

# SENATE BILL REPORT

## SB 6755

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As of February 4, 2010

**Title:** An act relating to the creation of the coordinated school health public-private partnership.

**Brief Description:** Creating a coordinated school health public-private partnership.

**Sponsors:** Senator Kohl-Welles.

**Brief History:**

**Committee Activity:** Early Learning & K-12 Education: 2/03/10.

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### SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

**Staff:** Kimberly Cushing (786-7421)

**Background:** In 2004 the Legislature directed the Washington State School Directors Association to post, by January 1, 2005, a model policy regarding access to nutritious foods, opportunities for developmentally appropriate exercise, and accurate information related to these topics. The policy had to address the nutritional content for foods and beverages sold or provided throughout the school day or sold in competition with the federal school breakfast and lunch program, and the availability and quality of health, nutrition, and physical education and fitness curriculum. The policy had to include the development of a physical education and fitness curriculum for students. Each school district board of directors was required to establish its own policy by August 1, 2005. These requirements are codified in RCW 28A.210.360.

In 2007 the Legislature created goals for Washington State to ensure that by 2010, all K-12 districts have health advisory committees to advise school administration and school board members on healthy food choice, physical activity, and childhood fitness; only healthy food and beverages provided by schools during school hours or school-sponsored activities must be available on school campuses; all students in first through eighth grade should have at least 150 minutes of quality physical education every week; and all health and fitness instruction must be conducted by certified instructors. Beginning with the 2011-12 school year, any waiver or exemption from physical education for high school students should be based on meeting health and fitness curricula concepts, as well as alternative physical activity, but should acknowledge academic interests. These goals are codified in RCW 28A.210.365.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Summary of Bill:** The Legislature intends to assist schools with the implementation of school health and fitness-related policies in RCW 28A.210.360 and 28A.210.365 by establishing a coordinated school health public-private partnership (partnership). The partnership must be composed of the following members to be appointed by July 1, 2010:

- four members of the Legislature, with one member from each major caucus of the House of Representatives, and one member from each major caucus of the Senate;
- four representatives from the private for-profit, and four representatives from the private nonprofit-related health, nutrition, and fitness services sectors, appointed by the governor;
- four teachers, appointed by the Superintendent of Public Instruction (SPI), with one teacher from each of the following: elementary, middle, secondary, and postsecondary education. These teachers must have experience teaching in general education, special education, or career and technical education with a health and fitness focus;
- one school district nutrition director, appointed by the SPI;
- one school nurse, nominated by a school nurse professional organization;
- one school counselor, nominated by a school counselor professional organization;
- one nutrition representative, nominated by the school dietician professional organization;
- two parents and two students, appointed by the Governor;
- one school district superintendent, one school board member, one building principal, one member of the state teachers' union, and one member of the classified staff union, each nominated by their respective professional association;
- one representative from the Department of Health, appointed by the Director;
- three representatives from the Office of the Superintendent of Public Instruction (OSPI), with one involved in school health, one involved in fitness education, and one involved in school nutrition services; and
- a representative from the University of Washington's center for public health nutrition.

The partnership's task is to seek out innovative ways to assist schools with implementation of RCWs 28A.210.360 and 28A.210.365. The partnership must identify the most effective programs and proven methods for assisting schools in preparing the students for healthy lifestyle choices. Wherever possible, the partnership must promote the use of Washington-based private for-profit and nonprofit-related health and fitness service sectors.

To the extent funds are available, the partnership must assist the SPI in communicating to school districts the value and utility of health and nutrition standards; assist health advisory committees in implementing the policy on access to nutritious foods and developmentally appropriate exercise and advise school officials on what is needed to support healthy food choice, physical activity, and childhood fitness; and assist OSPI in developing demonstration projects. OSPI and other members of the partnership may provide technical and logistical support. Beginning April 1, 2011, OSPI must submit an annual report to the Legislature regarding the partnership activities, and if funding is provided, analyzing the demonstration projects.

To the extent funds are available, OSPI may hire staff to convene the partnership members, gather stakeholders, and garner funds for partnership activities, including the demonstration projects. Any grant funds garnered beyond the cost of hiring staff are intended for the

demonstration projects and to assist school districts in implementing the requirements and goals of RCWs 28A.210.360 and 28A.210.365.

To the extent funds are available, school districts selected on a competitive basis may create demonstration projects in order to implement the policies created under RCWs 28A.210.360 and 28A.210.365. The demonstration projects must be designed to assure that all students meet standards for health and fitness education, and to measure achievement changes as a result of student behavioral changes. OSPI and the partnership must select up to four school districts as demonstration projects, two located in Eastern Washington and two located in Western Washington.

The coordinated school health public-private partnership account is created in the custody of the State Treasurer. Only the SPI or the SPI's designee may authorize expenditures from the account at the direction of the partnership.

Nothing in this act requires the SPI to act if funding is not available in sufficient amounts to carry out the specific tasks of the partnership. Nothing in this act commits federal resources to be used to meet state law.

**Appropriation:** None.

**Fiscal Note:** Requested on January 25, 2010.

**Committee/Commission/Task Force Created:** Yes.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: Children with health issues become adults with these issues. We are facing grave challenges in terms of healthier society. One out of every five teenagers has abnormal cholesterol levels, boosting the risk of heart disease. One third of young people are overweight or obese. Any time we can teach kids in grade school about health, it will become a habit. These kids will learn better in school and be healthier as adults. The bill balances an urgent need for improved school health in Washington with a funding method, and is modeled after the successful financial education public-private partnership. This is not an unfunded mandated. These are model policies and standard goals. We look forward to collaborating with others to see health curricula programs roll out across the state. The partnership is a good idea because no one can do it alone and it would help districts without support. Putting school nutrition directors and OSPI personnel on the partnership makes good sense. We talk a lot about unfunded mandates. In this case, there are questions about whether the policies put in place a few years back are being implemented appropriately, and the Legislature is asking how they can assist.

**Persons Testifying:** PRO: Senator Kohl-Welles, prime sponsor; Greg Williamson, OSPI; Terry Kohl, Mark Niedelman, HOPE Heart Institute; Ryan Spiller, Washington Health Foundation; Mitch Denning, Alliance of Association; Leeda Beha, Washington State School Nutrition Association; Dan Steele, Washington State School Director's Association.