

**ALASKA STATE LEGISLATURE**  
**SENATE EDUCATION STANDING COMMITTEE**

March 31, 2016

3:30 p.m.

**MEMBERS PRESENT**

Senator Mike Dunleavy, Chair  
Senator Cathy Giessel  
Senator Berta Gardner

**MEMBERS ABSENT**

Senator Charlie Huggins, Vice Chair  
Senator Gary Stevens

**COMMITTEE CALENDAR**

SENATE BILL NO. 200

"An Act relating to physical activity requirements for students in kindergarten through grade eight."

- MOVED SB 200 OUT OF COMMITTEE

**PREVIOUS COMMITTEE ACTION**

BILL: SB 200

SHORT TITLE: MANDATORY PHYSICAL ACTIVITY IN SCHOOLS

SPONSOR(S): SENATOR(S) COSTELLO

02/22/16	(S)	READ THE FIRST TIME - REFERRALS
02/22/16	(S)	EDC, FIN
03/22/16	(S)	EDC AT 3:30 PM BUTROVICH 205
03/22/16	(S)	Heard & Held
03/22/16	(S)	MINUTE(EDC)
03/31/16	(S)	EDC AT 3:30 PM BUTROVICH 205

**WITNESS REGISTER**

MARK MILLER, Ph.D.  
Superintendent  
Juneau School District  
Juneau, Alaska

**POSITION STATEMENT:** Testified in opposition to SB 200.

DENALI DANIELS, Owner, DDA, Inc.

Anchorage, Alaska

**POSITION STATEMENT:** Testified on SB 200.

MELANIE SUTTON, Curriculum Coordinator - Health & Physical Education

Anchorage School District (ASD)

Anchorage, Alaska

**POSITION STATEMENT:** Testified in support of SB 200, with modifications.

DOROTHY ORR, representing herself

Anchorage, Alaska

**POSITION STATEMENT:** Testified in support of SB 200.

MIAH LAGER, Parent

Juneau, Alaska

**POSITION STATEMENT:** Testified on SB 200.

#### **ACTION NARRATIVE**

[3:30:21 PM](#)

**CHAIR MIKE DUNLEAVY** called the Senate Education Standing Committee meeting to order at 3:30 p.m. Present at the call to order were Senators Giessel, Gardner, and Chair Dunleavy.

3:30:41 PM

At ease

#### **SB 200-MANDATORY PHYSICAL ACTIVITY IN SCHOOLS**

[3:32:31 PM](#)

**CHAIR DUNLEAVY** announced the consideration of SB 200. He said it was previously heard on March 22.

**CHAIR DUNLEAVY** announced public testimony.

[3:33:22 PM](#)

**MARK MILLER**, Ph.D., Superintendent, Juneau School District, testified in opposition to SB 200. He agreed that teaching students to have a healthy lifestyle has much merit, but he did not want to see another curriculum mandate for schools. He provided a visual representing everything the district has "on its plate" and the lack of time to include them. He stated that the district's plate is full. He requested that curriculum decisions be left up to local school districts and not mandated by the legislature.

He said SB 200 would have major implications at the middle school level regarding staffing, class sizes, and potential costs.

[3:36:12 PM](#)

SENATOR GARDNER asked how much activity kids get a day in Juneau elementary and middle schools.

DR. MILLER explained that elementary schools get enough physical activity in recess and PE; the problem is in middle schools because they don't have recess and PE is an elective.

SENATOR GARDNER asked about after-school sports.

DR. MILLER related that over 400 students participate in after-school athletics in elementary and twice that at the middle school in intramurals.

SENATOR GARDNER asked if intramurals are seasonal and what percentage of students participate.

DR. MILLER said they are seasonal and about half of the students participate.

[3:38:05 PM](#)

DENALI DANIELS, Owner, DDA, Inc., testified on SB 200. She related that her company provides policy development support to state, non-profit, and private sector entities. In 2014 DDA completed an assessment of Alaska school districts physical education and recess policies. The report was done on behalf of the state, however, she said her testimony does not represent the state, but DDA's experience.

She shared an overview of the project and the history of wellness policy requirements, which include physical activities. In 2010 Congress passed the Healthy Hunger-free Kids Act which led to the CDC adopting school health guidelines, including new physical activity recommendations. In 2014, DDA was hired by Department of Health and Social Services (DHSS) to determine how districts were meeting those policies.

She explained how the report was structured. From a survey of all 54 school districts they collected data about physical activity. She observed that there is a great deal of diversity of physical activities across the state. She said SB 200 provides a very broad direction, while still maintaining flexibility for local decision making and it provides a higher

likelihood of implementation. She concluded that the question is how can school districts best be incentivized and what is the state's role in doing so.

[3:43:11 PM](#)

MELANIE SUTTON, Curriculum Coordinator - Health & Physical Education, Anchorage School District (ASD), testified in support of SB 200, with modifications. She said ASD agrees with the concept of this legislation, but recommends some modifications to it. She stressed that physical activity must be an important part of everyday life. The 2008 physical activity guidelines for America are very flexible and allow for different types and amounts of physical activity each week. This legislation moves Alaska students closer to the nationally recommended 150 minutes per week of activity at the elementary level. She said the use of a cumulative model instead of daily minutes would provide for local control over how the minutes can be spread across the week and provide flexibility for scheduling.

She said Shape America recommends 150 minutes of PE a week for elementary and 125 minutes for secondary. It does not separate the minutes out by day. The ASD requests the consideration of an amendment that would address total time per week rather than per day. She provided examples of district flexibility when allowing for physical activity.

She concluded that the epidemic of obesity created by inactivity and poor diet has taken a toll on the health and quality of life of citizens and on health care budgets. Physical activity is part of the solution and quality physical education provides the best opportunity to provide all children with physical experiences.

[3:47:01 PM](#)

SENATOR GARDNER asked if the bill were amended as proposed, would Anchorage support it.

MS. SUTTON said yes.

[3:47:30 PM](#)

DOROTHY ORR, representing herself, testified in support of SB 200. She spoke as a long-time physical educator and a member of SHAPE Alaska. She spoke in support of the intent of SB 200 and she specifically addressed the issue of time. She gave L.L. Bean as an example of increased production with the addition of increased physical breaks. She said Google also encourages employees to take physical breaks. She discussed the value of

movement and its relationship to the brain. She made suggestions on ways to create movement in classrooms. She quoted the book "Smart Move" regarding the importance of movement.

[3:51:21 PM](#)

MIAH LAGER, Parent, testified on SB 200. She said she would like to see financial backing for the bill in order to address limited funding in schools. She voiced concern about how schools will carry out this mandate, especially at the middle school level. She concluded that the intent of the bill is excellent, but the timing is bad due to financial and time constraints.

CHAIR DUNLEAVY closed public testimony.

[3:57:01 PM](#)

SENATOR GIESSEL moved to report SB 200, labeled 29-LS1305\W, from committee with individual recommendations and attached zero fiscal note.

SENATOR GARDNER objected to comment. She noted she wanted to discuss an amendment with the sponsor at a later date.

SENATOR GARDNER removed her objection. There being no further objections, SB 200 was reported from committee.

[3:57:52 PM](#)

There being no further business to come before the committee, Chair Dunleavy adjourned the Senate Education Standing Committee at 3:57 p.m.