities engaged in preparing teachers shall, as soon as practicable, be required to engage daily, **except on block scheduled days for those schools engaging in block scheduling.** during the school day, in courses of physical education for such periods as are compatible with the optimum growth and development needs of individuals at the various age levels except when appropriate excuses are submitted to the school by a pupil's parent or guardian or by a person licensed under the Medical Practice Act of 1987 and except as provided in subsection (b) of this Section.

Public Act 094-0198

SBO088 Enrolled

LRB094 05722 RAS 35774 b

AN ACT concerning education.

Be it enacted by the People of the State of Illinois,  
represented in the General Assembly:

Section 5. The School Code is amended by changing Sections 2-3.25g and 27-6 as follows:

(105 ILCS 5/2-3.25g) (from Ch. 122, par. 2-3.25g)

Sec. 2-3.25g. Waiver or modification of mandates within the School Code and administrative rules and regulations.

(a) In this Section:

"Board" means a school board or the governing board or administrative district, as the case may be, for a joint agreement.

"Eligible applicant" means a school district, joint agreement made up of school districts, or regional superintendent of schools on behalf of schools and programs operated by the regional office of education.

"State Board" means the State Board of Education.

(b) Notwithstanding any other provisions of this School Code or any other law of this State to the contrary, eligible applicants may petition the State Board of Education for the waiver or modification of the mandates of this School Code or of the administrative rules and regulations promulgated by the State Board of Education. Waivers or modifications of administrative rules and regulations and modifications of mandates of this School Code may be requested when an eligible applicant demonstrates that it can address the intent of the rule or mandate in a more effective, efficient, or economical manner or when necessary to stimulate innovation or improve student performance. Waivers of mandates of the School Code may be requested when the waivers are necessary to stimulate innovation or improve student performance. Waivers may not be requested from laws, rules, and regulations pertaining to special education, teacher certification, or teacher tenure and seniority or from compliance with the No Child Left Behind Act of 2001 (Public Law 107-110).

(c) Eligible applicants, as a matter of inherent managerial policy, and any Independent Authority established under Section 2-3.25f may submit an application for a waiver or modification authorized under this Section. Each application must include a written request by the eligible applicant or Independent Authority and must demonstrate that the intent of the mandate can be addressed in a more effective, efficient, or economical manner or be based upon a specific plan for improved student performance and school improvement. Any eligible applicant requesting a waiver or modification for the reason that intent of the mandate can be addressed in a more economical manner shall include in the application a fiscal analysis showing current expenditures on the mandate and projected savings resulting from the waiver or modification.

Applications and plans developed by eligible applicants must be approved by the board or regional superintendent of schools applying on behalf of schools or programs operated by the regional office of education following a public hearing on the application and plan and the opportunity for the board or regional superintendent to hear testimony from educators directly involved in its implementation, parents, and students. If the applicant is a school district or joint agreement, the public hearing shall be held on a day other than the day on which a regular meeting of the board is held. If the applicant is a school district, the public hearing must be preceded by at least one published notice occurring at least 7 days prior to the hearing in a newspaper of general circulation within the school district that sets forth the time, date, place, and general subject matter of the hearing. If the applicant is a joint agreement or regional superintendent, the public hearing must be preceded by at least one published notice (setting forth the time, date, place, and general subject matter of the hearing) occurring at least 7 days prior to the hearing in a newspaper of general circulation in each school district that is a member of the joint agreement or that is served by the educational service region, provided that a notice appearing in a newspaper generally circulated in more than one school district shall be deemed to fulfill this requirement with respect to all of the affected districts. The eligible applicant must notify in writing the affected exclusive collective bargaining agent and those State legislators representing the eligible applicant's territory of its intent to seek approval of a waiver or modification and of the hearing to be held to take testimony from educators. The affected exclusive collective bargaining agents shall be notified of such public hearing at least 7 days prior to the date of the hearing and shall be allowed to attend such public hearing. The eligible applicant shall attest to compliance with all of the notification and procedural requirements set forth in this Section.

(d) A request for a waiver or modification of administrative rules and regulations or for a modification of mandates contained in this School Code shall be submitted to the State Board of Education within 15 days after approval by the board or regional superintendent of schools. The application as submitted to the State Board of Education shall include a description of the public hearing. Following receipt of the request, the State Board shall have 45 days to review the application and request. If the State Board fails to disapprove the application within that 45 day period, the waiver or modification shall be deemed granted. The State Board may disapprove any request if it is not based upon sound educational practices, endangers the health or safety of students or staff, compromises equal opportunities for learning, or fails to demonstrate that the intent of the rule or mandate can be addressed in a more effective, efficient, or economical manner or have improved student performance as a primary goal. Any request disapproved by the State Board may be appealed to the General Assembly by the eligible applicant as outlined in this Section.

A request for a waiver from mandates contained in this School Code shall be submitted to the State Board within 15 days after approval by the board or regional superintendent of schools. The application as submitted to the State Board of

Education shall include a description of the public hearing. The description shall include, but need not be limited to, the means of notice, the number of people in attendance, the number of people who spoke as proponents or opponents of the waiver, a brief description of their comments, and whether there were any written statements submitted. The State Board shall review the applications and requests for completeness and shall compile the requests in reports to be filed with the General Assembly. The State Board shall file reports outlining the waivers requested by eligible applicants and appeals by eligible applicants of requests disapproved by the State Board with the Senate and the House of Representatives before each ~~March~~ ~~May~~ 1 and October 1. The General Assembly may disapprove the report of the State Board in whole or in part within ~~60~~ ~~90~~ calendar days after each house of the General Assembly next convenes after the report is filed by adoption of a resolution by a record vote of the majority of members elected in each house. If the General Assembly fails to disapprove any waiver request or appealed request within such ~~60~~ ~~90~~ day period, the waiver or modification shall be deemed granted. Any resolution adopted by the General Assembly disapproving a report of the State Board in whole or in part shall be binding on the State Board.

(e) An approved waiver or modification may remain in effect for a period not to exceed 5 school years and may be renewed upon application by the eligible applicant. However, such waiver or modification may be changed within that 5-year period by a board or regional superintendent of schools applying on behalf of schools or programs operated by the regional office of education following the procedure as set forth in this Section for the initial waiver or modification request. If neither the State Board of Education nor the General Assembly disapproves, the change is deemed granted.

(f) On or before February 1, 1998, and each year thereafter, the State Board of Education shall submit a cumulative report summarizing all types of waivers of mandates and modifications of mandates granted by the State Board or the General Assembly. The report shall identify the topic of the waiver along with the number and percentage of eligible applicants for which the waiver has been granted. The report shall also include any recommendations from the State Board regarding the repeal or modification of waived mandates. (Source: P.A. 93-470, eff. 8-8-03; 93-557, eff. 8-20-03; 93-707, eff. 7-9-04.)

(105 ILCS 5/27-6) (from Ch. 122, par. 27-6)

Sec. 27-6. Courses in physical education - Special activities.

(a) Pupils enrolled in the public schools and State universities engaged in preparing teachers shall, as soon as practicable, be required to engage daily, during the school day, except on block scheduled days for those public schools engaged in block scheduling, in courses of physical education for such periods as are compatible with the optimum growth and development needs of individuals at the various age levels except when appropriate excuses are submitted to the school by a pupil's parent or guardian or by a person licensed under the Medical Practice Act of 1987 and except as provided in subsection (b) of this Section.

Special activities in physical education shall be provided for pupils whose physical or emotional condition, as determined

by a person licensed under the Medical Practice Act of 1987, prevents their participation in the courses provided for normal children.

(b) A school board is authorized to excuse pupils enrolled in grades 11 and 12 from engaging in physical education courses if those pupils request to be excused for any of the following reasons: (1) for ongoing participation in an interscholastic athletic program; (2) to enroll in academic classes which are required for admission to an institution of higher learning, provided that failure to take such classes will result in the pupil being denied admission to the institution of his or her choice; or (3) to enroll in academic classes which are required for graduation from high school, provided that failure to take such classes will result in the pupil being unable to graduate. A school board may also excuse pupils in grades 9 through 12 enrolled in a marching band program for credit from engaging in physical education courses if those pupils request to be excused for ongoing participation in such marching band program. A school board may also excuse pupils in grades 9 through 12 enrolled in a Reserve Officer's Training Corps (ROTC) program sponsored by the school district from engaging in physical education courses. School boards which choose to exercise this authority shall establish a policy to excuse pupils on an individual basis.

(c) The provisions of this Section are subject to the provisions of Section 27-22.05.

(Source: P.A. 88-269; 89-155, eff. 7-19-95; 89-175, eff. 7-19-95; 89-626, eff. 8-9-96.)

**Effective Date: 1/1/2006**

*“Healthy Kids, Health Food, Healthy Communities”*

*THE ILLINOIS CHILDHOOD OBESITY PREVENTION CONSENSUS AGENDA*

**FOOD SYSTEMS POLICY COUNCIL**

***ISSUE:***

Illinois ranks in the top five states in the nation’s gross agricultural production. The food and agricultural sector employ nearly 20% of the State’s workforce. The food sector is committed to providing safe, nutritious, high-quality, affordable, and convenient agricultural products to its citizens. *Food and Agricultural Research Act, 505 ILCS 82/5.*

At the same time, Illinois lacks a cohesive food access, delivery and security system. Providing fresh produce and other healthy food to children and their families has a direct impact on childhood obesity, as well as economic impacts on communities.

***PROPOSED ACTION:***

Amend section 605-600 of the Department of Commerce and Economic Opportunity Law by including a provision creating the Illinois Food Systems Policy Council to promote the production and distribution of Illinois-grown food and food products, and to encourage public/private partnerships around healthy food options. Add new section 605-600(12) under the Buy Illinois Program to create the Illinois Food Systems Policy Council with membership from, at a minimum, state agencies including Department of Public Health, Department of Agriculture, Department of Natural Resources, State Board of Education, the Food Education and Nutrition Program, farmers and farm associations including farm bureaus, business and business associations, including agri-business and food processing, and community based organizations, including those working on food access, food security, and food delivery. The DCEO will administer the Council.

***RATIONALE:***

Creating the Illinois Food System Policy Council to develop policies around food access and security will benefit Illinois farmers, agri-business and the community at large. By promoting fresh food access in neighborhood grocery stores, farmers markets and food depositories, the FSPC will improve individual health and well-being, while at the same time, promoting economic incentives for Illinois farmers agri-business and other private enterprise.

**PLEASE SUPPORT ESTABLISHING THE ILLINOIS FOOD SYSTEMS POLICY COUNCIL.**

## AMEND THE BUY ILLINOIS PROGRAM TO CREATE THE ILLINOIS FOOD SYSTEMS POLICY COUNCIL

(20 ILCS 605/605-600). (was 20 ILCS 605/46.19f)

Sec. 605-600. Buy Illinois Program. The Department shall have the authority to establish and administer a Buy Illinois Program, which may include, but is not limited to, the following powers and duties:

(1) To accept grants, loans, or appropriations from the federal government or the State or any agency or instrumentality thereof, and to assess fees for any services performed under the Buy Illinois Program, to carry out the program.

(2) To form a Buy Illinois Council, made up of Illinois large firms and small firms, to provide advice and counsel in directing a statewide program.

(3) To publicize and advertise to Illinois firms and government agencies the importance and benefits of buying goods and services provided by vendors located within the State.

(4) To secure the cooperation of Illinois' large firms, federal, State and local governments, non-profit agencies, international organizations, and others to carry out this program.

(5) To match the needs for products and services by business firms and government agencies with the capabilities of small Illinois firms that can provide those needed goods and services.

(6) To hold purchasing agent seminars, fairs, conferences and workshops to aid small Illinois businesses in obtaining contracts for goods and services from larger firms and government agencies within the State.

(7) To assist business firms and government agencies to analyze their buying activities and to find ways to carry out those activities in an effective and economical manner, while promoting subcontract activity with small Illinois firms.

(8) To establish manual and electronic buying directories, including stand alone computer data bases that list qualified vendors and procurement opportunities.

(9) To promote through other means the use by international agencies, government agencies, and larger businesses of products and services produced by small Illinois firms.

(10) To subcontract, grant funds, or otherwise participate with qualified private firms, existing procurement centers, or other organizations that have designed programs approved in accordance with procedures determined by the Department, that are aimed at assisting small Illinois firms in obtaining contracts for products and services from local government agencies and larger Illinois businesses.

(11) To develop and administer guidelines for projects that provide assistance to the Department in connection with the Buy Illinois Program.

(Source: P.A. 91-239, eff. 1-1-00.)

[NEW SECTION (12)] To form the Illinois Food Systems Policy Council to develop policies around food access and security, improve individual health and well-being, promote economic incentives for Illinois farmers and farmers' markets, agri-business and other private enterprise, and encourage public/private partnerships around healthy food options. Membership on the Council will, at a minimum, include representatives from the Department of Public Health, Department of Agriculture, Department of Natural Resources, State Board of Education, Food Nutrition and Education Program, Department of Human Services, farmers and farm associations including farm bureaus, business and business associations, including agri-business and food processing, and community based organizations, including those working on food access, food security, and food delivery. The DCEO will administer the Council. The Council shall submit an annual report to the General Assembly describing the Council's work, including, without limitation, performance indicators to measure the impact of policies and practices adopted by the Council.

## Public Act 094-0077

HB0211 Enrolled

LRB094 05723 RSP 35775 b

AN ACT concerning State government.

Be it enacted by the People of the State of Illinois,  
represented in the General Assembly:

Section 5. The Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois is amended by changing Section 605-600 as follows:

(20 ILCS 605/605-600) (was 20 ILCS 605/46.19f)

Sec. 605-600. Buy Illinois Program. The Department shall have the authority to establish and administer a Buy Illinois Program, which may include, but is not limited to, the following powers and duties:

(1) To accept grants, loans, or appropriations from the federal government or the State or any agency or instrumentality thereof, and to assess fees for any services performed under the Buy Illinois Program, to carry out the program.

(2) To form a Buy Illinois Council, made up of Illinois large firms and small firms, to provide advice and counsel in directing a statewide program.

(3) To publicize and advertise to Illinois firms and government agencies the importance and benefits of buying goods and services provided by vendors located within the State.

(4) To secure the cooperation of Illinois' large firms, federal, State and local governments, non-profit agencies, international organizations, and others to carry out this program.

(5) To match the needs for products and services by business firms and government agencies with the capabilities of small Illinois firms that can provide those needed goods and services.

(6) To hold purchasing agent seminars, fairs, conferences and workshops to aid small Illinois businesses in obtaining contracts for goods and services from larger firms and government agencies within the State.

(7) To assist business firms and government agencies to analyze their buying activities and to find ways to carry out those activities in an effective and economical manner, while promoting subcontract activity with small Illinois firms.

(8) To establish manual and electronic buying directories, including stand alone computer data bases that list qualified vendors and procurement opportunities.

(9) To promote through other means the use by international agencies, government agencies, and larger businesses of products and services produced by small Illinois firms.

(10) To subcontract, grant funds, or otherwise participate with qualified private firms, existing procurement centers, or other organizations that have designed programs approved in accordance with procedures determined by the Department, that are aimed at assisting small Illinois firms in obtaining



contracts for products and services from local government agencies and larger Illinois businesses.

(11) To develop and administer guidelines for projects that provide assistance to the Department in connection with the Buy Illinois Program.

(12) To form the Illinois Food Systems Policy Council to develop policies around food access and security, improve individual health and well-being, promote economic incentives for Illinois farmers, agri-businesses, and other private enterprises, and encourage public/private partnerships around healthy food options. Membership on the Council shall include the Director or Secretary, or his or her designee, of the Department of Commerce and Economic Opportunity, the Department of Human Services, the Department of Public Health, the Department of Agriculture, the Department of Natural Resources, the Department of Central Management Services, the State Board of Education, and the Food Nutrition and Education Program. The Council shall consult with farmers and farm associations, businesses and business associations, including agri-businesses and food processing businesses, and community based organizations, including those working on food access, security, and delivery and on obesity prevention. Administration of the Council and its functions shall be shared among the Council members pursuant to an interagency agreement from funds appropriated for this purpose or from existing funds within the budgets of the Council's members. The Council may submit, in consultation and collaboration with the associations, businesses, organizations, and entities listed in this Section, an annual report to the General Assembly describing the Council's work, which may include performance indicators to measure the impact of policies and practices adopted by the Council.

(Source: P.A. 91-239, eff. 1-1-00.)

Effective Date: 1/1/2006

## Organizations That Have Participated in the Development of the Illinois Childhood Obesity Prevention Consensus Agenda

- Alderman Mary Ann Smith's Office, 48<sup>th</sup> Ward ☺
- Alderman Vi Daley's Office, 43<sup>rd</sup> Ward ☺
- Alivio Medical Center ☺
- Altria Corporate Services
- American Academy of Pediatrics, Illinois Chapter ☺
- American Cancer Society
- American Diabetes Association ☺
- American Heart Association ☺
- American Lung Association of Metropolitan Chicago ☺
- American Medical Association
- Center for Neighborhood Technology ☺
- Chicago Area Transportation Study ☺
- Chicago Childhood Diabetes Registry at the University of Chicago ☺
- Chicago Children's Museum ☺
- Chicago/Cook County Community Health Council ☺
- Chicago Department of Children and Youth Services ☺
- Chicago Department of Public Health ☺
- Chicago Nutrition Association ☺
- Chicago Park District ☺
- Chicago Partnership for Health Promotion ☺
- Chicago Public Schools
- Chicagoland Bicycle Federation ☺
- Chicagoland Transportation and Air Quality Commission ☺
- Children's Memorial Hospital ☺
- Children's Memorial Hospital STAR Program ☺
- Community and Economic Development Association of Cook County ☺
- Consortium to Lower Obesity in Chicago Children ☺
- Cook County Department of Public Health ☺
- CTK Clinical Consultants ☺
- Faith in Place ☺
- FitMatters Weight Control Program at La Rabida Children's Hospital ☺
- Girls in the Game ☺
- Glenview Health Systems ☺
- Greater Chicago Food Depository ☺
- Grizzly Peak, Inc. ☺
- Growing Power
- Health and Disability Advocates ☺
- Healthcare Consortium of Illinois ☺
- Healthy Schools Campaign ☺
- Heifer International
- Hispanic Food Communications ☺
- Howard Area Community Center ☺
- The ICONS Foundation ☺
- Illinois Association for Health, Physical Education, Recreation and Dance ☺
- Illinois Association of Park Districts ☺
- Illinois Association of School Boards
- Illinois Coaches Association ☺
- Illinois Department of Human Services
- Illinois Department of Public Health
- Illinois Hunger Coalition
- Illinois Maternal and Child Health Coalition ☺
- Illinois Park and Recreation Association ☺
- Illinois Restaurant Association ☺
- Illinois Soft Drink Association ☺
- Illinois State Board of Education
- Illinois State Medical Society
- Infant Welfare Society of Illinois ☺
- Institute for Community Resource Development ☺
- John H. Stroger Jr. Hospital of Cook County
- Juan Antonio Corretjer Puerto Rican Cultural Center ☺
- KSB Medical Group ☺
- Kraft Foods ☺
- La Rabida Children's Hospital ☺
- League of Illinois Bicyclists ☺
- Lee County Medical Society ☺
- Loyola University Chicago School of Nursing ☺
- Mark Vend Company
- Mayor's Fitness Council ☺
- Midwest Hispanic Health Coalition ☺
- National Association of Manufacturers
- National Kidney Foundation of Illinois
- Northern Suburban Special Recreation Association
- PepsiCo Beverages & Foods
- Quincy School District
- The Robert Crown Center for Health Education ☺
- Seven Generations Ahead ☺
- Sinai Children's Hospital ☺
- Sinai Community Institute ☺
- University of Chicago Department of Pediatrics ☺
- University of Illinois at Chicago
- University of Illinois at Urbana-Champaign Department of Kinesiology ☺
- University of Illinois Extension Nutrition Education Programs ☺
- University of Illinois Medical College
- Voices for Illinois Children ☺
- Westside Health Authority
- Winfield Moody Health Center
- YMCA Alliance of Illinois
- YMCA of Metropolitan Chicago ☺

☺ These organizations have endorsed the Consensus Agenda.

*“The Time is Ripe”*



## THE URBAN FOOD INVESTMENT ACT

### ISSUE:

In many urban and isolated communities, residents have limited access quality, affordable, healthy food. Financial and other assistance to start, expand, or locate retail and wholesale food businesses and their related supply chain enterprises in underserved communities will improve access to affordable and more nutritious food, create health benefits, and provide employment and ownership opportunities. Retail and wholesale food businesses – including grocery stores, farmers markets, wholesale distribution centers, supermarkets, and other establishments selling or distributing fresh fruits, vegetables, meat and poultry, and locally and regionally produced food – must be created in underserved communities. Public/private investment partnerships to promote these businesses are essential.

### PROPOSED ACTION:

Amend 42 USC 9806 by adding a new section (c) which will create an **Urban Food Investment Program** and an urban food investment fund. Specifically, the legislation will require the Secretary of Health and Human Services, working in collaboration with the Secretary of Housing and Urban Development, the Secretary of Commerce, the Secretary of Agriculture, and the Secretary of Labor to:

- Identify specific *barriers to capitalization* of retail and wholesale food businesses, distribution and processing, and other supply chain enterprises necessary to provide affordable and healthy food in underserved urban communities, isolated communities, and communities of color;
- Identify *market opportunities* in specific underserved communities, and create business development and financing mechanisms needed to capitalize an increase in retail and wholesale food business opportunities in underserved communities;
- Create a *financing model* and other support mechanisms to capitalize food retail opportunities in underserved communities.
- Identify tangible and identifiable *management and operational issues* that affect the implementation and expansion of markets in underserved communities;
- Create demonstrated *linkages between farmers of color* and urban, isolated, and underserved communities;
- Support *research and evaluation* of market-based strategies for improving access in priority communities.

To support this Urban Food Investment Program through the **Urban Food Investment Fund**, an allocation of no less than \$50 Million in federal funding should be made in each fiscal year to plan, develop and implement urban food investment initiatives in metropolitan areas determined to be most in need, consistent with the standards and goals established under the Urban Food Investment Program.

### RATIONALE:

Food access is a critical issue facing urban and isolated communities. Community revitalization and investment initiatives to support urban food systems will provide a necessary and expedient means to catalyze community capitalization and healthy food systems. Communities will improve if the federal government takes action to encourage market-driven development of retail and wholesale food businesses and their supply chain enterprises.

**PLEASE SUPPORT PASSAGE OF THE URBAN FOOD INVESTMENT ACT.**

*THE URBAN FOOD INVESTMENT ACT*  
*(Proposed Amendment to 42 USC 9806)*

TITLE 42 - THE PUBLIC HEALTH AND WELFARE, CHAPTER 105 - COMMUNITY SERVICES PROGRAMS, SUBCHAPTER I - COMMUNITY ECONOMIC DEVELOPMENT, Part A - Urban and Rural Special Impact Programs

Sec. 9806. Establishment and scope of programs

(a) The Secretary is authorized to provide financial assistance in the form of grants to nonprofit and for profit community development corporations and other affiliated and supportive agencies and organizations associated with qualifying community development corporations for the payment of all or part of the cost of programs which are designed to carry out the purposes of this part. Financial assistance shall be provided so that each community economic development program is of sufficient size, scope, and duration to have an appreciable impact on the area served. Such programs may include -

(1) community business and commercial development programs, including (A) programs which provide financial and other assistance (including equity capital) to start, expand, or locate businesses in or near the area served so as to provide employment and ownership opportunities for residents of such areas; and (B) programs for small businesses located in or owned by residents of such areas; (2) community physical development programs, including industrial parks and housing activities, which contribute to an improved environment and which create new training, employment and ownership opportunities for residents of such area; (3) training and public service employment programs and related services for unemployed or low-income persons which support and complement community development programs financed under this part, including, without limitation, activities such as the activities described in title I of the Workforce Investment Act of 1998 [29 U.S.C. 2801 et seq.]; ~~and~~ (4) social service programs which support and complement community business and commercial development programs financed under this part, including child care, educational services, health services, credit counseling, energy conservation, recreation services, and programs for the maintenance of housing facilities, and (5) investments in urban retail and wholesale food businesses and supply chain enterprises related to them.

(b) The Secretary shall conduct programs assisted under this part so as to contribute, on an equitable basis between urban and rural areas, to the elimination of poverty and the establishment of permanent economic and social benefits in such areas.

New Section 42 USC 9806 (c) Urban Food System Investment.

(i) Statement of purpose. In many urban and isolated communities, residents have limited access to quality, affordable, healthy food. Financial and other assistance to start, expand, or locate retail and wholesale businesses and other supply chain enterprises in underserved communities will improve access to affordable and more nutritious food, create health benefits, and provide employment and ownership opportunities. "Retail and wholesale food businesses" shall include, without limitation, grocery stores, farmers markets, wholesale distribution centers, supermarkets, and other establishments with the primary function of selling or distributing food, including fresh fruits, vegetables, meat and poultry, and, to the maximum extent practical, those foods locally and regionally produced. Such retail and wholesale food businesses and supply

chain enterprises supported under this section will provide a necessary and expedient means to catalyze community capitalization and healthy food systems, and further support the goals and objectives of this Section.

(ii) **Urban Food Investment Program.** The Secretary, in consultation with the Secretary of Housing and Urban Development, the Secretary of Commerce, the Secretary of Agriculture, and the Secretary of Labor, will: a) identify specific barriers to capitalization of retail and wholesale food businesses, distribution and processing, and other supply chain enterprises necessary to provide affordable and healthy food in underserved urban communities, isolated communities, and communities of color; b) identify market opportunities in specific underserved communities; c) create business development and financing mechanisms needed to capitalize an increase in retail and wholesale food business opportunities in underserved communities; (d) identify tangible and identifiable management and operational issues that affect the implementation and expansion of markets in underserved communities; (e) create demonstrated linkages between farmers of color and urban, isolated and underserved communities; and, (e) support research and evaluation of market-based strategies for improving access in the priority communities identified under this section.

(iii) **Urban Food Investment Fund.** Out of funds appropriated to carry out the purposes of this Section, the Secretary, working in consultation with the Secretary of Housing and Urban Development, the Secretary of Commerce, the Secretary of Agriculture, and the Secretary of Labor, shall allocate no less than \$50 million in each fiscal year to plan, develop and implement urban food investment initiatives in metropolitan areas determined by the Secretary to be most in need, consistent with the standards and goals established by this Section. Priority communities shall be determined through a competitive process and shall be based upon criteria, including without limitation, the creation of private capital matching funds. Funding under this section for priority communities shall not exceed \$5 million for each designated community.