

## **BILL ANALYSIS**

Senate Research Center

S.B. 19  
By: Nelson  
Education  
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As Filed

### **DIGEST AND PURPOSE**

Current law is silent on how often a Texas school child must participate in physical activity during the school day. Physical education (PE) classes are required only for grades 9-12. As proposed, S.B. 19 requires students at every level to participate in PE classes. It also requires the Texas Education Agency to make available to each school district a coordinated health program and to provide technical assistance in the program implementation.

### **RULEMAKING AUTHORITY**

Rulemaking authority previously granted to the State Board of Education is modified in SECTION 1 (Section 28.002, Education Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 28.002, Education Code, to require that a school district's enrichment curriculum include physical education provided in a manner that complies with Section 28.007. Requires the State Board of Education (board) to designate subjects to ensure that a district is able to comply with Section 28.007. Prohibits the board from adopting rules designating the methodology used by a teacher or the time spent by a teacher or a student on a particular task or subject except as provided by Section 28.007.

SECTION 2. Amends Chapter 28A, Education Code, by adding Section 28.007, as follows:

Sec. 28.007. PHYSICAL EDUCATION AND DAILY PHYSICAL ACTIVITY. (a) Requires a school district to require a student enrolled in prekindergarten, kindergarten, or a grade level below grade nine to participate in daily physical activity as part of the district's physical education curriculum.

(b) Requires the daily physical activity required by this section to involve physical exertion of an intensity and for a duration sufficient to provide a significant health benefit to a student.

(c) Authorizes the board, in implementing this section, to prescribe a specific amount of time a student at each grade level is required to spend in daily physical activity.

(d) Authorizes a school district to exempt from participation in the daily physical activity required by this section a student who is unable to participate because of illness or disability.

SECTION 3. Amends Chapter 38, Education Code, by adding Section 38.014, as follows:

Sec. 38.014. COORDINATED HEALTH PROGRAM FOR ELEMENTARY SCHOOL STUDENTS. (a) Requires the Texas Education Agency (agency) to make available to each school district a coordinated health program designed to prevent obesity, cardiovascular disease, and Type II diabetes in elementary school students. Requires the program to provide for certain elements.

(b) Requires the agency to notify each school district of the availability of the program and provide technical assistance in implementing the program.

SECTION 4. Effective date: upon passage.

Makes application of this Act effective with the 2001-2002 school year.