

By: Bonnen

H.B. No. 3007

A BILL TO BE ENTITLED

1 AN ACT

2 relating to eliminating the requirement that a school district  
3 assess the physical fitness of students.

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

5 SECTION 1. Subchapter C, Chapter 38, Education Code, is  
6 repealed.

7 SECTION 2. Section 28.004(k), Education Code, is amended to  
8 read as follows:

9 (k) A school district shall publish in the student handbook  
10 and post on the district's Internet website, if the district has an  
11 Internet website:

12 (1) a statement of the policies adopted to ensure that  
13 elementary school, middle school, and junior high school students  
14 engage in at least the amount and level of physical activity  
15 required by Section 28.002(1); and

16 (2) a statement of:

17 (A) the number of times during the preceding year  
18 the district's school health advisory council has met;

19 (B) whether the district has adopted and enforces  
20 policies to ensure that district campuses comply with agency  
21 vending machine and food service guidelines for restricting student  
22 access to vending machines; and

23 (C) whether the district has adopted and enforces  
24 policies and procedures that prescribe penalties for the use of

1 tobacco products by students and others on school campuses or at  
2 school-sponsored or school-related activities[~~;~~ and

3 ~~(3) a statement providing notice to parents that they~~  
4 ~~can request in writing their child's physical fitness assessment~~  
5 ~~results at the end of the school year].~~

6         SECTION 3. This Act applies beginning with the 2011-2012  
7 school year.

8         SECTION 4. This Act takes effect immediately if it receives  
9 a vote of two-thirds of all the members elected to each house, as  
10 provided by Section 39, Article III, Texas Constitution. If this  
11 Act does not receive the vote necessary for immediate effect, this  
12 Act takes effect September 1, 2011.