

NORTH CAROLINA GENERAL ASSEMBLY

LEGISLATIVE FISCAL NOTE

BILL NUMBER: House Bill 303 (Third Edition)

SHORT TITLE: Healthy, Active Children in Grades K-8.

SPONSOR(S): Representative Bell

FISCAL IMPACT					
	Yes ()	No ()	No Estimate Available (X)		
	<u>FY 2004-05</u>	<u>FY 2005-06</u>	<u>FY 2006-07</u>	<u>FY 2007-08</u>	<u>FY 2008-09</u>
REVENUES:					
EXPENDITURES:					**See Assumptions and Methodology**
POSITIONS:					
PRINCIPAL DEPARTMENT(S) & PROGRAM(S) AFFECTED:	State Board of Education (State Board), Local Boards of Education (Local Boards)				
EFFECTIVE DATE:	Effective when the act becomes law and applicable to all school years beginning with the 2003-04 school year.				

BILL SUMMARY:

Enacts new G.S. 115C-81(b)(2a) which requires that the Basic Education Program shall include a requirement that children in kindergarten-eighth grade participate in physical activity for at least 150 minutes each school week. Adds new GS 115C-47(44) to impose the responsibility for meeting this requirement on local boards of education. Local Boards are to ensure that physical activity programs are designed to meet the needs of all students, and that no student shall be permitted to waive or substitute other classes for the physical activity requirement.

Source: Bill Digest H.B. 303 (03/06/2003)

ASSUMPTIONS AND METHODOLOGY:

1. Section two of the bill requires that the mandated “physical activity program” must provide a minimum amount of “physical activity...[which] must take place in an environment in which students learn, practice, and are assessed on developmentally appropriate motor skills, social skills, and knowledge.” While the bill does not explicitly direct that this activity must take

place in the context of “physical education,” a term with an established meaning in the public schools, the requirements of the activity make it substantially similar to physical education. The bill does not necessarily require schools to expand their physical education programming, however.

Classroom teachers may be able to implement the required “physical activity program” in the context of their normal classroom duties. The extent to which this is practicable is not clear. Local Boards may be able to comply with the law only through expansion of physical education programming. If the State Board and or Local Boards determine that the requirements in the bill can only be met by hiring physical education teachers, the bill will create additional costs. It is not possible to estimate these potential costs at this time.

2. According to the Department of Public Instruction, some local Boards will likely add time to the school day to accommodate the physical activity requirement. This action will not necessarily increase expenditures for school personnel unless there are non-certified employees who would then be working more than 40 hours per week. It is not possible to predict at this time how many, if any, employees would be so affected.

SOURCES OF DATA: Department of Public Instruction; summary of survey response to DPI questionnaire on required physical education; summary of responses to survey on current physical education; General Assembly Research staff “Bill Analysis: HB 303 PCS;” General Assembly Fiscal Research staff “Fiscal Note: HB 303 v.2.”

TECHNICAL CONSIDERATIONS:

1. The bill applies to the 2003-04 school year, which has now passed. In practice, the 2004-05 school year would be the first year in which the policy established by the bill would be in effect.
2. The State Board of Education policy adopted in January 2003 “require[s] students enrolled in pre-kindergarten, kindergarten, and grade levels below high school to participate in physical activity as part of the district's physical education curriculum.” This policy must be implemented by the 2006-07 school year. While this policy is not exactly the same as the bill (the bill does not require that the physical activity program be part of the district’s “physical education curriculum”), it is substantially similar.
3. In order to meet the requirements of the bill, schools will need to alter their schedules. Most school districts currently have only one day per week of physical education in elementary schools, with physical activity encouraged on the other days. A majority of school districts include physical education at each grade level in middle school for one semester each year. Many of these semester courses include both physical education and health education in the same course. To meet a daily requirement in the middle schools probably would require more scheduling changes than in the lower grades. It is not clear how these scheduling changes might affect students’ time spent in other, academic courses.

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DATE: July 7, 2004

Signed Copy Located in the NCGA Principal Clerk's Offices