

CHAMBER ACTION

1 The Education Appropriations Committee recommends the following:

2
3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to health-related education in the public
7 schools; creating s. 1003.453, F.S.; requiring each school
8 district to submit to the Department of Education, by a
9 specified deadline, copies of the district's school
10 wellness policy and physical education policy; requiring
11 the school district to review those policies annually;
12 requiring the department and school districts to post
13 links to those policies on their websites; requiring the
14 department to provide website links to certain resources
15 and prescribing the types of information those resources
16 must provide; encouraging school districts to provide
17 basic training in first aid to students in certain grade
18 levels; amending s. 1003.455, F.S.; requiring that school
19 district physical education programs and curricula be
20 reviewed by a certified physical education instructor;
21 encouraging school districts to provide physical education
22 for a specified amount of time; deleting obsolete
23 language; amending s. 381.0056, F.S., the "School Health

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24 Services Act"; requiring schools to annually provide
25 certain information to students' parents and guardians;
26 providing requirements relating to membership of school
27 health advisory committees; encouraging the committees to
28 address specified matters; providing an effective date.
29

30 Be It Enacted by the Legislature of the State of Florida:
31

32 Section 1. Section 1003.453, Florida Statutes, is created
33 to read:

34 1003.453 School wellness and physical education policies;
35 nutrition guidelines.--

36 (1) By September 1, 2006, each school district shall
37 submit to the Department of Education a copy of its school
38 wellness policy as required by the Child Nutrition and WIC
39 Reauthorization Act of 2004 and a copy of its physical education
40 policy required under s. 1003.455. Each school district shall
41 annually review its school wellness policy and physical
42 education policy and provide a procedure for public input and
43 revisions. In addition, each school district shall send an
44 updated copy of its wellness policy and physical education
45 policy to the department when a change or revision is made.

46 (2) By December 1, 2006, the department shall post links
47 to each school district's school wellness policy and physical
48 education policy on its website so that the policies can be
49 accessed and reviewed by the public. Each school district shall
50 provide the most current versions of its school wellness policy
51 and physical education policy on the district's website.

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52 (3) By December 1, 2006, the department must provide on
53 its website links to resources that include information
54 regarding:

55 (a) Classroom instruction on the benefits of exercise and
56 healthful eating.

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

59 (c) The eight components of a coordinated school health
60 program, including health education, physical education, health
61 services, and nutrition services.

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

64 (e) Access for each student to the nutritional content of
65 foods and beverages and to healthful food choices in accordance
66 with the dietary guidelines of the United States Department of
67 Agriculture.

68 (f) Multiple examples of school wellness policies for
69 school districts.

70 (g) Examples of wellness classes that provide nutrition
71 education for teachers and school support staff, including
72 encouragement to provide classes that are taught by a licensed
73 nutrition professional from the school nutrition department.

74 (4) School districts are encouraged to provide basic
75 training in first aid, including cardiopulmonary resuscitation,
76 for all students, beginning in grade 6 and every 2 years
77 thereafter. Private and public partnerships for providing
78 training or necessary funding are encouraged.

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79 Section 2. Section 1003.455, Florida Statutes, is amended
80 to read:

81 1003.455 Physical education; assessment.--

82 (1) It is the responsibility of each district school board
83 to develop a physical education program that stresses physical
84 fitness and encourages healthful ~~healthy~~, active lifestyles and
85 to encourage all students in prekindergarten through grade 12 to
86 participate in physical education. Physical education shall
87 consist of physical activities of at least a moderate intensity
88 level and for a duration sufficient to provide a significant
89 health benefit to students, subject to the differing
90 capabilities of students. All physical education programs and
91 curricula must be reviewed by a certified physical education
92 instructor.

93 (2) Each district school board shall, ~~no later than~~
94 ~~December 1, 2004,~~ adopt a written physical education policy that
95 details the school district's physical education program and
96 expected program outcomes. ~~Each district school board shall~~
97 ~~provide a copy of its written policy to the Department of~~
98 ~~Education by December 15, 2004.~~

99 (3) Each district school board is encouraged to provide
100 150 minutes of physical education each week for students in
101 kindergarten through grade 5 and 225 minutes each week for
102 students in grades 6 through 8. ~~Any district that does not adopt~~
103 ~~a physical education policy by December 1, 2004, shall, at a~~
104 ~~minimum, implement a mandatory physical education program for~~
105 ~~kindergarten through grade 5 which provides students with 30~~
106 ~~minutes of physical education each day, 3 days a week.~~

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

109 381.0056 School health services program.--

110 (2) The Legislature finds that health services conducted
111 as a part of the total school health program should be carried
112 out to appraise, protect, and promote the health of students.
113 School health services supplement, rather than replace, parental
114 responsibility and are designed to encourage parents to devote
115 attention to child health, to discover health problems, and to
116 encourage use of the services of their physicians, dentists, and
117 community health agencies. Each school shall annually provide
118 all parents and guardians with information on ways that they can
119 help their children to be physically active and to eat healthful
120 foods.

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

- 125 ~~1.(a)~~ Health appraisal;
- 126 ~~2.(b)~~ Records review;
- 127 ~~3.(e)~~ Nurse assessment;
- 128 ~~4.(d)~~ Nutrition assessment;
- 129 ~~5.(e)~~ A preventive dental program;
- 130 ~~6.(f)~~ Vision screening;
- 131 ~~7.(g)~~ Hearing screening;
- 132 ~~8.(h)~~ Scoliosis screening;
- 133 ~~9.(i)~~ Growth and development screening;
- 134 ~~10.(j)~~ Health counseling;

135 11.~~(k)~~ Referral and followup of suspected or confirmed
 136 health problems by the local county health department;
 137 12.~~(l)~~ Meeting emergency health needs in each school;
 138 13.~~(m)~~ County health department personnel to assist school
 139 personnel in health education curriculum development;
 140 14.~~(n)~~ Referral of students to appropriate health
 141 treatment, in cooperation with the private health community
 142 whenever possible;
 143 15.~~(o)~~ Consultation with a student's parent or guardian
 144 regarding the need for health attention by the family physician,
 145 dentist, or other specialist when definitive diagnosis or
 146 treatment is indicated;
 147 16.~~(p)~~ Maintenance of records on incidents of health
 148 problems, corrective measures taken, and such other information
 149 as may be needed to plan and evaluate health programs; except,
 150 however, that provisions in the plan for maintenance of health
 151 records of individual students must be in accordance with s.
 152 1002.22;
 153 17.~~(q)~~ Health information which will be provided by the
 154 school health nurses, when necessary, regarding the placement of
 155 students in exceptional student programs and the reevaluation at
 156 periodic intervals of students placed in such programs; and
 157 18.~~(r)~~ Notification to the local nonpublic schools of the
 158 school health services program and the opportunity for
 159 representatives of the local nonpublic schools to participate in
 160 the development of the cooperative health services plan.
 161 (b) Each school health advisory committee must, at a
 162 minimum, include members who represent the eight component areas

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163 | of the Coordinated School Health model as defined by the Centers
164 | for Disease Control and Prevention. School health advisory
165 | committees are encouraged to address the eight components of the
166 | Coordinated School Health model in the school district's school
167 | wellness policy pursuant to s. 1003.453.

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