

1-1 By: Nelson S.B. No. 224
1-2 (In the Senate - Filed November 18, 2010; January 31, 2011,
1-3 read first time and referred to Committee on Education;
1-4 April 18, 2011, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 7, Nays 0; April 18, 2011,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 224 By: West

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to a program to recognize public schools with successful
1-11 student health and fitness programs.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subchapter A, Chapter 38, Education Code, is
1-14 amended by adding Section 38.027 to read as follows:

1-15 Sec. 38.027. HEALTHY SCHOOLS RECOGNITION PROGRAM. (a) The
1-16 commissioner shall establish a healthy schools recognition program
1-17 under which schools are recognized for successfully implementing
1-18 programs that encourage student health and fitness.

1-19 (b) A school may apply to the commissioner for recognition
1-20 as a gold, silver, or bronze healthy school. The commissioner shall
1-21 determine whether a school qualifies for recognition and the level
1-22 for which the school qualifies based on:

1-23 (1) improvement in the results of the physical fitness
1-24 assessment instrument administered under Subchapter C;

1-25 (2) implementation of a coordinated health program
1-26 under Section 38.014, if the school applying for recognition is an
1-27 elementary school, middle school, or junior high school;

1-28 (3) the involvement of the local school health
1-29 advisory council established under Section 28.004;

1-30 (4) compliance with student minimum physical activity
1-31 requirements; and

1-32 (5) any other criteria adopted by the commissioner.

1-33 (c) The commissioner may determine that a school qualifies
1-34 for recognition under this section based on the school's
1-35 recognition for student health by a private or nonprofit entity.

1-36 (d) The commissioner may establish partnerships with
1-37 private and nonprofit entities to provide monetary and in-kind
1-38 rewards to schools that receive recognition under the program as a
1-39 healthy school.

1-40 (e) The commissioner may solicit and accept a gift, grant,
1-41 or donation from any source for the development or implementation
1-42 of the program.

1-43 (f) Any resources necessary to implement this section must
1-44 come from a gift, grant, or donation received under Subsection (e).

1-45 (g) The commissioner shall adopt rules necessary to
1-46 implement this section.

1-47 SECTION 2. This Act applies beginning with the 2011-2012
1-48 school year.

1-49 SECTION 3. This Act takes effect immediately if it receives
1-50 a vote of two-thirds of all the members elected to each house, as
1-51 provided by Section 39, Article III, Texas Constitution. If this
1-52 Act does not receive the vote necessary for immediate effect, this
1-53 Act takes effect September 1, 2011.

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