BILL ANALYSIS

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Over the past several sessions, the legislature has enacted requirements that schools to improve the health of their students by implementing Coordinated School Health, assessing student fitness, requiring minimal amounts of physical education (PE) and physical activity, and maintaining an active School Health Advisory Council (SHAC).

This bill recognizes schools that have excelled at fostering a healthy environment for their students. It directs the Texas Education Agency (TEA) to develop a tiered application-based program to recognize schools for encouraging health lifestyles through Fitnessgram assessments, Coordinated School Health, physical activity, and SHACs.

The bill allows the commissioner of education (commissioner) to establish partnerships with private and nonprofit entities that may furnish rewards for schools receiving recognition under this program. It also allows the commissioner to solicit and accept outside funding for this program.

C.S.S.B. 224 specifies that any resources needed to implement the healthy school recognition program come from gifts, grants, and donations; and allows schools that have already been recognized by a similar program that is approved by the commissioner to automatically be qualified for recognition under this program.

C.S.S.B. 224 amends current law relating to a program to recognize public schools with successful student health and fitness programs.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the commissioner of education in SECTION 1 (Section 38.027, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter A, Chapter 38, Education Code, by adding Section 38.027, as follows:

> Sec. 38.027. HEALTHY SCHOOLS RECOGNITION PROGRAM. (a) Requires the commissioner of education (commissioner) to establish a healthy schools recognition program under which schools are recognized for successfully implementing programs that encourage student health and fitness.

>> (b) Authorizes a school to apply to the commissioner for recognition as a gold, silver, or bronze healthy school. Requires the commissioner to determine whether a school qualifies for recognition and the level for which the school qualifies based on:

>>> (1) improvement in the results of the physical fitness assessment instrument administered under Subchapter C (Physical Fitness Assessment);

(2) implementation of a coordinated health program under Section 38.014 (Implementation of Coordinated Health Program for Elementary, Middle, and Junior High School Students), if the school applying for recognition is an elementary school, middle school, or junior high school;

(3) the involvement of the local school health advisory council established under Section 28.004 (Local School Health Advisory Council and Health Education Instruction);

(4) compliance with student minimum physical activity requirements; and

(5) any other criteria adopted by the commissioner.

(c) Authorizes the commissioner to determine that a school qualifies for recognition under this section based on the school's recognition for student health by a private or nonprofit entity.

(d) Authorizes the commissioner to establish partnerships with private and nonprofit entities to provide monetary and in-kind rewards to schools that receive recognition under the program as a healthy school.

(e) Authorizes the commissioner to solicit and accept a gift, grant, or donation from any source for the development or implementation of the program

(f) Requires that any resources necessary to implement this section come from a gift, grant, or donation received under Subsection (e).

(g) Requires the commissioner to adopt rules necessary to implement this section.

SECTION 2. Provides that this Act applies beginning with the 2011-2012 school year.

SECTION 3. Effective date: upon passage or September 1, 2011.