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## FISCAL IMPACT REPORT

ORIGINAL DATE 2/7/17

SPONSOR Stewart LAST UPDATED \_\_\_\_\_ HB \_\_\_\_\_

SHORT TITLE Collect School Physical Ed Data SJM 11

ANALYST Fernandez

### ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY17	FY18	FY19	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>		See Fiscal Implications				

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Public Education Department (PED)

Department of Health (DOH)

### SUMMARY

#### Synopsis of Bill

Senate Joint Memorial 11 requires PED and DOH to collect current data on the status of elementary school physical education and to develop a plan for increased weekly physical education instruction and report to the Legislative Education Study Committee by November 1, 2017.

### FISCAL IMPLICATIONS

According to PED, the department would need to collect and report data from every public and charter school on elementary school student attendance in physical education classes and the frequency of classes. This would require the PED's Information Technology (IT) Division to collect this information through PED's Web-EPSS system or through the establishment of another SharePoint system, and for the PED's Coordinated School Health and Wellness Bureau (CSHWB) staff to review the data submitted in order to prepare a report.

PED also indicates that School Health and Wellness Bureau staff would need to work with School Budget and Finance staff to determine funding levels received in previous appropriations and current funding levels for elementary physical education. In addition, the department would

need to determine the source of funding for current programs. According to PED, the requirements of SJM11 would be difficult to accomplish with existing staff resources.

## **SIGNIFICANT ISSUES**

A 2016 task force of experts in elementary education, health and wellness and physical education pedagogy, as well as members of the Legislative Education Study Committee (LESC), evaluated the feasibility of requiring a minimum of 150 minutes of physical education per school week.

The findings of the task force:

- Research indicates that physical activity is a better approach than nutrition alone in preventing obesity and type two diabetes in children;
- Students who are physically active tend to have better grades, attendance and cognitive performance than students who are inactive because exercise increases brain activity and improves memory;
- State standards require elementary school students to participate in physical education;
- LESC staff found that appropriations in FY07 and FY08 provided enough funding for only about one-half of the elementary school programs in New Mexico and that approximately twenty-two million dollars (\$22,000,000) would be needed for full funding of elementary school physical education programs statewide;
- The development of an effective plan for increasing weekly physical education in New Mexico public schools continues to require specific information.

PED provides the following information:

Laws 2007, Chapter 348 amended the Public School Finance Act to add physical education program units and charter school student activities program units into the program cost of the State Equalization Guarantee (SEG). According to PED, the goal was to phase in—elementary physical education across the state over a four-year period. Approximately 50 percent of elementary schools (based on free and/or reduced-fee lunch eligibility), were earmarked in FY08 and FY09. A full four-year phase-in did not occur, due to budget constraints.

PED also notes, the New Mexico Administrative Code rule (6.29.1.1), Standards for Excellence, requires instruction in physical education, aligned with the content standards at all grade levels. Elementary Physical Education can be taught by an elementary education teacher to his/her self-contained classroom of students or a school may hire a teacher who is endorsed/licensed in Physical Education to teach Physical Education to all of the students at the school. A stand-alone physical education class in elementary school must align with the New Mexico Physical Education Content Standards with Benchmarks and be taught by a PED-licensed instructor, endorsed in Physical Education.

DOH provides the following information:

In 2015, 11.8 percent of kindergartners and 18.9 percent of 3rd grade students in New Mexico were obese. The 2015 childhood obesity data demonstrated upward shifts in weight categories between kindergarten and third grade, suggesting a time-sensitive window of opportunity for preventing excessive weight gain in young children, particularly those who are already overweight in kindergarten

<https://nmhealth.org/data/view/chronic/1861/>. The Institute of Medicine’s *Preventing Childhood Obesity: Health in the Balance* report recommended that schools provide a significant portion of students’ daily physical activity (<https://www.nap.edu/read/11015/chapter/9#253>).

National organizations including the Centers for Disease Control and Prevention (CDC), the American Heart Association (AHA), the American Cancer Society, the American Diabetes Association, the National Association for Sport and Physical Education (NASPE), the National Association of State Boards of Education (NASBE), and the Institute of Medicine recommend 150 minutes of physical education each week for children in elementary school. At least 50 percent of class time should be spent in moderate to vigorous physical activity. NASPE and CDC guidelines for “high quality physical education” also recommend that all classes be taught by qualified physical education specialists ([www.cdc.gov/healthyschools/pecat/highquality.htm](http://www.cdc.gov/healthyschools/pecat/highquality.htm)).

Research shows that physical activity can have both immediate and long-term benefits on academic performance when children and adolescents participate in at least sixty minutes of physical activity each day. Substantial evidence indicates that physical activity can: 1) improve academic achievement, including grades and standardized test scores; and 2) affect cognitive skills and attitudes and academic behavior (including enhanced concentration, attention, and improved classroom behavior). Beyond these known academic effects, multiple health benefits can be seen. Regular physical activity builds healthy bones and muscles, improves muscular strength and endurance, reduces the risk for developing chronic risk factors, improves self-esteem, and reduces stress and anxiety ([http://www.cdc.gov/healthyyouth/health\\_and\\_academics/pdf/pa-pe\\_paper.pdf](http://www.cdc.gov/healthyyouth/health_and_academics/pdf/pa-pe_paper.pdf)).

## PERFORMANCE IMPLICATIONS

SJM11 is related to the NM Department of Health 2017-19 Strategic Plan: **Result 1:** Improved Health Status for New Mexicans **Indicator:** Percent of 3<sup>rd</sup> grade children who are considered obese.

## ADMINISTRATIVE IMPLICATIONS

According to PED, SJM11 would require existing resources within the PED’s Information Technology (IT) Division, the Coordinated School Health and Wellness Bureau, and the School Budget and Finance Analysis Bureau to carry out the requirements of the legislation in order to collect data and produce a report, in collaboration with the DOH, for the LESC by November 1, 2017. This will be difficult to accomplish with existing resources.

DOH would work with PED to analyze the data and report on findings by November 1, 2017. Analyzing the data and reporting the findings by the November deadline would require existing DOH staff to dedicate a significant amount of time to the project.

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