

House Bill 229

By: Representatives Coleman of the 97th, Dickson of the 6th, Maxwell of the 17th, Kaiser of the 59th, Ashe of the 56th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 3 of Article 16 of Chapter 2 of Title 20 of the Official Code of Georgia
2 Annotated, relating to the health of students in elementary and secondary education, so as to
3 enact the "Student Health and Physical Education Act"; to require local school systems to
4 conduct an annual fitness assessment and to comply with state physical education instruction
5 requirements; to provide for reporting of results; to provide for an annual report to the
6 Governor; to provide for a recognition program; to provide for related matters; to repeal
7 conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 This Act shall be known and may be cited as the "Student Health and Physical Education
11 Act" or "SHAPE Act."

12 **SECTION 2.**

13 Part 3 of Article 16 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,
14 relating to the health of students in elementary and secondary education, is amended by
15 adding a new Code section to read as follows:

16 "20-2-776.

17 (a)(1) Beginning in the 2011-2012 school year, each local school system shall conduct
18 an annual fitness assessment program, as approved by the State Board of Education, one
19 time each school year for students in grades four through 12, to be conducted only during
20 a physical education course in which a student is enrolled. Such assessments shall
21 include methods deemed by the State Board of Education as appropriate to ascertain
22 levels of student physical fitness. Each local school system shall report the aggregate
23 results of the fitness assessments by school to the State Board of Education annually. The
24 minimum required contents of the report shall be determined by the State Board of
25 Education.

26 (2) Each local school system shall be required to provide at least the minimum
27 instruction in physical education prescribed by the State Board of Education in rules and
28 regulations established pursuant to subsection (c) of Code Section 20-2-142.

29 (b) The State Board of Education shall be responsible for the coordination of health and
30 physical education and fitness activities and requirements, including, but not limited to,
31 modification or promulgation of rules and regulations related thereto. The State Board of
32 Education shall adopt and disseminate to local school systems standards which adequately
33 express the most current and widely accepted best practices and benchmarks in the areas
34 of student health and physical education. The State Board of Education's efforts may be
35 supported with state, federal, or private funding or a combination thereof.

36 (c) The State Board of Education shall be authorized to collect the results of the physical
37 fitness assessments submitted by local school systems pursuant to subsection (a) of this
38 Code section.

39 (d) The State Board of Education shall submit an annual report to the Governor, beginning
40 October 1, 2012, and annually thereafter. Such report shall include the compliance status
41 of each local school system and each school with applicable State Board of Education rules
42 and regulations. The Governor may, in coordination with the State Board of Education,
43 establish one or more recognition programs to acknowledge local school systems and
44 schools which have most improved in their physical fitness assessments. The Governor
45 may collaborate with private corporations in the development and implementation of
46 recognition programs pursuant to this subsection, including providing monetary or other
47 incentives to local school systems or schools for attaining certain levels of health status.
48 All local school systems or schools receiving acknowledgment through a recognition
49 program established by the Governor pursuant to this subsection shall also be recognized
50 on the State Board of Education's website."

51 **SECTION 3.**

52 All laws and parts of laws in conflict with this Act are repealed.