

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 HOUSE BILL 2257

By: Sterling

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6 AS INTRODUCED

7 An Act relating to schools; directing school
8 districts to conduct an annual fitness assessment;
9 prescribing grade levels for student participation;
10 requiring certain methods to conduct assessment;
11 providing exception for certain students; directing
12 the State Department of Education to adopt an
13 assessment instrument; prescribing minimum required
14 contents for assessment; requiring development and
15 dissemination of annual report; prohibiting inclusion
16 of certain student information; requiring results of
17 assessment be provided to a parent or guardian;
18 directing analysis of performance results to find
19 correlations; permitting the Department to contract
20 with separate entity to conduct analysis; authorizing
21 certain funding; authorizing establishment of
22 recognition program; providing for codification; and
23 providing an effective date.

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

19 SECTION 1. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 11-103.9c of Title 70, unless
21 there is created a duplication in numbering, reads as follows:

22 A. Beginning in the 2024-2025 school year, each school district
23 shall conduct an annual fitness assessment, as approved by the State
24 Board of Education, each school year for students in grades three

1 through twelve, to be conducted in a course that satisfies the
2 physical education program required pursuant to Section 11-103.9 of
3 Title 70 of the Oklahoma Statutes or during the school year where
4 the assessment can be administered by trained personnel, including,
5 but not limited to, school nurses, physical education and health
6 teachers, coaches and any other certified school employees. The
7 assessments shall include methods deemed by the Board as appropriate
8 to ascertain levels of student physical fitness and factors and
9 standards required in subsection B of this section. A school
10 district shall not be required to conduct the annual fitness
11 assessment for students with a disability or other condition that
12 requires an exemption as determined by the State Department of
13 Education.

14 B. The State Department of Education shall adopt an assessment
15 instrument to be used by all school districts in assessing student
16 physical fitness that includes standards accessible to districts
17 which adequately express the most current and widely accepted best
18 practices and benchmarks in the areas of student health and physical
19 education. The minimum required contents of the assessment shall
20 address the measurements and assessment instrument to be used by a
21 school district in assessing student physical fitness under this
22 section. The assessment instrument shall:

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1 1. Be based on factors related to student health, including the
2 following factors that have been identified as essential to overall
3 health and function:

- 4 a. aerobic capacity,
- 5 b. body composition, and
- 6 c. muscular strength, endurance and flexibility; and

7 2. Include criterion-referenced standards specific to a
8 student's age and gender and based on the physical fitness level
9 required for good health.

10 C. A school district shall annually report the results of each
11 student's performance on the physical fitness assessment required by
12 this section to the Board and the State Department of Health. The
13 results shall not contain the name of the student, the student's
14 Social Security number or the student's date of birth. The
15 performance results provided to the Board pursuant to this
16 subsection may be used for assessing the effectiveness of health
17 programs and developing recommendations for modifications to
18 physical education and health and wellness programs or related
19 curriculum.

20 D. Not later than the last day of the school year, a school
21 district shall provide a parent or guardian with a copy of the
22 results of the physical fitness assessment of the parent's or
23 guardian's child. The results provided to a parent or guardian
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1 under this subsection shall be clear, precise, and easy to
2 understand.

3 E. 1. The State Department of Education and the State
4 Department of Health shall analyze the performance results provided
5 pursuant to subsection C of this section and identify, for each
6 school district, any correlation between the results and the
7 following:

- 8 a. student obesity,
- 9 b. student attendance levels,
- 10 c. student academic achievement levels,
- 11 d. student disciplinary problems, and
- 12 e. school meal programs.

13 2. The State Department of Education may contract with a public
14 or private entity for that entity to conduct all or part of the
15 analysis required in paragraph 1 of this subsection. The State
16 Department of Education's efforts may be supported with state,
17 federal or private funding, or a combination thereof.

18 F. The State Board of Education shall submit an annual report
19 to the Governor, beginning October 1, 2024, and annually thereafter.
20 The report shall include the compliance status of each school
21 district. The Governor may, in coordination with the Board,
22 establish one or more recognition programs to acknowledge school
23 districts and schools which have most improved in their physical
24 fitness assessments. The Governor may collaborate with private

1 corporations in the development and implementation of recognition
2 programs pursuant to this subsection, including providing monetary
3 or other incentives to school districts or schools for attaining
4 certain levels of health status. All school districts or schools
5 receiving acknowledgment through a recognition program established
6 by the Governor pursuant to this subsection shall also be recognized
7 on the Board's website.

8 SECTION 2. This act shall become effective November 1, 2023.

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