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THE STATE SENATE
Wednesday, February 11, 2009

Senate Bill No. 322
As Amended

SENATE BILL NO. 322 - By: Jolley of the Senate and Coody of the House.

An Act relating to schools; amending Section 1, Chapter 357, O.S.L. 2004, as amended by Section 2, Chapter 45, O.S.L. 2005, and Section 1, Chapter 91, O.S.L. 2006 (70 O.S. Supp. 2008, Sections 24-100a and 24-100b), which relate to the Healthy and Fit Kids Act of 2004; modifying short title of act; requiring Healthy and Fit School Advisory Committees to utilize School Health Index for certain purpose; requiring Committees to annually complete certain tasks and report to district superintendent; providing an effective date; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY Section 1, Chapter 357, O.S.L. 2004, as amended by Section 2, Chapter 45, O.S.L. 2005 (70 O.S. Supp. 2008, Section 24-100a), is amended to read as follows:

Section 24-100a A. This act shall be known and may be cited as the "Healthy and Fit Kids Act ~~of 2004~~".

B. Beginning September 1, 2004, each public school shall establish a Healthy and Fit School Advisory Committee, to be composed of at least six members. The Advisory Committee may be composed of teachers, administrators, parents of students, health care professionals and business community representatives.

1 A public school may combine the Healthy and Fit School Advisory
2 Committee with its Safe School Committee, established pursuant to
3 Section 24-100.5 of this title.

4 C. Each Beginning September 1, 2009, each public school site's
5 Healthy and Fit School Advisory Committee shall ~~study and make~~
6 utilize the School Health Index, developed and provided free-of-
7 charge by the Centers for Disease Control and Prevention, for the
8 purpose of assessing **school policies and procedures related to**
9 **health and safety** and making recommendations to the school principal
10 regarding the following eight components of a coordinated school
11 health program:

- 12 1. Health education;
- 13 2. Physical education and physical activity; ~~and~~
- 14 3. Nutrition ~~and health~~ services;
- 15 4. Health services;
- 16 5. School health and safety policies and environment;
- 17 6. Counseling, psychological and social services;
- 18 7. Health promotion for staff; and
- 19 8. Family and community involvement.

20 D. Beginning September 1, 2009, each public school site's
21 Healthy and Fit Advisory Committee shall annually complete a minimum
22 of one module of the School Health Index as provided for in
23 subsection C of this section and shall develop an action plan with

1 recommendations for improvement toward a coordinated school health
2 program. The principal shall give consideration to recommendations
3 of the committee and shall annually provide a report on the action
4 plan and the progress made toward the stated goals to the district
5 superintendent.

6 E. The State Board of Education shall adopt rules for
7 monitoring compliance with this section and is authorized to report
8 a school as deficient on the accreditation report for noncompliance
9 with the provisions of this section.

10 SECTION 2. AMENDATORY Section 1, Chapter 91, O.S.L. 2006
11 (70 O.S. Supp. 2008, Section 24-100b), is amended to read as
12 follows:

13 Section 24-100b. A. In order to assist the Healthy and Fit
14 School Advisory Committees created pursuant to Section 24-100a of
15 ~~Title 70 of the Oklahoma Statutes~~ this title, the State Department
16 of Education in consultation with the State Department of Health
17 shall make available to schools information and technical assistance
18 for use in:

- 19 1. Establishing healthy school nutrition environments;
- 20 2. Reducing childhood obesity;
- 21 3. Development of quality physical education and activity
22 programs;
- 23 4. Prevention of diet-related chronic diseases; and

1 5. Establishing, implementing, and evaluating school wellness
2 policies.

3 B. The Healthy and Fit School Advisory Committees ~~are~~
4 ~~encouraged to~~ shall utilize the School Health Index available on the
5 Centers for Disease Control and Prevention website ~~or~~ as a program
6 assessment and monitoring instrument. Committees are further
7 encouraged to utilize the Oklahoma Healthy and Fit Schools Scorecard
8 available on the Governor's Council on Physical Fitness and Sports
9 website ~~as a program assessment and monitoring instrument.~~

10 C. The Healthy and Fit School Advisory Committees shall be
11 involved in the monitoring, implementation, and evaluation of
12 Section 5-147 of ~~Title 70 of the Oklahoma Statutes~~ this title, which
13 limits access to foods of minimal nutritional value.

14 SECTION 3. This act shall become effective July 1, 2009.

15 SECTION 4. It being immediately necessary for the preservation
16 of the public peace, health and safety, an emergency is hereby
17 declared to exist, by reason whereof this act shall take effect and
18 be in full force from and after its passage and approval.

19 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION, dated 2-9-09 - DO PASS,
20 As Amended and Coauthored.