

SUBJECT: One-year commitment for appointment to school health advisory council

COMMITTEE: Public Education — committee substitute recommended

VOTE: 6 ayes — Eissler, Allen, Dutton, Guillen, Huberty, T. Smith

3 nays — Aycock, Shelton, Weber

2 absent — Hochberg, Strama

WITNESSES: For — (*Registered, but did not testify*: Troy Alexander, Texas Medical Association)

Against — None

BACKGROUND: Education Code, sec. 28.004 requires the board of trustees of a school district to establish a local school health advisory council to assist the district in ensuring that local community values are reflected in its health education instruction. A school district must consider the recommendations of this council before changing its health education curriculum. The council's duties include recommending:

- how many hours of health instruction to provide;
- curriculum appropriate for specific grade levels designed to prevent obesity, cardiovascular disease, and Type 2 diabetes;
- appropriate grade levels and methods of instruction for human sexuality;
- strategies for integrating the curriculum components with the school health services, counseling and guidance services, and a safe and health school environment; and
- school employee wellness.

The council's membership includes at least five members appointed by the board of trustees. The majority of appointees must be parents of students enrolled in the district and not employed by the district.

DIGEST: CSHB 1095 would require an individual appointed to the local school health advisory council to agree to serve on the council for at least one year.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2011.

SUPPORTERS SAY: CSHB 1095 would provide uniform standards for all school health advisory councils. The Texas Education Agency identifies a one-year minimum membership commitment as one of the highly successful best practices of these councils. A minimum term ensures continuity. Members willing to commit at least one year of service will be more dedicated to the mission of the council.

OPPONENTS SAY: CSHB 1095 would impose an additional mandate on school districts rather than preserving local control. A school district's board of trustees currently is able to require local school health advisory council members to serve a minimum term. Some boards have determined that it is not in the best interests of their districts to impose a minimum term, which is why the state should not mandate it.