

The House Committee on Education offers the following substitute to HB 229:

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 require local school systems to conduct an annual fitness assessment and to comply with state
4 physical education instruction requirements; to provide for reporting of results; to provide
5 for an annual report to the Governor; to provide for a recognition program; to provide for
6 automatic repeal; to provide for related matters; to repeal conflicting laws; and for other
7 purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

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

13 "20-2-776.

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

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

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

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

47 (d) This Code section, except for subsection (b), shall be repealed on June 30, 2019."

48 **SECTION 2.**

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