

By: Representative Brown

To: Education;
Appropriations

HOUSE BILL NO. 319

1 AN ACT TO AMEND SECTION 37-13-134, MISSISSIPPI CODE OF 1972,
2 TO DIRECT LOCAL SCHOOL DISTRICTS TO ESTABLISH LOCAL SCHOOL HEALTH
3 COUNCILS BY NOVEMBER 1, 2006, IN CONFORMITY WITH FEDERAL
4 REQUIREMENTS; AND FOR RELATED PURPOSES.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 **SECTION 1.** Section 37-13-134, Mississippi Code of 1972, is
7 amended as follows:

8 37-13-134. (1) The Legislature recognizes that there is a
9 problem with Mississippi student inactivity and obesity in the
10 elementary school years, and therefore recommends the following
11 guidelines for school district physical education and fitness
12 classes: Grades Kindergarten through Six: thirty (30) minutes
13 per day; Grades Seven through Nine: two (2) hours per week.

14 (2) Until such time that state-source funds can be
15 appropriated, it is the intention of the Legislature that the
16 State Department of Education make application for any federal
17 funds available to implement this recommendation and to employ a
18 physical activity coordinator.

19 (3) The physical activity coordinator employed under Section
20 37-13-133 must have the qualifications prescribed in any of the
21 following paragraphs, which are listed in the order of preference:

22 (a) A Doctorate in Physical Education, exercise science
23 or a highly related field, and at least three (3) years of
24 experience in teaching physical education in Grades K-12 or in
25 physical activity promotion/fitness leadership; or

26 (b) A Master's Degree in Physical Education, exercise
27 science or a highly related field, and at least five (5) years of

28 experience in teaching physical education in Grades K-12 or in
29 physical activity promotion/fitness leadership; or

30 (c) A Bachelor's Degree in Physical Education, a
31 teacher's license, and at least seven (7) years of experience in
32 teaching physical education in Grades K-12 or in physical activity
33 promotion/fitness leadership.

34 (4) The Governor's Commission on Physical Fitness and Sports
35 created under Section 7-1-551 et seq., the Mississippi Council on
36 Obesity Prevention and Management created under Section 41-101-1
37 et seq., the Task Force on Heart Disease and Stroke Prevention
38 created under Section 41-103-1 et seq., the Mississippi Alliance
39 for Health, Physical Education, Recreation and Dance, and the
40 Mississippi Alliance for School Health shall provide
41 recommendations to the State Department of Education regarding the
42 employment of the physical activity coordinator. The department
43 shall consider the recommendations of those entities in employing
44 the physical activity coordinator.

45 (5) The physical activity coordinator shall present a state
46 physical activity plan each year to the Governor's Commission on
47 Physical Fitness and Sports, the Mississippi Council on Obesity
48 Prevention and Management, the Task Force on Heart Disease and
49 Stroke Prevention, and the Mississippi Alliance for School Health.

50 (6) The physical activity coordinator shall monitor the
51 districts for adherence to current Mississippi school
52 accountability standards and for implementation of the physical
53 education curriculum on file with the State Department of
54 Education. The State Department of Education shall monitor and
55 act as a clearinghouse for the activities of the local school
56 health * * * councils established pursuant to subsection (8) of
57 this section.

58 (7) The State Department of Education shall conduct a study
59 on the correlation between physical activity or exercise and
60 classroom performance. The study must include recommendations for

61 the implementation of a healthy schools program. The department
62 shall submit a report on the results of the study, including
63 recommendations for legislation, to the Chairmen of the Education
64 Committees of the House of Representatives and the Senate before
65 December 1, 2002.

66 (8) (a) The local school board of each school district
67 shall establish a local school health * * * council for each
68 school which shall ensure that local community values are
69 reflected in the local school's wellness plan to address school
70 health. Such councils shall be established no later than November
71 1, 2006.

72 (b) The local school health * * * council's duties may
73 include the following:

74 (i) Recommend age appropriate curriculum and the
75 number of hours of instruction to be provided in health and
76 physical education; * * *

77 (ii) Recommend * * * appropriate practices that
78 may include a coordinated school health * * * program designed to
79 prevent obesity, cardiovascular disease, Type II diabetes and
80 other health risks through coordination of:

- 81 1. Health education;
- 82 2. Physical education;
- 83 3. Nutritional services;
- 84 4. Parental involvement; * * *
- 85 5. Instruction to prevent the use of tobacco,
86 drugs and alcohol;
- 87 6. Health services;
- 88 7. Healthy environment; and
- 89 8. Counseling and psychological services.

90 (iii) Provide guidance on the development and
91 implementation of the local school wellness plan. Beginning with
92 the 2006-2007 school year, each local school board shall adopt a

93 school wellness plan which shall promote a healthy lifestyle for
94 Mississippi's school children and staff.

95 (c) The local school board shall appoint members to the
96 local school health * * * council. At a minimum, the school board
97 shall appoint one (1) person from each of the following groups:

98 (i) Parents who are not employed by the school
99 district;

100 (ii) Public schoolteachers;

101 (iii) Public school administrators;

102 (iv) District students;

103 (v) Health care professionals;

104 (vi) The business community;

105 (vii) Law enforcement;

106 (viii) Senior citizens;

107 (ix) The clergy;

108 (x) Nonprofit health organizations; and

109 (xi) Faith-based organizations.

110 **SECTION 2.** This act shall take effect and be in force from
111 and after July 1, 2006.