

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) By December 1, 2006, the department must provide
26 on its website links to resources that include information
27 regarding:

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

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

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

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

6 (e) Access for each student to the nutritional content
7 of foods and beverages and to healthful food choices in
8 accordance with the dietary guidelines of the United States
9 Department of Agriculture.

10 (f) Multiple examples of school wellness policies for
11 school districts.

12 (g) Examples of wellness classes that provide
13 nutrition education for teachers and school support staff,
14 including encouragement to provide classes that are taught by
15 a 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 reviewed by a
4 certified physical education instructor.

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

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

20 Section 3. Subsections (5), (6), and (7) of section
21 381.0056, Florida Statutes, are amended to read:

22 381.0056 School health services program.--

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

27 1.(a) Health appraisal;

28 2.(b) Records review;

29 3.(c) Nurse assessment;

30 4.(d) Nutrition assessment;

31 5.(e) A preventive dental program;

1 ~~6.(f)~~ Vision screening;
2 ~~7.(g)~~ Hearing screening;
3 ~~8.(h)~~ Scoliosis screening;
4 ~~9.(i)~~ Growth and development screening;
5 ~~10.(j)~~ Health counseling;
6 ~~11.(k)~~ Referral and followup of suspected or confirmed
7 health problems by the local county health department;
8 ~~12.(l)~~ Meeting emergency health needs in each school;
9 ~~13.(m)~~ County health department personnel to assist
10 school personnel in health education curriculum development;
11 ~~14.(n)~~ Referral of students to appropriate health
12 treatment, in cooperation with the private health community
13 whenever possible;
14 ~~15.(o)~~ Consultation with a student's parent or
15 guardian regarding the need for health attention by the family
16 physician, dentist, or other specialist when definitive
17 diagnosis or treatment is indicated;
18 ~~16.(p)~~ Maintenance of records on incidents of health
19 problems, corrective measures taken, and such other
20 information as may be needed to plan and evaluate health
21 programs; except, however, that provisions in the plan for
22 maintenance of health records of individual students must be
23 in accordance with s. 1002.22;
24 ~~17.(q)~~ Health information which will be provided by
25 the school health nurses, when necessary, regarding the
26 placement of students in exceptional student programs and the
27 reevaluation at periodic intervals of students placed in such
28 programs; and
29 ~~18.(r)~~ Notification to the local nonpublic schools of
30 the school health services program and the opportunity for
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1 representatives of the local nonpublic schools to participate
2 in the development of the cooperative health services plan.

3 (b) Each school health advisory committee must, at a
4 minimum, include members who represent the eight component
5 areas of the Coordinated School Health model as defined by the
6 Centers for Disease Control and Prevention. School health
7 advisory committees are encouraged to address the eight
8 components of the Coordinated School Health model in the
9 school district's school wellness policy pursuant to s.
10 1003.453.

11 (6) A nonpublic school may request to participate in
12 the school health services program. A nonpublic school
13 voluntarily participating in the school health services
14 program shall:

15 (a) Cooperate with the county health department and
16 district school board in the development of the cooperative
17 health services plan;

18 (b) Make available adequate physical facilities for
19 health services;

20 (c) Provide inservice health training to school
21 personnel;

22 (d) Cooperate with public health personnel in the
23 implementation of the school health services plan;

24 (e) Be subject to health service program reviews by
25 the Department of Health and the Department of Education; ~~and~~

26 (f) At the beginning of each school year, provide
27 parents and guardians with information concerning ways that
28 they can help their children to be physically active and to
29 eat healthful foods; and

30 ~~(g)(f)~~ At the beginning of each school year, inform
31 parents or guardians in writing that their children who are

1 students in the school will receive specified health services
2 as provided for in the district health services plan. A
3 student will be exempt from any of these services if his or
4 her parent or guardian requests such exemption in writing.
5 This paragraph shall not be construed to authorize invasive
6 screening; if there is a need for such procedure, the consent
7 of the student's parent or guardian shall be obtained in
8 writing prior to performing the screening. However, the laws
9 and rules relating to contagious or communicable diseases and
10 sanitary matters shall not be violated.

11 (7) The district school board shall:

12 (a) Include health services and health education as
13 part of the comprehensive plan for the school district;

14 (b) Provide inservice health training for school
15 personnel;

16 (c) Make available adequate physical facilities for
17 health services; ~~and~~

18 (d) At the beginning of each school year, provide
19 parents and guardians with information concerning ways that
20 they can help their children to be physically active and to
21 eat healthful foods; and

22 (e)~~(d)~~ At the beginning of each school year, inform
23 parents or guardians in writing that their children who are
24 students in the district schools will receive specified health
25 services as provided for in the district health services plan.
26 A student will be exempt from any of these services if his or
27 her parent or guardian requests such exemption in writing.
28 This paragraph shall not be construed to authorize invasive
29 screening; if there is a need for such procedure, the consent
30 of the student's parent or guardian shall be obtained in
31 writing prior to performing the screening. However, the laws

1 and rules relating to contagious or communicable diseases and
2 sanitary matters shall not be violated.

3 Section 4. This act shall take effect July 1, 2006.

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5 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
6 COMMITTEE SUBSTITUTE FOR
7 CS for Senate Bill 2602

8 The Committee Substitute requires nonpublic schools
9 voluntarily participating in the school health services
10 program and district school boards to provide information to
11 parents and guardians concerning ways they can help their
12 children to be physically active and to eat healthful foods.
13 Such nonpublic schools and district school boards must provide
14 this information at the beginning of each school year.

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