

By: Campbell

S.B. No. 441

A BILL TO BE ENTITLED

AN ACT

relating to local school health advisory councils.

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

SECTION 1. Section 12.0029(d), Agriculture Code, is amended to read as follows:

(d) Not later than November 30 of each year, the board of trustees of a school district that intends to request a waiver under Subsection (e)(2) must send written notice of the district's intention to the district's local school health advisory council if the board of trustees established a local school health advisory council under Section 28.004(a), Education Code. The notice must include an explanation of the district's reason for requesting a waiver of the requirement.

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 achievement indicator system as described by Section 39.053;

(2) set the campus performance objectives based on the 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

1 student;

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

4 (5) identify staff needed to implement the plan;

5 (6) set timelines for reaching the goals;

6 (7) measure progress toward the performance
7 objectives periodically to ensure that the plan is resulting in
8 academic improvement;

9 (8) include goals and methods for violence prevention
10 and intervention on campus;

11 (9) provide for a program to encourage parental
12 involvement at the campus; and

13 (10) if the campus is an elementary, middle, or junior
14 high school, set goals and objectives for the coordinated health
15 program at the campus based on:

16 (A) student fitness assessment data, including
17 any data from research-based assessments such as the school health
18 index assessment and planning tool created by the federal Centers
19 for Disease Control and Prevention;

20 (B) student academic performance data;

21 (C) student attendance rates;

22 (D) the percentage of students who are
23 educationally disadvantaged;

24 (E) the use and success of any method to ensure
25 that students participate in moderate to vigorous physical activity
26 as required by Section [28.002\(1\)](#); and

27 (F) any other indicator recommended by the local

1 school health advisory council if the board of trustees of the
2 school district established a local school health advisory council
3 under Section 28.004(a).

4 SECTION 3. Section 28.004, Education Code, is amended by
5 amending Subsections (a), (d), (d-1), (l-1), and (m) and adding
6 Subsection (m-1) to read as follows:

7 (a) The board of trustees of each school district may
8 [~~shall~~] establish a local school health advisory council to assist
9 the district in ensuring that local community values are reflected
10 in the district's health education instruction.

11 (d) The board of trustees shall appoint at least seven
12 [~~five~~] members to the local school health advisory council. A
13 majority of the members must be persons who are parents of students
14 enrolled in the district and who are not employed by the
15 district. One of those members shall serve as chair or co-chair of
16 the council. The board of trustees also may appoint one or more
17 persons from each of the following groups [~~or a representative from~~
18 ~~a group other than a group specified under this subsection~~]:

- 19 (1) public school teachers;
- 20 (2) public school administrators;
- 21 (3) [~~district students,~~
- 22 [~~4~~] health care professionals;
- 23 (4) [~~5~~] the business community;
- 24 (5) [~~6~~] law enforcement;
- 25 (6) [~~7~~] senior citizens;
- 26 (7) [~~8~~] the clergy;
- 27 (8) [~~9~~] nonprofit health organizations; and

1 (9) [~~(10)~~] local domestic violence programs.

2 (d-1) The local school health advisory council shall hold
3 [~~meet~~] at least three meetings [~~four times~~] each year.

4 (l-1) The local school health advisory council shall
5 [~~establish a physical activity and fitness planning subcommittee~~
6 ~~to~~] consider issues relating to student physical activity and
7 fitness and make policy recommendations to increase physical
8 activity and improve fitness among students.

9 (m) In addition to performing other duties, the local school
10 health advisory council shall submit to the board of trustees, at
11 least annually, a written report that includes:

12 (1) any council recommendation concerning the school
13 district's health education curriculum and instruction or related
14 matters that the council has not previously submitted to the board;

15 (2) any suggested modification to a council
16 recommendation previously submitted to the board;

17 (3) a detailed explanation of the council's activities
18 during the period between the date of the current report and the
19 date of the last prior written report; and

20 (4) any recommendations to increase student [~~made by~~
21 ~~the~~] physical activity and improve student fitness [~~planning~~
22 ~~subcommittee~~].

23 (m-1) A school district that maintains an Internet website
24 shall post on the website the local school health advisory
25 council's report required by Subsection (m).

26 SECTION 4. Section 551.001(3), Government Code, is amended
27 to read as follows:

1 (3) "Governmental body" means:

2 (A) a board, commission, department, committee,
3 or agency within the executive or legislative branch of state
4 government that is directed by one or more elected or appointed
5 members;

6 (B) a county commissioners court in the state;

7 (C) a municipal governing body in the state;

8 (D) a deliberative body that has rulemaking or
9 quasi-judicial power and that is classified as a department,
10 agency, or political subdivision of a county or municipality;

11 (E) a school district board of trustees;

12 (F) a county board of school trustees;

13 (G) a county board of education;

14 (H) the governing board of a special district
15 created by law;

16 (I) a local workforce development board created
17 under Section 2308.253;

18 (J) a nonprofit corporation that is eligible to
19 receive funds under the federal community services block grant
20 program and that is authorized by this state to serve a geographic
21 area of the state;

22 (K) a nonprofit corporation organized under
23 Chapter 67, Water Code, that provides a water supply or wastewater
24 service, or both, and is exempt from ad valorem taxation under
25 Section 11.30, Tax Code; ~~and~~

26 (L) a joint board created under Section 22.074,
27 Transportation Code; and

1 (M) a local school health advisory council
2 established under Section 28.004, Education Code.

3 SECTION 5. On August 31, 2019, all local school health
4 advisory councils established under Section 28.004, Education
5 Code, before the effective date of this Act, are abolished. On or
6 after the effective date of this Act, the board of trustees of a
7 school district may establish a local school health advisory
8 council as provided by Section 28.004, Education Code, as amended
9 by this Act.

10 SECTION 6. This Act applies beginning with the 2019-2020
11 school year.

12 SECTION 7. This Act takes effect September 1, 2019.