

Department of Legislative Services
Maryland General Assembly
2016 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 1289
Ways and Means

(Delegates Hayes and Carter)

Education - Healthy Kids Award Program

This bill establishes a Healthy Kids Award Program to (1) reward schools that implement policies and practices that create opportunities for students to be physically active and make healthy food choices throughout the school day; (2) encourage the integration of physical activity into nonphysical education classes, recess, and extracurricular activities throughout the school day; and (3) establish guidelines that a local board of education may adopt to promote quality recess practices and behaviors that engage all students and increase their physical activity levels. The Maryland State Department of Education (MSDE) and the Department of Health and Mental Hygiene (DHMH) must develop and implement the program.

The bill takes effect July 1, 2016.

Fiscal Summary

State Effect: MSDE and DHMH can develop the Healthy Kids Award Program using existing resources, although resources may need to be temporarily diverted from other priorities. Assuming the cost for the award is nominal, MSDE can make awards using existing resources. Any monetary award will increase MSDE expenditures by the amount of the award and the number of schools that are granted an award.

Local Effect: Local school system expenditures may increase minimally for schools that attempt to win Healthy Kids Awards.

Small Business Effect: None.

Analysis

Current Law: The Child Nutrition and Women, Infants, and Children Reauthorization Act of 2004 required local education agencies (LEAs) to establish a local school wellness policy (LWP) by the 2006 school year that set goals for nutrition education, physical activity, and other school-based activities designed to promote student wellness. It also required LEAs to include nutrition guidelines for all food available on the school campus during the school day and to insure that parents, students, and representatives of the school food authority, the school board, school administrators, and the public are involved in developing the LWP.

The federal Healthy, Hunger-Free Kids Act of 2010, among other provisions, required the LWP to include nutrition promotion and requires that teachers of physical education and school health professionals participate in the development of the LWP. The U.S. Department of Agriculture recently proposed federal regulations to implement these and related provisions of the 2010 law.

Every public school must have a program of physical education that is given in a planned and sequential manner to all students in order to develop their good health and physical fitness and improve their motor coordination and physical skills. However, the specific curriculum and course of study is set by each local board of education.

Maryland regulations require physical education instructional programs to explain how regular, moderate-to-vigorous physical activity contributes to personal health and enhances cognitive and physical performance on a variety of academic, recreational, and life tasks.

With the assistance of the local health department, each local board of education must provide adequate school health services; instruction in health education, including the importance of physical activity in maintaining good health; and a healthful school environment. MSDE and DHMH must jointly develop public standards and guidelines for school health programs and offer assistance to the local boards of education and local health departments in their implementation.

Background: The National Conference of State Legislatures reports that, according to the Centers for Disease Control and Prevention (CDC), overall obesity rates and obesity prevalence among children and youth ages 2 to 19 and adults in the United States have not changed significantly between 2003-2004 and 2011-2012. Currently, 17% of American youth are obese, a figure that continues to reflect that childhood obesity rates in the United States have nearly tripled in the past 30 years. Counting both obese and overweight children and youth, 31.7% of American children and adolescents are affected by this epidemic. For very young children, however, there are signs of progress. Data from CDC's National Health and Nutrition Examination Survey released in February 2014 show a

decline in obesity prevalence in children ages 2 to 5, from nearly 14% in 2003-2004, to just over 12% in 2009-2010, to a little more than 8% in 2011-2012. Based on data from the National Survey of Children's Health, in Maryland, 16.5% of children are classified as overweight, and 15.1% of children are classified as obese.

State Expenditures: MSDE advises that a similar award program that the department operated with the Maryland Association of Health, Physical Education, Recreation and Dance (now Shape America) costs \$85 per school for a banner, travel for staff to review and evaluate the programs of the applicants, and printing for applications. The Department of Legislative Services advises that implementing an award program that includes a banner for awardees will increase MSDE expenditures minimally; however, an award program that does not increase expenses could be developed under the bill. Creating a program with a monetary award, which may incentivize more local school systems and schools within those school systems to participate in the program, will increase MSDE expenditures by the amount of the award and the number of awards made each year.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Maryland State Department of Education, Department of Health and Mental Hygiene, National Conference of State Legislatures, Centers for Disease Control and Prevention, Department of Legislative Services

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