

By Senator Constantine

22-500B-06

1 A bill to be entitled

2 An act relating to health-related education in

3 the public schools; creating s. 1003.453, F.S.;

4 requiring each school district to submit to the

5 Department of Education, by a specified

6 deadline, copies of the district's school

7 wellness policy and physical education policy;

8 requiring the school district to review those

9 policies annually; requiring the department and

10 the school districts to post links to those

11 policies on their websites; requiring the

12 department to provide Internet links to

13 resources for school districts and the public

14 and prescribing the types of information that

15 those resources must provide; encouraging

16 school districts to provide training in first

17 aid; amending s. 1003.455, F.S.; requiring that

18 school district physical education programs and

19 curricula be developed with the involvement of

20 and review by a certified physical education

21 instructor; encouraging school districts to

22 provide physical education for a specified

23 amount of time; deleting obsolete language;

24 amending s. 381.0056, F.S., the "School Health

25 Services Act"; requiring schools to provide

26 certain information to students' parents or

27 guardians; providing requirements relating to

28 the membership of school health advisory

29 committees; encouraging the committees to

30 address specified matters; providing an

31 effective date.

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2 WHEREAS, Governor Jeb Bush convened the Governor's Task
3 Force on the Obesity Epidemic in fall 2003, and

4 WHEREAS, the Governor's Task Force on the Obesity
5 Epidemic recommended that families and other caregivers
6 coordinate with schools, community organizations, and
7 policymakers to support and sustain healthy lifestyles among
8 youth, and

9 WHEREAS, the Governor's task force recommended that
10 every school district be required to maintain independent
11 nutrition, physical activity, and physical fitness advisory
12 panels, which would be charged with meeting at least annually
13 to review and determine strong school district policies with
14 respect to all nutritional, physical activity, and physical
15 fitness offerings at schools and to report on compliance to
16 the Department of Education and district school boards, and

17 WHEREAS, the Secretary of Health hosted obesity summits
18 in 2004-2005, including one on Solutions in the School
19 Setting, and

20 WHEREAS, the Governor's task force and the obesity
21 summits showed that schools are logical partners in preventing
22 and reducing childhood obesity, and

23 WHEREAS, the majority of our children are enrolled in
24 school, and

25 WHEREAS, school health programs can improve knowledge,
26 attitudes, behaviors, and outcomes, and

27 WHEREAS, 25 percent of children ages 5 to 10 have high
28 cholesterol, high blood pressure, or other early warning signs
29 of heart disease, and

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1 WHEREAS, newly completed research shows a significant
2 relationship between academic achievement and physical fitness
3 and healthful nutrition, and

4 WHEREAS, the majority of food and beverage choices at
5 schools are high-fat, high-sodium snacks and high-fat,
6 high-sugar baked goods, and

7 WHEREAS, approximately one-third of high school
8 students are not getting enough physical activity, and

9 WHEREAS, many of the youth ages 9-12 have no physical
10 activity outside of the school day, and

11 WHEREAS, healthful eating and physical activity lead to
12 improved academics, improved behavior, improved short-term and
13 long-term health, and reduced health care costs, and

14 WHEREAS, the Centers for Disease Control and Prevention
15 (CDC) recommends that schools offer nutritious food and
16 beverages in all venues, and

17 WHEREAS, the CDC encourages schools to adopt
18 comprehensive nutrition and physical activity policies, and

19 WHEREAS, the CDC says that standards for physical
20 education and activity should be set to promote healthful
21 lifestyles and healthful behaviors, and

22 WHEREAS, schools should inform parents and the
23 community of activities that promote healthful eating and
24 physical activity, and

25 WHEREAS, parents should be solicited for involvement in
26 promoting healthful eating and physically active living, and

27 WHEREAS, promoting healthful lifestyles at the
28 elementary, middle, and high school levels will reduce the
29 rate of childhood obesity, improve patient outcomes, and save
30 lives, NOW, THEREFORE,
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1 Be It Enacted by the Legislature of the State of Florida:

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3 Section 1. Section 1003.453, Florida Statutes, is
4 created to read:

5 1003.453 School wellness and physical education
6 policies; nutrition guidelines.--

7 (1) By September 1, 2006, each school district shall
8 submit to the Department of Education a copy of its school
9 wellness policy as required by the Child Nutrition and WIC
10 Reauthorization Act of 2004 and a copy of its physical
11 education policy required under s. 1003.455. Each school
12 district shall annually review its school wellness policy and
13 physical education policy and provide a procedure for public
14 input and revisions. In addition, each school district shall
15 send an updated copy of its wellness policy and physical
16 education policy to the department when a change or revision
17 is made.

18 (2) By December 1, 2006, the department shall post
19 links to each school district's school wellness policy and
20 physical education policy on its website so that the policies
21 can be accessed and reviewed by the public. Each school
22 district shall provide the most current versions of its school
23 wellness policy and physical education policy on the
24 district's website.

25 (3) The department must provide on its website links
26 to a wide array of resources that may be accessed and reviewed
27 by school districts and the public. The resources must include
28 information regarding:

29 (a) Classroom instruction on the benefits of exercise
30 and healthful eating.

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1 (b) Classroom instruction on the health hazards of
2 using tobacco and being exposed to tobacco smoke.

3 (c) The eight components of a coordinated school
4 health program, including health education, physical
5 education, health services, and nutrition services.

6 (d) The core measures for school health and wellness,
7 such as the School Health Index.

8 (e) The nutritional content of foods and beverages.

9 (f) Information to ensure that each student has access
10 to healthful food choices in accordance with the dietary
11 guidelines of the United States Department of Agriculture.

12 (g) Examples of wellness classes that provide
13 nutrition education for teachers and school support staff.
14 Schools are encouraged to provide classes that are taught by a
15 licensed nutrition professional from the school nutrition
16 department.

17 (4) School districts are encouraged to provide basic
18 training in first aid, including cardiopulmonary
19 resuscitation, for all students, beginning in grade 6 and
20 every 2 years thereafter. Private and public partnerships for
21 providing training or necessary funding are encouraged.

22 Section 2. Section 1003.455, Florida Statutes, is
23 amended to read:

24 1003.455 Physical education; assessment.--

25 (1) It is the responsibility of each district school
26 board to develop a physical education program that stresses
27 physical fitness and encourages healthful ~~healthy~~, active
28 lifestyles and to encourage all students in prekindergarten
29 through grade 12 to participate in physical education.
30 Physical education shall consist of physical activities of at
31 least a moderate intensity level and for a duration sufficient

1 to provide a significant health benefit to students, subject
2 to the differing capabilities of students. All physical
3 education programs and curricula must be developed with the
4 involvement of and review by a certified physical education
5 instructor.

6 (2) Each district school board shall, ~~no later than~~
7 ~~December 1, 2004,~~ adopt a written physical education policy
8 that details the school district's physical education program
9 and expected program outcomes. ~~Each district school board~~
10 ~~shall provide a copy of its written policy to the Department~~
11 ~~of Education by December 15, 2004.~~

12 (3) Each district school board is encouraged to
13 provide 150 minutes of physical education each week for
14 students in kindergarten through grade 5 and 225 minutes each
15 week for students in grades 6 through 8. Any district that
16 ~~does not adopt a physical education policy by December 1,~~
17 ~~2004, shall, at a minimum, implement a mandatory physical~~
18 ~~education program for kindergarten through grade 5 which~~
19 ~~provides students with 30 minutes of physical education each~~
20 ~~day, 3 days a week.~~

21 Section 3. Subsections (2) and (5) of section
22 381.0056, Florida Statutes, are amended to read:

23 381.0056 School health services program.--

24 (2) The Legislature finds that health services
25 conducted as a part of the total school health program should
26 be carried out to appraise, protect, and promote the health of
27 students. School health services supplement, rather than
28 replace, parental responsibility and are designed to encourage
29 parents to devote attention to child health, to discover
30 health problems, and to encourage use of the services of their
31 physicians, dentists, and community health agencies. Each

1 school shall annually provide to the parents or guardians of
2 each of its students information on ways that they can help
3 their children to be physically active and to eat healthful
4 foods.

5 (5)(a) Each county health department shall develop,
6 jointly with the district school board and the local school
7 health advisory committee, a school health services plan; and
8 the plan ~~must shall~~ include, at a minimum, provisions for:

- 9 1.(a) Health appraisal;
10 2.(b) Records review;
11 3.(c) Nurse assessment;
12 4.(d) Nutrition assessment;
13 5.(e) A preventive dental program;
14 6.(f) Vision screening;
15 7.(g) Hearing screening;
16 8.(h) Scoliosis screening;
17 9.(i) Growth and development screening;
18 10.(j) Health counseling;
19 11.(k) Referral and followup of suspected or confirmed
20 health problems by the local county health department;
21 12.(l) Meeting emergency health needs in each school;
22 13.(m) County health department personnel to assist
23 school personnel in health education curriculum development;
24 14.(n) Referral of students to appropriate health
25 treatment, in cooperation with the private health community
26 whenever possible;
27 15.(o) Consultation with a student's parent or
28 guardian regarding the need for health attention by the family
29 physician, dentist, or other specialist when definitive
30 diagnosis or treatment is indicated;

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1 ~~16.(p)~~ Maintenance of records on incidents of health
2 problems, corrective measures taken, and such other
3 information as may be needed to plan and evaluate health
4 programs; except, however, that provisions in the plan for
5 maintenance of health records of individual students must be
6 in accordance with s. 1002.22;

7 ~~17.(q)~~ Health information which will be provided by
8 the school health nurses, when necessary, regarding the
9 placement of students in exceptional student programs and the
10 reevaluation at periodic intervals of students placed in such
11 programs; and

12 ~~18.(r)~~ Notification to the local nonpublic schools of
13 the school health services program and the opportunity for
14 representatives of the local nonpublic schools to participate
15 in the development of the cooperative health services plan.

16 (b) Each school health advisory committee must, at a
17 minimum, include members who represent the eight component
18 areas of the coordinated school health model as defined by the
19 Centers for Disease Control and Prevention. School health
20 advisory committees are encouraged to address the eight
21 components of the coordinated school health model in the
22 school district's school wellness policy pursuant to s.
23 1003.453.

24 Section 4. This act shall take effect July 1, 2006.
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SENATE SUMMARY

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3 Relates to health-related education in the public
4 schools. Requires each school district to submit to the
5 Department of Education, by a specified deadline, copies
6 of the district's school wellness policy and physical
7 education policy. Requires the school district to review
8 those policies annually. Requires the department and the
9 school districts to post links to those policies on their
10 websites. Requires the department to provide Internet
11 links to resources for school districts and the public.
12 Prescribes the types of information that those resources
13 must provide. Encourages school districts to provide
14 training in first aid. Requires school district physical
15 education programs and curricula to be developed with the
16 involvement of and review by a certified physical
17 education instructor. Encourages school districts to
18 provide physical education for a specified amount of
19 time. Amends the "School Health Services Act." Requires
20 schools to provide certain information to students'
21 parents or guardians. Provides requirements relating to
22 the membership of school health advisory committees.
23 Encourages the committees to address specified matters.
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