

REPORT OF CONFERENCE COMMITTEE

MADAM PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2249: Physical education classes K-9; express legislative intent.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

14 **SECTION 1.** Section 37-13-133, Mississippi Code of 1972, is
15 amended as follows:

16 37-13-133. Under the provisions of Section 37-13-131, the
17 State Department of Education may provide for the services of a
18 School Health Services Coordinator, School Instruction
19 Coordinator, School Environmental Specialist, * * * and such other
20 professional and nonprofessional staff as may be needed and as
21 funds available to the department will permit. The State
22 Department of Education, subject to the availability of funds
23 specifically for such purpose, shall employ a physical activity
24 coordinator K-12 not later than sixty (60) days after receipt of
25 such funds, in accordance with the provisions of Section
26 37-13-134. It shall be the responsibility of that professional
27 staff to coordinate efforts of the personnel of the State
28 Department of Education, the state's colleges and universities,
29 local public schools and other appropriate agencies to provide the
30 comprehensive health education curriculum.

31 **SECTION 2.** The following shall be codified as Section
32 37-13-134, Mississippi Code of 1972:

33 37-13-134. (1) The Legislature recognizes that there is a
34 problem with Mississippi student inactivity and obesity in the
35 elementary school years, and therefore recommends the following

guidelines for school district physical education and fitness classes: Grades Kindergarten through Six: thirty (30) minutes per day; Grades Seven through Nine: two (2) hours per week.

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

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

(a) A doctorate in physical education, exercise science or a highly related field, and at least three (3) years of experience in teaching physical education in grades K-12 or in physical activity promotion/fitness leadership; or

(b) A master's degree in physical education, exercise science or a highly related field, and at least five (5) years of experience in teaching physical education in grades K-12 or in physical activity promotion/fitness leadership; or

(c) A bachelor's degree in physical education, a teacher's license, and at least seven (7) years of experience in teaching physical education in grades K-12 or in physical activity promotion/fitness leadership.

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

(5) The physical activity coordinator shall present a state physical activity plan each year to the Governor's Commission on

72 Physical Fitness and Sports, the Mississippi Council on Obesity
73 Prevention and Management, the Task Force on Heart Disease and
74 Stroke Prevention, and the Mississippi Alliance for School Health.

75 (6) The physical activity coordinator shall monitor the
76 districts for adherence to current Mississippi school
77 accountability standards and for implementation of the physical
78 education curriculum on file with the State Department of
79 Education.

80 (7) The State Department of Education shall conduct a study
81 on the correlation between physical activity or exercise and
82 classroom performance. The study must include recommendations for
83 the implementation of a healthy schools program. The department
84 shall submit a report on the results of the study, including
85 recommendations for legislation, to the chairmen of the Education
86 Committees of the House of Representatives and the Senate before
87 December 1, 2002.

88 **SECTION 3.** This act shall take effect and be in force from
89 and after July 1, 2002.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT TO AMEND SECTION 37-13-133, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE THAT THE STATE DEPARTMENT OF EDUCATION SHALL EMPLOY A
3 PHYSICAL ACTIVITY COORDINATOR K-12 SUBJECT TO THE AVAILABILITY OF
4 FUNDS; TO CODIFY NEW SECTION 37-13-134, MISSISSIPPI CODE OF 1972,
5 TO PROVIDE LEGISLATIVE INTENT REGARDING PHYSICAL EDUCATION CLASSES
6 IN SCHOOL DISTRICTS IN GRADES K-9; TO SPECIFY THE MINIMUM
7 QUALIFICATIONS OF THE PHYSICAL ACTIVITY COORDINATOR; TO REQUIRE
8 THE PHYSICAL ACTIVITY COORDINATOR TO PRESENT A STATE PHYSICAL
9 ACTIVITY PLAN EACH YEAR; TO REQUIRE THE STATE DEPARTMENT OF
10 EDUCATION TO CONDUCT A STUDY AND SUBMIT A REPORT TO THE HOUSE AND
11 SENATE EDUCATION COMMITTEES ON THE CORRELATION BETWEEN PHYSICAL
12 ACTIVITY AND CLASSROOM PERFORMANCE; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE

X _____
Alice Harden

X _____
David Jordan

X _____
Terry C. Burton

CONFEREES FOR THE HOUSE

X _____
Joseph L. Warren

X _____
Eloise Scott

X _____
Herb Frierson