

Bill No. CS for CS for SB 772, 1st Eng.

Barcode 723312

	CHAMBER ACTION	
<u>Senate</u>		<u>House</u>

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11 Senator Constantine moved the following amendment:

13 **Senate Amendment (with title amendment)**

14 On page 31, between lines 17 and 18,

16 insert:

17 Section 15. Section 1003.453, Florida Statutes, is
18 created to read:

19 1003.453 School wellness and physical education
20 policies; nutrition guidelines.--

21 (1) By September 1, 2006, each school district shall
22 submit to the Department of Education a copy of its school
23 wellness policy as required by the Child Nutrition and WIC
24 Reauthorization Act of 2004 and a copy of its physical
25 education policy required under s. 1003.455. Each school
26 district shall annually review its school wellness policy and
27 physical education policy and provide a procedure for public
28 input and revisions. In addition, each school district shall
29 send an updated copy of its wellness policy and physical
30 education policy to the department when a change or revision
31 is made.

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1 (2) By December 1, 2006, the department shall post
2 links to each school district's school wellness policy and
3 physical education policy on its website so that the policies
4 can be accessed and reviewed by the public. Each school
5 district shall provide the most current versions of its school
6 wellness policy and physical education policy on the
7 district's website.

8 (3) By December 1, 2006, the department must provide
9 on its website links to resources that include information
10 regarding:

11 (a) Classroom instruction on the benefits of exercise
12 and healthful eating.

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

15 (c) The eight components of a coordinated school
16 health program, including health education, physical
17 education, health services, and nutrition services.

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

20 (e) Access for each student to the nutritional content
21 of foods and beverages and to healthful food choices in
22 accordance with the dietary guidelines of the United States
23 Department of Agriculture.

24 (f) Multiple examples of school wellness policies for
25 school districts.

26 (g) Examples of wellness classes that provide
27 nutrition education for teachers and school support staff,
28 including encouragement to provide classes that are taught by
29 a licensed nutrition professional from the school nutrition
30 department.

31 (4) School districts are encouraged to provide basic

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1 training in first aid, including cardiopulmonary
 2 resuscitation, for all students, beginning in grade 6 and
 3 every 2 years thereafter. Private and public partnerships for
 4 providing training or necessary funding are encouraged.

5 Section 16. Section 1003.455, Florida Statutes, is
 6 amended to read:

7 1003.455 Physical education; assessment.--

8 (1) It is the responsibility of each district school
 9 board to develop a physical education program that stresses
 10 physical fitness and encourages healthful ~~healthy~~, active
 11 lifestyles and to encourage all students in prekindergarten
 12 through grade 12 to participate in physical education.
 13 Physical education shall consist of physical activities of at
 14 least a moderate intensity level and for a duration sufficient
 15 to provide a significant health benefit to students, subject
 16 to the differing capabilities of students. All physical
 17 education programs and curricula must be reviewed by a
 18 certified physical education instructor.

19 (2) Each district school board shall, ~~no later than~~
 20 ~~December 1, 2004,~~ adopt a written physical education policy
 21 that details the school district's physical education program
 22 and expected program outcomes. ~~Each district school board~~
 23 ~~shall provide a copy of its written policy to the Department~~
 24 ~~of Education by December 15, 2004.~~

25 (3) Each district school board is encouraged to
 26 provide 150 minutes of physical education each week for
 27 students in kindergarten through grade 5 and 225 minutes each
 28 week for students in grades 6 through 8. ~~Any district that~~
 29 ~~does not adopt a physical education policy by December 1,~~
 30 ~~2004, shall, at a minimum, implement a mandatory physical~~
 31 ~~education program for kindergarten through grade 5 which~~

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1 ~~provides students with 30 minutes of physical education each~~
2 ~~day, 3 days a week.~~

3 Section 17. Subsections (5), (6), and (7) of section
4 381.0056, Florida Statutes, are amended to read:

5 381.0056 School health services program.--

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

10 ~~1.(a)~~ Health appraisal;

11 ~~2.(b)~~ Records review;

12 ~~3.(c)~~ Nurse assessment;

13 ~~4.(d)~~ Nutrition assessment;

14 ~~5.(e)~~ A preventive dental program;

15 ~~6.(f)~~ Vision screening;

16 ~~7.(g)~~ Hearing screening;

17 ~~8.(h)~~ Scoliosis screening;

18 ~~9.(i)~~ Growth and development screening;

19 ~~10.(j)~~ Health counseling;

20 ~~11.(k)~~ Referral and followup of suspected or confirmed
21 health problems by the local county health department;

22 ~~12.(l)~~ Meeting emergency health needs in each school;

23 ~~13.(m)~~ County health department personnel to assist
24 school personnel in health education curriculum development;

25 ~~14.(n)~~ Referral of students to appropriate health
26 treatment, in cooperation with the private health community
27 whenever possible;

28 ~~15.(o)~~ Consultation with a student's parent or
29 guardian regarding the need for health attention by the family
30 physician, dentist, or other specialist when definitive
31 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 (6) A nonpublic school may request to participate in
 25 the school health services program. A nonpublic school
 26 voluntarily participating in the school health services
 27 program shall:

28 (a) Cooperate with the county health department and
 29 district school board in the development of the cooperative
 30 health services plan;

31 (b) Make available adequate physical facilities for

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1 health services;

2 (c) Provide inservice health training to school
3 personnel;

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

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

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

12 ~~(g)(f)~~ At the beginning of each school year, inform
13 parents or guardians in writing that their children who are
14 students in the school will receive specified health services
15 as provided for in the district health services plan. A
16 student will be exempt from any of these services if his or
17 her parent or guardian requests such exemption in writing.
18 This paragraph shall not be construed to authorize invasive
19 screening; if there is a need for such procedure, the consent
20 of the student's parent or guardian shall be obtained in
21 writing prior to performing the screening. However, the laws
22 and rules relating to contagious or communicable diseases and
23 sanitary matters shall not be violated.

24 (7) The district school board shall:

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

27 (b) Provide inservice health training for school
28 personnel;

29 (c) Make available adequate physical facilities for
30 health services; ~~and~~

31 (d) At the beginning of each school year, provide

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1 parents and guardians with information concerning ways that
2 they can help their children to be physically active and to
3 eat healthful foods; and

4 ~~(e)(d)~~ At the beginning of each school year, inform
5 parents or guardians in writing that their children who are
6 students in the district schools will receive specified health
7 services as provided for in the district health services plan.
8 A student will be exempt from any of these services if his or
9 her parent or guardian requests such exemption in writing.
10 This paragraph shall not be construed to authorize invasive
11 screening; if there is a need for such procedure, the consent
12 of the student's parent or guardian shall be obtained in
13 writing prior to performing the screening. However, the laws
14 and rules relating to contagious or communicable diseases and
15 sanitary matters shall not be violated.

16
17 (Redesignate subsequent sections.)

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19

20 ===== T I T L E A M E N D M E N T =====

21 And the title is amended as follows:

22 On page 3, line 20, after the semicolon,
23
24 insert:
25 creating s. 1003.453, F.S.; requiring each
26 school district to submit to the Department of
27 Education, by a specified deadline, copies of
28 the district's school wellness policy and
29 physical education policy; requiring the school
30 district to review those policies annually;
31 requiring the department and school districts

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1 to post links to those policies on their
2 websites; requiring the department to provide
3 website links to certain resources and
4 prescribing the types of information those
5 resources must provide; encouraging school
6 districts to provide basic training in first
7 aid to students in certain grade levels;
8 amending s. 1003.455, F.S.; requiring that
9 school district physical education programs and
10 curricula be reviewed by a certified physical
11 education instructor; encouraging school
12 districts to provide physical education for a
13 specified amount of time; deleting obsolete
14 language; amending s. 381.0056, F.S., the
15 "School Health Services Act"; requiring schools
16 to annually provide certain information to
17 students' parents and guardians; providing
18 requirements relating to membership of school
19 health advisory committees; encouraging the
20 committees to address specified matters;

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