

House Bill 229 (AS PASSED HOUSE AND SENATE)

By: Representatives Coleman of the 97<sup>th</sup>, Dickson of the 6<sup>th</sup>, Maxwell of the 17<sup>th</sup>, Kaiser of the 59<sup>th</sup>, Ashe of the 56<sup>th</sup>, 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 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.

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

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

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

(d) This Code section, except for subsection (b), shall be repealed on June 30, 2019."

## SECTION 2.

49 All laws and parts of laws in conflict with this Act are repealed.