

By: Senator(s) Chaney

To: Education;  
Appropriations

SENATE BILL NO. 2008

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.