

By: Bonnen

H.B. No. 2796

A BILL TO BE ENTITLED

AN ACT

relating to repeal of the coordinated health program for public primary and secondary schools.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Sections 38.013 and 38.014, Education Code, are repealed.

SECTION 2. Section 11.253(d), Education Code, is amended to read as follows:

(d) Each campus improvement plan must:

(1) assess the academic achievement for each student in the school using the student achievement indicator system as described by Section 39.053;

(2) set the campus performance objectives based on the student achievement indicator system, including objectives for special needs populations, including students in special education programs under Subchapter A, Chapter 29;

(3) identify how the campus goals will be met for each student;

(4) determine the resources needed to implement the plan;

(5) identify staff needed to implement the plan;

(6) set timelines for reaching the goals;

(7) measure progress toward the performance objectives periodically to ensure that the plan is resulting in

1 academic improvement;

2 (8) include goals and methods for violence prevention
3 and intervention on campus; and

4 (9) provide for a program to encourage parental
5 involvement at the campus [~~and~~

6 [~~(10) if the campus is an elementary, middle, or
7 junior high school, set goals and objectives for the coordinated
8 health program at the campus based on:~~

9 [~~(A) student fitness assessment data, including
10 any data from research-based assessments such as the school health
11 index assessment and planning tool created by the federal Centers
12 for Disease Control and Prevention;~~

13 [~~(B) student academic performance data;~~

14 [~~(C) student attendance rates;~~

15 [~~(D) the percentage of students who are
16 educationally disadvantaged;~~

17 [~~(E) the use and success of any method to ensure
18 that students participate in moderate to vigorous physical activity
19 as required by Section 28.002(1); and~~

20 [~~(F) any other indicator recommended by the local
21 school health advisory council].~~

22 SECTION 3. Section 28.004(c), Education Code, is amended to
23 read as follows:

24 (c) The local school health advisory council's duties
25 include recommending:

26 (1) the number of hours of instruction to be provided
27 in health education;

1 (2) curriculum appropriate for specific grade levels
2 designed to prevent obesity, cardiovascular disease, and Type 2
3 diabetes through coordination of:

- 4 (A) health education;
- 5 (B) physical education and physical activity;
- 6 (C) nutrition services;
- 7 (D) parental involvement; and
- 8 (E) instruction to prevent the use of tobacco;

9 and

10 (3) appropriate grade levels and methods of
11 instruction for human sexuality instruction[~~;~~ and

12 ~~[(4) strategies for integrating the curriculum~~
13 ~~components specified by Subdivision (2) with the following elements~~
14 ~~in a coordinated school health program for the district:~~

- 15 ~~[(A) school health services;~~
- 16 ~~[(B) counseling and guidance services;~~
- 17 ~~[(C) a safe and healthy school environment; and~~
- 18 ~~[(D) school employee wellness].~~

19 SECTION 4. Section 38.104(c), Education Code, is amended to
20 read as follows:

21 (c) Not later than September 1 of each year, the agency
22 shall report the findings of the analysis under this section of the
23 results obtained during the preceding school year to the School
24 Health Advisory Committee established under Section 1001.0711,
25 Health and Safety Code, for use by the committee in[~~+~~

26 ~~[(1) assessing the effectiveness of coordinated~~
27 ~~health programs provided by school districts in accordance with~~

1 ~~Section 38.014, and~~

2 ~~[(2)]~~ developing recommendations for modifications to
3 the health and physical education ~~[coordinated health program~~
4 ~~requirements or related]~~ curriculum in public schools.

5 SECTION 5. Section 1001.0711(a), Health and Safety Code, is
6 amended to read as follows:

7 (a) The commission by rule shall establish a School Health
8 Advisory Committee at the department to provide assistance to the
9 council in establishing a leadership role for the department in
10 support for and delivery of ~~[coordinated school health programs~~
11 ~~and]~~ school health services.

12 SECTION 6. This Act applies beginning with the 2011-2012
13 school year.

14 SECTION 7. This Act takes effect immediately if it receives
15 a vote of two-thirds of all the members elected to each house, as
16 provided by Section 39, Article III, Texas Constitution. If this
17 Act does not receive the vote necessary for immediate effect, this
18 Act takes effect September 1, 2011.