

BILL ANALYSIS

Senate Research Center
78R12667 CAS-F

C.S.S.B. 1357
By: Nelson
Education
4/25/2003
Committee Report (Substituted)

DIGEST AND PURPOSE

Current law lacks measures to implement the requirement of physical activities for elementary school children. C.S.S.B. 1357 establishes local school health advisory councils to coordinate health curriculum components in a coordinated school health program for the district. C.S.S.B. 1357 also requires the commissioner of education to include in an annual report information regarding weekly physical activity for elementary school students, the frequency with which each district's school health advisory committee has met, campus compliance with the Texas Education Agency (TEA) policy regarding vending machines and food services guidelines, and whether districts have adopted and enforced anti-tobacco policies.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the commissioner of education in SECTION 3 (Section 38.013, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends the heading to Section 28.004, Education Code, to read as follows:

Sec. 28.004. LOCAL SCHOOL HEALTH ADVISORY COUNCIL AND HEALTH EDUCATION INSTRUCTION.

SECTION 2. Amends Section 28.004, Education Code, by amending Subsections (a)-(e) and adding Subsection (k), as follows:

- (a) Requires the board of trustees of each school district to establish a local school health advisory council, rather than local school health education advisory council, to assist the district in ensuring that local community values are reflected in the district's health education instruction.
- (b) Makes a conforming change.
- (c) Provides that the local health advisor council's duties include making certain recommendation.
- (d) Makes a conforming change.
- (e) Makes a conforming change.
- (k) Requires a school district to make certain information available for reasonable public inspection.

SECTION 3. Amends Section 38.013, Education Code, as added by Chapter 907, Acts of the 77th Legislature, Regular Session, 2001, as follows:

- (a) Requires the Texas Education Agency (TEA) to make available to each school district one or more coordinated health programs designed to prevent obesity, cardiovascular disease, and Type 2 diabetes in elementary school students. Requires each program to provide for coordinating health education; physical education and physical

activity; nutrition services; and parental involvement. Makes nonsubstantive changes.

(a-1) Requires the commissioner of education (commissioner) by rule to adopt criteria for evaluating a coordinated health program before making the program available under Subsection (a). Requires the commissioner, before adopting criteria, to request review and comment concerning the criteria from the Texas Department of Health's School Health Advisory Committee. Authorizes the commissioner to make available under Subsection (a) only those programs that meet criteria adopted under this subsection.

(b) Requires TEA to notify each school district of the availability of the programs. Makes a nonsubstantive change.

SECTION 4. Effective date: September 1,2003.