

AMENDED IN SENATE AUGUST 16, 2011

AMENDED IN ASSEMBLY APRIL 12, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 200

Introduced by Assembly Member Hayashi

January 27, 2011

An act to add Chapter 11 (commencing with Section 9010) to Part 6 of Division 1 of Title 1 of the Education Code, relating to physical education.

LEGISLATIVE COUNSEL'S DIGEST

AB 200, as amended, Hayashi. Physical education: Health and Fitness Award Program.

Existing law requires school districts to include physical education in the course of study for pupils in grades 1 to 12, inclusive. Existing law requires the governing board of a school district maintaining any of grades 5, 7, and 9 to administer the physical performance test designated by the State Board of Education to each pupil in those grades during the month of February, March, April, or May.

This bill would require the ~~State Board of Education~~ *state board* to establish the Health and Fitness Award Program to recognize schools that conduct their physical education courses pursuant to the model content standards and demonstrate that increasing numbers of pupils enrolled in those schools meet minimum standards on the physical performance test designated by the state board. The Superintendent of Public Instruction would be required to use currently collected data and specified eligibility criteria to identify one school from each legislative district in the state to receive recognition, which may include, but would

not be limited to, classification as a distinguished school, being listed on a published public school honor roll, and public commendations by the Governor and the Legislature. ~~The Legislature would be required, to the extent that funds are available, to recognize the schools identified by the Superintendent.~~ The bill would require that private funds be used to pay for all of the costs of implementing the program, including the administrative costs of the State Department of Education, and would authorize the Superintendent to receive donations of private funds for purposes of implementing the program. The bill would prohibit the state board from establishing the program unless and until the Department of Finance certifies to the Superintendent that private donations received by the state are sufficient to implement the program. *The bill would also require the state board to suspend the program if the private donations received are insufficient to complete or continue program implementation.*

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Chapter 11 (commencing with Section 9010) is
2 added to Part 6 of Division 1 of Title 1 of the Education Code, to
3 read:

4
5 CHAPTER 11. HEALTH AND FITNESS AWARD PROGRAM

6
7 9010. This chapter shall be known and may be cited as the
8 Excellence in Health and Fitness Act of 2011.

9 9011. The Legislature finds and declares all of the following:

10 (a) The department has reported that a majority of this state's
11 children are not physically fit.

12 (b) Obesity in California's schools is reaching epidemic
13 proportions.

14 (c) The federal Centers for Disease Control and Prevention have
15 identified physical education as an effective intervention in the
16 fight against childhood obesity.

17 (d) Providing ongoing incentives to California's schools in order
18 to increase the physical fitness of pupils is a necessary systemic
19 solution to combating obesity and improving the overall education
20 performance of pupils.

9012. (a) The state board shall establish the Health and Fitness Award Program to recognize schools that conduct their physical education courses pursuant to the model content standards adopted pursuant to Section 60605.2 and demonstrate that increasing numbers of pupils enrolled in those schools meet minimum standards on the physical performance test designated by the state board pursuant to Section 60800.

(b) The Superintendent shall use currently collected data and the criteria described in subdivision (c) to identify one school from each legislative district in the state to receive recognition, which may include, but is not limited to, classification as a distinguished school, being listed on a published public school honor roll, and public commendations by the Governor and the Legislature. ~~The Legislature, to the extent that funds are available, shall recognize the schools identified by the Superintendent pursuant to this subdivision.~~

(c) The school in each legislative district with the highest percentage of pupils who meet the minimum standards on the physical performance test described in subdivision (a) is eligible to receive recognition pursuant to subdivision (b). ~~The Superintendent may develop additional criteria for recognition as he or she deems appropriate shall recommend, and the state board may adopt, additional criteria by which schools may become eligible to receive recognition pursuant to subdivision (b).~~

(d) Private funds shall be used to pay for all of the costs of implementing the program, including the administrative costs of the department. The Superintendent may receive donations of private funds for purposes of implementing the program.

(e) ~~The state board shall not establish the program described in this section unless and until once the Department of Finance certifies to the Superintendent that private donations received by the state are sufficient to implement the program. The state board shall suspend the program if the Superintendent notifies the state board that the amount of private donations is insufficient to complete or continue program implementation.~~