

BILL ANALYSIS

Senate Research Center
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S.B. 65
By: Nelson
Education
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 65 recognizes schools that have excelled in fostering a healthy environment for students. It directs the Texas Education Agency to develop a tiered application-based program to recognize schools for encouraging healthy lifestyles.

The bill authorizes 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 authorizes the commissioner to solicit and accept outside funding for this program, and it requires that any resources needed to implement the healthy school recognition program come from gifts, grants, and donations.

As proposed, S.B. 65 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 under Section 28.002(1) (relating to the requirement of school districts to require certain students to participate in moderate or vigorous daily physical activity for at least 30 minutes throughout the school year);

(5) recent recognition, by a public or private entity approved for the purpose by the commissioner, for successfully implementing a program that encourages student health or fitness; and

(6) any other criteria adopted by the commissioner.

(c) 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.

(d) Authorizes the commissioner to solicit and accept a gift, grant, or donation from any source for the development or implementation of the program. Provides that only a gift, grant, or donation may be used to fund development or implementation of the program.

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

SECTION 2. Provides that this Act applies beginning with the 2013-2014 school year.

SECTION 3. Effective date: upon passage or September 1, 2013.