

## **BILL ANALYSIS**

S.B. 684  
By: Deuell  
Public Education  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Recent legislation required schools to test the physical fitness of students with the intent to strengthen the physical activity requirement for public school students and establish a confidential fitness assessment as a tool to gauge fitness levels. Thus, school districts are now required to assess annually the physical fitness of students in grades three and higher and to compile the results of the assessment to provide summary results to the Texas Education Agency (TEA). Texas implemented this requirement via the FitnessGram program and software which collects fitness test results data. With such collected information, TEA is required to determine, for each school district, whether any correlation exists between the results and the student's academic achievement, attendance, obesity, disciplinary problems, and school meal programs.

Interested parties contend that, although the program was created with the best of intentions, in practice the FitnessGram program has proven to be costly and time-consuming for smaller districts. It is reported that a district's data collection and data entry costs represent approximately \$6,500 in personnel time. With the additional costs of software updates and installation for a small district's network, the implementation of this program is quite costly. For example, the most recent software update reportedly cost each district approximately \$600 per school building site license and added a fee of \$50 per year thereafter for technical support.

S.B. 684 seeks to address these cost concerns by reducing the number of grade levels in which students are tested for physical fitness.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

S.B. 684 amends the Education Code to remove the requirement that a school district annually assess the physical fitness of students enrolled in grades three or higher in a course that satisfies the curriculum requirements for physical education. The bill instead requires a district to assess the physical fitness of the following students in such a course: students enrolled in grades three and five; students enrolled in grade six, seven or eight, with the grade level assessed to be determined by the district; and students enrolled in grade 9, 10, 11, or 12, with the grade level assessed to be determined by the district. The bill's provisions apply beginning with the 2013-2014 school year.

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.