

BILL ANALYSIS

Senate Research Center
77R11255 KKA-D

C.S.S.B. 19
By: Nelson
Education
3/28/2001
Committee Report (Substituted)

DIGEST AND PURPOSE

Current law is silent on how often a Texas school child should participate in physical activity during the school day. Physical education (PE) classes are required only for grades 9-12. C.S.S.B. 19 authorizes the State Board of Education to require a student enrolled in grades kindergarten through six to participate in daily physical activity. It also requires the Texas Education Agency to make available to each school district a coordinated health program.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 28.002, Education Code, by adding Subsection (l) to authorize the State Board of Education (board) by rule to require a student enrolled in kindergarten or a grade level below grade seven in an elementary school setting to participate in daily physical activity as part of a school district's physical education curriculum. Requires the board, if it adopts rules under this subsection, to provide for an exemption for a student who is unable to participate in daily physical activity because of illness or disability.

SECTION 2. Amends Chapter 38, Education Code, by adding Section 38.013, as follows:

Sec. 38.013. 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 coordinating certain elements.

(b) Requires the agency to notify each school district of the availability of the program.

SECTION 3. Makes application of this Act effective with the 2001-2002 school year.

SECTION 4. Effective date: upon passage or September 1, 2001.

SUMMARY OF COMMITTEE CHANGES

Differs from the original by:

- adding a subsection to Section 28.002, Education Code, and omitting previously proposed amendments to other subsections;
- omitting the previously proposed addition of Section 28.007, Education Code, in SECTION 2, and renumbering SECTION 3 as SECTION 2;

- changing the section added by SECTION 2 from Section 38.014 to 38.013, removing an example, including physical activity with physical education in the list of elements for which the program is required to provide, and removing the requirement that the agency provide technical assistance in implementing the program; and
- numbering the application date as SECTION 3 and clarifying the effective date in SECTION 4.