

1-1 By: Deuell S.B. No. 684
 1-2 (In the Senate - Filed February 20, 2013; February 25, 2013,
 1-3 read first time and referred to Committee on Education;
 1-4 March 20, 2013, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 9, Nays 0; March 20, 2013,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	Patrick	X		
1-10	Lucio	X		
1-11	Campbell	X		
1-12	Duncan	X		
1-13	Paxton	X		
1-14	Seliger	X		
1-15	Taylor	X		
1-16	Van de Putte	X		
1-17	West	X		

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 684 By: Seliger

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to a physical assessment of students by a public school.
 1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-23 SECTION 1. Subsection (k), Section 28.004, Education Code,
 1-24 is amended to read as follows:
 1-25 (k) A school district shall publish in the student handbook
 1-26 and post on the district's Internet website, if the district has an
 1-27 Internet website:
 1-28 (1) a statement of the policies adopted to ensure that
 1-29 elementary school, middle school, and junior high school students
 1-30 engage in at least the amount and level of physical activity
 1-31 required by Section 28.002(1);
 1-32 (2) a statement of:
 1-33 (A) the number of times during the preceding year
 1-34 the district's school health advisory council has met;
 1-35 (B) whether the district has adopted and enforces
 1-36 policies to ensure that district campuses comply with agency
 1-37 vending machine and food service guidelines for restricting student
 1-38 access to vending machines; and
 1-39 (C) whether the district has adopted and enforces
 1-40 policies and procedures that prescribe penalties for the use of
 1-41 tobacco products by students and others on school campuses or at
 1-42 school-sponsored or school-related activities; and
 1-43 (3) a statement providing notice to parents that they
 1-44 can request in writing their child's physical fitness assessment
 1-45 results at the end of any [the] school year in which their child is
 1-46 assessed under Subchapter C, Chapter 38.
 1-47 SECTION 2. Subsection (a), Section 38.101, Education Code,
 1-48 is amended to read as follows:
 1-49 (a) Except as provided by Subsection (b), a school district
 1-50 [~~annually~~] shall assess the physical fitness of the following
 1-51 students [~~enrolled in grade three or higher~~] in a course that
 1-52 satisfies the curriculum requirements for physical education under
 1-53 Section 28.002(a)(2)(C):
 1-54 (1) students enrolled in grades three and five;
 1-55 (2) students enrolled in grade six, seven, or eight,
 1-56 with the grade level assessed to be determined by the district; and
 1-57 (3) students enrolled in grade 9, 10, 11, or 12, with
 1-58 the grade level assessed to be determined by the district.
 1-59 SECTION 3. This Act applies beginning with the 2013-2014
 1-60 school year.

2-1 SECTION 4. This Act takes effect immediately if it receives
2-2 a vote of two-thirds of all the members elected to each house, as
2-3 provided by Section 39, Article III, Texas Constitution. If this
2-4 Act does not receive the vote necessary for immediate effect, this
2-5 Act takes effect September 1, 2013.

2-6

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