

1 AN ACT relating to healthy goals for the school children of the Commonwealth.

2 WHEREAS, recess or regularly scheduled periods within the elementary school day
3 for unstructured physical activity and play can be valuable to child development. The
4 American Academy of Pediatrics says that recess provides cognitive and academic
5 benefits, social and emotional benefits, and physical benefits; and

6 WHEREAS, recess is an essential component of education and should be part of the
7 curriculum for preschool through elementary school according to the National
8 Association of Early Childhood Specialist in State Departments of Education; and

9 WHEREAS, the National Association for Sport and Physical Education says that all
10 elementary school children should be provided at least one daily period of recess of at
11 least 20 minutes;

12 NOW, THEREFORE,

13 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

14 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 158 IS CREATED TO
15 READ AS FOLLOWS:

16 *(1) (a) The General Assembly finds and declares that structured moderate to*
17 *vigorous movement activity or physical activity may contribute positively to*
18 *student health, attention, motivation and academic performance.*

19 *(b) The General Assembly notes that it created a system of public education*
20 *that allows and assists students to acquire certain capacities provided under*
21 *KRS 158.645, including knowledge relating to physical wellness.*

22 *(c) The General Assembly further notes that its goals for public schools under*
23 *KRS 158.6451 require schools to reduce physical and mental health*
24 *barriers to learning.*

25 *(d) The General Assembly recognizes that children who engage in movement*
26 *activity or physical activity as students are more likely to make healthy*
27 *choices as adults.*

1 (2) The General Assembly establishes, on behalf of the people of the Commonwealth,
2 the goal that by November 1, 2020, one hundred percent (100%) of all public
3 schools containing grades kindergarten through five (5), or any combination
4 thereof, shall offer at least twenty (20) minutes of structured moderate to
5 vigorous movement activity or physical activity each day, one hundred (100)
6 minutes per week, or the equivalent minutes per month, under the following
7 conditions:

8 (a) If segmented, the movement activity or physical activity shall be at least ten
9 (10) minutes in duration;

10 (b) The movement activity or physical activity shall be considered part of the
11 instructional day; and

12 (c) Exclusion from the opportunity to participate in movement activity or
13 physical activity shall not be used as a form of discipline.

14 (3) The Kentucky Department of Education shall:

15 (a) Identify model programming, alternative plans, and optional activities for
16 the integration of movement activity or physical activity during the school
17 day and encourage school councils to develop their own models;

18 (b) Make available a list of accessible resources and assessment tools to carry
19 out this section;

20 (c) Develop and disseminate an easy-to-use checklist for schools to use for
21 reporting movement activity or physical activity data to the department;

22 (d) Develop a mechanism for public reporting of progress in meeting the goal
23 of this section;

24 (e) Encourage schools to utilize and consult with certified physical education
25 teachers in the development of school physical activity plans;

26 (f) Encourage schools containing grades six (6) through eight (8) or any
27 combination thereof, to develop and implement a wellness policy that

1 includes moderate to vigorous movement activity or physical activity each
2 day and promotes healthy choices by students;

3 (g) Report to the Interim Joint Committee on Education and the Interim Joint
4 Committee on Health and Welfare no later than December 1, 2019, and
5 each year thereafter on progress toward meeting the goal of this section;
6 and

7 (h) Share aggregate school district and county data with the Cabinet for Health
8 and Family Services to assist in planning services to improve the health of
9 the children of the Commonwealth.

10 ➔Section 2. This Act may be cited as the Healthy Kids Act.