

## **BILL ANALYSIS**

Senate Research Center  
82R2257 EAH-D

S.B. 226  
By: Nelson  
Education  
3/30/2011  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Student health has been shown in numerous studies to be very closely tied to academic performance, attendance, and behavior.

S.B. 530, 80th Legislature, Regular Session, 2007, requires school districts to assess the fitness of their students and submit results to the Texas Education Agency (TEA) in an aggregate manner.

S.B. 530 also requires TEA to correlate this data with academic and attendance data, but accurate correlations cannot currently be made because the agency is unable to match an individual student's academic performance with the student's Fitnessgram performance.

S.B. 226 would increase the usefulness of Fitnessgram assessment data by requiring TEA to de-aggregate Fitnessgram results submitted by schools to allow for the use of de-identified individual student data.

Since schools already report aggregated data and it would be up to TEA to use software to de-aggregate this data, this would not require additional efforts by schools.

The bill authorizes the commissioner of education to accept outside donations or grants to implement this reporting requirement in order to avoid any costs to the state.

As proposed, S.B. 226 amends current law relating to reporting individual student performance on a physical fitness assessment instrument to the Texas Education Agency.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the commissioner of education in SECTION 1 (Section 38.103, Education Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 38.103, Education Code, by adding Subsection (c), as follows:

(c) Requires the commissioner of education by rule to require a school district to provide the results of individual student performance on the physical fitness assessment instrument to the Texas Education Agency. Prohibits the results from containing a student's name, social security number, or date of birth.

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

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