

Governor's Council on Physical Fitness
Thursday, November 15, 2007
Keiser University, Ft. Lauderdale Campus
Meeting Minutes
8:00 am – 2:00 pm

Council Members Present

Mr. Carlos Castresana
Dr. Karen Dowd
Mr. Thomas Epsky
Dr. Javier Garcia-Bengochea
Mr. William Montford
Dr. Don Rapp
Dr. Dorothy Richardson
Ms. Mary Rumberger
Ms. Julie Ryczek
Dr. Judith Schaechter
Ms. Sheila Sheridan
Dr. Ana Viamonte-Ros
Ms. Amy Young

Council Members Absent

Mr. Derrick Brooks, Chair
Ms. Shannon Miller, Co-Chair
Mr. Dave Andreychuk
Mr. Rocco Baldelli
Mr. Joshua Butler
Ms. Jennifer Capriati
Mr. Charles Castevens
Mr. Bob Griese
Mr. Ken Griffey, Jr.
Ms. Nancy Hogshead-Makar
Mr. Robert Keiser
Mr. Kezarrick McCorvey
Mr. Shaquille O'Neal
Mr. Corey Simon

Others Present

Kimberly Berfield
Rachel Duerr
Catherine Howard
Ali Jaglowski
Antoinette Meeks
Katie Rainka
Carolyn Timmann
Carol Vickers
Nichole Wilder

Call to Order

The meeting was called to order at 8:15 a.m. by Dr. Judy Schaechter, Acting Chair.

Roll Call and Housekeeping

Roll was taken by Jennie Hefelfinger.

Ms. Hefelfinger addressed a few housekeeping items, such as placing cell phones on silent. She reminded the general public attending the meeting that there was time for public comment and to sign in for public comment before 11:15 am if they would like to address the council. Ms. Hefelfinger thanked Keiser University, explained Robert Keiser's scheduling conflict, and informed all attendees that the meeting was being videotaped, which complied with Government in the Sunshine. She then introduced the first speaker.

Speakers: Mr. Sam Hollander, Dr. Joseph Signorile, and Chef Harry from the nonprofit organization Fitness from the Start. Chef Harry emphasized the concept of listening to the kids and having the kids educate the parents. They travel in a special bus promoting their program. The program teaches kids how to live healthy and make healthy choices as they "play with their food."

Council Member Questions for Fitness from the Start:

Dr. Dorothy Richardson

Q: Who funds the program?

A: (Dr. Signorile) The Watermelon Council, Ziploc, and others

Ms. Julie Ryczek

Q: Tell us about your current and potential partnerships.

A: (Dr. Signorile) They are open and responsive to partnerships and participation. Using the Sunshine State Standards, they are working with school principals to have intellectual classes and physical education classes to be one and the same, not in isolation.

Ms. Sheila Sheridan

Q: Will you expand the program to other counties and come to us? What is the cost? It is an excellent program.

A: (Dr. Signorile & Chef Harry) Expansion has already taken place. There has never been a cost to the program. It is very efficient and can be set up in any location. Chef Harry went on to discuss the sponsors and how the program is tailored to fit the location and then expanded.

Q: Is the program tailored to fit a specific grade level?

A: Chef Harry told her they started with kindergarten, high school and college. Mr. Hollander added that schools love to have them and they are media magnets. He referred the council to Chef Harry's website.

Dr. Schaechter thanked the group and introduced the next speaker.

Speaker: Susan Schwarz, Chillin' Cardio Café

Ms. Schwarz thanked everyone and said how honored she was to be here. She discussed how her program came about and what it does to try to combat teen obesity. Ms. Schwarz detailed her sponsors, stated accomplishments, summarized the mission, and offered thanks. She asked the Governor for his continued support. She thanked South Tech Academy for creating the PowerPoint and stated her need for transportation and more funding so she can continue her program.

Dr. Schaechter opened the floor for questions.

Dr. Karen Dowd

Q: Please clarify: Did you state that your program is the only program that provided after-school fitness activities for children?

A: No. The Chillin' Cardio Café is the first and only cardio program run after school by teens. She stressed that she did not say hers was the only program.

Q: Is the teen group the only group your program targets?

A: Yes.

Ms. Julie Ryczek

Ms. Ryczek mentioned that she is also a spinning instructor and briefly discussed liability issues.

Ms. Schwarz spoke of the transportability of the bikes and that Lifetime Fitness donated 50 bikes. She told the council how busy she is implementing the program and reaffirmed her need for transport.

Dr. Ana Viamonte-Ros

Dr. Viamonte-Ros applauded Ms. Schwarz's efforts. She noted some duplication between the Chillin' Cardio Café and other programs. Ms. Schwarz replied that one of her reasons for attending the council meeting was to address this.

State Plan of Action Review and Approval

Dr. Schaechter thanked the speakers and moved on to review the state plan of action recommendations for discussion and approval. Dr. Schaechter explained the procedures for discussion and consensus. She encouraged everyone to voice their opinions for what they want to see included or deleted from the plan of action.

The council began the review and approval of the Introduction.

Dr. Schaechter read the Introduction aloud:

The realization of a healthier Florida requires sound nutritional practices and a more active lifestyle for Floridians of all ages. As members of the Governor's Council on Physical Fitness, we have pledged to create a state plan that within ten years will increase the physical fitness of Floridians and reduce the rate of obesity which results in chronic diseases, such as diabetes and hypertension. Although this goal may appear daunting, we believe through strong leadership and practical recommendations, we can produce positive and lasting change for Floridians' health and well-being.

We bring forward these recommendations as a result of utilizing the state-wide expertise brought together by members of the Council, speakers and citizens of Florida.

We welcome questions and comments from the Governor, professional associations, parents, employers, teachers, food service personnel, along with other professional associations and businesses.

We also recognize that each of us will need to continue to work closely with our parents, children, schools, communities, employers, health care providers and health care facilities as well as other groups to provide the assistance needed throughout our state to improve our children's health as well as the health of all Floridians.

Understanding the challenging task that lies ahead of our state, particularly in light of budget shortfalls and competing priorities, we respectfully make the following policy and program recommendations to promote a healthier lifestyle for Florida's citizens while acknowledging that these recommendations require significant funding and support from the Governor and the Florida Legislature. Some of these recommendations are bold and thus need to be incorporated over time; however, they represent important steps in the right direction for the health of Floridians of all ages.

There was discussion about the cost of some of the recommendations and whether or not it should be addressed in the introduction. Council members agreed that cost should be addressed on the recommendation level rather than in the introduction since some recommendations do not have a cost associated with them.

There was a motion to accept the Introduction. It was seconded and approved.

Dr. Schaechter moved to the recommendations drafted by the Health and Nutrition Subcommittee. Recommendation I(A) was read and opened for discussion:

I. Improve Nutrition Standards in Schools and Early Childhood Development, Care and Education Centers by:

A. Aligning current nutrition policies in Elementary, Middle, and High schools with the most recent recommendations of the National Academies Institute of Medicine Nutrition Standards in Schools. These standards are included as Addendum 1. The Council advises that the incorporation of these standards be implemented in a phased approach.

Phase 1 FY 08-09: Enact legislation to authorize enhanced nutritional requirements, provide funding and rulemaking authority

Phase 2 FY 09-10: Implement in Elementary Schools

Phase 3 FY 10-11: Implement in Middle Schools

Phase 4 FY 11-12: Implement in High Schools

Dr. Richardson stated that she believed the timeline for I(A) may be too drawn out. She requested an explanation for the timing of the phase in.

Dr. Viamonte-Ros stated that the Health and Nutrition Subcommittee was very open to suggestions if the group had ideas on how this recommendation could be accomplished more expediently.

Mr. Montford reminded the group to be sensitive about the workload in the schools. He reiterated that school administrators and teachers have the best of intentions, but with the current demands placed on schools implementation of new policies may take time.

Dr. Garcia-Bengochea stated that the timelines and language of the recommendation should not be heavy-handed. He stated his belief that people are more accepting of new policies if they are given some flexibility.

Dr. Schaechter also noted that schools can phase in the recommendations before the time listed in the recommendation.

There were questions about the National Academies Institute of Medicine's Nutrition Standards for Foods in Schools. Dr. Schaechter provided the group with a brief overview and referred them to the Meeting 3 Resource CD where an electronic copy was provided to the council.

Due to the lengthy discussion, there was some general discussion regarding the amount of time that the council should spend deliberating on each recommendation.

There was a motion to accept Health and Nutrition I(A). It was seconded and approved.

Dr. Schaechter read Health and Nutrition I(B):

I. Improve Nutrition Standards in Schools and Early Childhood Development, Care and Education Centers by:

B. Working with federal agencies to promote their use of the most recent recommendations of the National Academies Institute of Medicine Nutrition Standards in Schools by adopting these standards for state and federally funded food programs or by authorizing states to adopt these standards in federally funded food programs.

Phase 1 FY 08-09: Identify federal agencies and appropriate staff; initiate communication

Phase 2-4 FY 09-10 through 11-12: Ongoing communication, planning and support for state and federal implementation

There were no comments or questions regarding this recommendation. Health and Nutrition I(B) was approved by consensus.

Dr. Schaechter read Health and Nutrition I(C):

I. Improve Nutrition Standards in Schools and Early Childhood Development, Care and Education Centers by:

C. Establishing additional food requirements in alignment with the National Academies Institute of Medicine Nutrition Standards in Schools to be utilized for the purpose of competitive bidding for food service and vending machines located in early childhood development, care and education centers, public schools, and private schools, as otherwise authorized by law. School districts will manage implementation in their respective districts.

Phase 1 FY 08-09: Enact legislation to authorize enhanced nutritional requirements, provide funding and rulemaking authority

Phase 2 FY 09-10: Implement in Elementary School

Phase 3 FY 10-11: Implement in Middle School and early childhood development, care and education centers

Phase 4 FY 11-12: Implement in High School

There was a question on how I(C) was different from I(A). Dr. Schaechter called on Catherine Howard. Ms. Howard stated that the I(A) was targeted to elementary, middle, and high schools while I(C) addressed the younger cohorts in child care facilities.

Mr. Montford asked if the Health and Nutrition Subcommittee addressed nutrition in community colleges and universities. Dr. Schaechter stated that this group was not addressed specifically, but would be covered by other community-wide recommendations proposed by the Health and Nutrition subcommittee.

Mr. Montford requested that charter schools be added to the recommendation. There was some discussion around this topic. The council agreed to include charter schools in the recommendation.

Health and Nutrition I(C) was approved by consensus with the contingency that charter schools be listed in the recommendation.

Dr. Schaechter read Health and Nutrition I(D):

I. Improve Nutrition Standards in Schools and Early Childhood Development, Care and Education Centers by:

D. Expanding the school breakfast program authorized by Section 1006.06, Florida Statutes, to increase access to a school breakfast for all grades by 2010. Language to enact the proposed change is provided in Addendum 2.

Phase 1 FY 08-09: Evaluate the cost and identify the funding sources for expanding the school breakfast program; obtain necessary support for expansion

Phase 2 FY 09-10: Enact legislation to authorize an expanded school breakfast program, provide funding and rulemaking authority

Phase 3 FY 10-11: Implement the breakfast program in Middle and High Schools

Some council members expressed concern about the potential fiscal impact of this recommendation. Ms. Sheridan stated that her district was already implementing free breakfast for all students. Ms. Young stated that after conversations with the Got Breakfast? Foundation, she understood the legislation was written in such a way as to minimize any fiscal impacts.

Health and Nutrition I(D) was approved by consensus.

Dr. Schaechter read Health and Nutrition I(E):

I. Improve Nutrition Standards in Schools and Early Childhood Development, Care and Education Centers by:

E. Expanding the ability of agricultural producers in the State of Florida to work with each school district throughout Florida, notwithstanding any state or federal law, rules or regulations precluding this collaboration and amending the law as needed to secure this opportunity. The Council recommends the expansion of programs such as “Farm to School” within Florida schools to encourage the consumption of Florida produce.

Dr. Schaechter requested an update from the subcommittee meeting the previous day regarding the public testimony of Lori Dornbush. Ms. Dornbush explained previously that school districts had trouble purchasing local agriculture in large quantities because of bid limits. Ms. Howard stated that she spoke with Ms. Dornbush the previous evening and she agreed to return for public comment and for questions following today’s meeting. Ms. Howard also reported that she presented this issue to the Office of Policy and Budget for clarification, but they could not offer an explanation without a statute, rule, or administrative code reference.

There were questions and general discussion regarding school food programs and budgets. Some council members also expressed a desire to list community gardens in addition to school gardens. The council agreed to this.

Health and Nutrition I(E) was approved by consensus with the contingency that community gardens be included somewhere in the recommendation.

Dr. Schaechter read Health and Nutrition I(F):

I. Improve Nutrition Standards in Schools and Early Childhood Development, Care and Education Centers by:

F. Posting age-appropriate nutritional information for food being served in schools. This may include color-coding high nutrient, low calorie density foods for Elementary School and providing more detailed nutrient analysis information for Middle and High School students. As an alternative to posting the nutritional values of foods at each school meal, the schools may post this information on their web sites and encourage students and parents to review the web site to assess the quality of the food choices available to their children during the school day.

There were no questions or comments regarding Health and Nutrition I(F). It was approved by consensus.

Dr. Schaechter read Health and Nutrition I(G):

I. Improve Nutrition Standards in Schools and Early Childhood Development, Care and Education Centers by:

G. Implementing a School Nutrition Report Card that will provide parents with a nutritional analysis for foods and beverages available to their children during the school day. Nutritional information that should be included and the method of collection is further described in Addendum 3.

There were questions and discussion about which agency would manage the collection, analysis and dissemination of the information. There was also general discussion about the feasibility of the report card, the methodology of collection, the standardization of the information, and various ways the information should be made available to parents and other interested parties. The group called on Antoinette Meeks to provide an overview of what is currently being done in terms of reporting nutritional content.

After lengthy discussion, the council decided to

- 1) Add fiber to the RDA list in Addendum 3.
- 2) Institute a pilot program for the report card, and if successful implement statewide, and
- 3) Include a provision in the recommendation for funding to carry out the report card program for the responsible agency.

Health and Nutrition I(F) was approved by consensus with the contingency that fiber be added to the list of nutrients included in Addendum 3, that the phase in be modified to reflect the pilot program, and that verbiage for funding be included.

Dr. Schaechter read Health and Nutrition I(G):

I. Improve Nutrition Standards in Schools and Early Childhood Development, Care and Education Centers by:

H. Aligning the early childhood development, care and education centers' nutrition standards set forth in Section 402.305(1) (a), Florida Statutes, and specified by the Florida Department of Children and Families in Rule 65C-22.005, Florida Administrative Code, and the nutrition standards for the United States Department of Agriculture, Child Care Food Program with the National Academies Institute of Medicine Nutrition Standards in Schools. These requirements should be implemented in conjunction with the requirements listed in Addendum 4. Once established, compliance with these recommendations should be a consideration for early childhood development, care and education centers' licensure, regardless of the origin or source of the fees used to operate the facilities or the type of children served by the facilities.

Phase 1 FY 08-09: Identify state and federal laws, rules and regulations that will require amendment to implement higher nutrition standards

Phase 2 FY 09-10: Enact legislation to authorize enhanced nutrition standards, provide funding and rulemaking authority

Phase 3 FY 10-11: Implement and monitor compliance with enhanced nutritional requirements-

Dr. Schaechter explained the Health and Nutrition subcommittee's motives for drafting this recommendation. She then opened the floor for discussion. There were questions about current nutritional monitoring in day care and early childhood facilities. Ms. Jaglowski provided an overview of the Department of Health's monitoring requirements as well as the Department of Children and Families' monitoring requirements for nutrition in these facilities.

There was discussion about cost. Dr. Schaechter referenced a study that evaluated the cost of providing healthier food. It found no increase in cost and in fact, pointed to a potential savings. Mr. Montford expressed concern about potential impacts of this recommendation and asked if there was anyone in the room or on the Health and Nutrition subcommittee who would be able to speak to his concern. Dr. Schaechter responded that the phase in for this recommendation was written to mitigate impacts and that she felt very confident that there would be little financial impact on families and providers from this recommendation.

Mr. Montford stated that child care facility operators and parents need to be taught how to implement healthier and cost-effective nutrition.

The council did not come to resolution on Health and Nutrition I(H). They requested that Ms. Berfield redraft the recommendation to take into account some of the concerns expressed by council members.

Dr. Schaechter read Health and Nutrition I(G):

I. Improve Nutrition Standards in Schools and Early Childhood Development, Care and Education Centers by:

I. Improving nutrition standards and accountability for meeting those standards by designating the Florida Department of Health as the lead agency to develop a progress report on the status of nutrition in Florida. The Department must be provided with adequate staff and funding to carry out this function. The Department's report will cover the progress made towards improving the quality of nutrition for Florida's citizens. The Department will gather all of the necessary data and information from all state agencies that work directly with nutrition in Florida schools, early childhood development, care and education centers and workplaces. The report should be modeled on the Florida Healthy People 2010 Annual Program Report as required by Section 381.736(2), Florida Statutes, in order to set standards, performance measures and indicators of progress.

There was little discussion regarding this recommendation. Some council members stated that this recommendation addressed some of their concerns about accountability.

Dr. Schaechter called a ten-minute recess at 10:15 am.

Recess

Dr. Schaechter called the meeting back to order at 10:25 am.

She read Health and Nutrition II(A-F)

II. Improve State Data Collection and Monitoring of the Obesity Epidemic by:

A. *Using the outcome of the Florida Department of Health's Florida County Survey on Student Height, Weight and Body Mass Index Screening to determine effective ways to collect data state-wide.*

B. *Adopting a standardized Body Mass Index procedure for grades 1, 3 and 6, pursuant to Section 381.0056, Florida Statutes, and specified in Rule 64F-6.003, Florida Administrative Code, by granting rulemaking authority to the Florida Department of Health.*

C. *Adopting the standardized Body Mass Index procedure used for grades 1, 3 and 6 and transitioning recommended collection of Body Mass Index for 9th grade from a recommendation to a requirement.*

D. *Evaluating and resolving any impediments to authorizing the Florida Department of Health to obtain and evaluate the Body Mass Index reports on a school by school basis. This may include seeking amendments to federal laws protecting the privacy of school records.*

E. *Supporting schools in reporting Body Mass Index results to parents by developing a report for Body Mass Index similar to the Standardized Testing and Reporting Program (STAR) developed by the California Board of Education. The report should be approved by a diverse focus group that includes multiple ethnic groups, different age groups and groups of varying economic and health status. This report should be designed to assist parents in evaluating their child's health risks.*

The council discussed CDC activities in the area of BMI collection. There were questions about the proposed grades for BMI collection. The group also discussed the mechanisms for sharing BMI results with parents and whether or not the practice would receive pushback

Health and Nutrition II(A-F) were approved by consensus.

Dr. Schaechter read Health and Nutrition II(F):

II. Improve State Data Collection and Monitoring of the Obesity Epidemic by:

F. *Adding obesity to the list of reportable conditions or diseases to the Florida Department of Health by drafting legislation similar to the Control of Sexually Transmissible Disease Act, Section 384.25, Florida Statutes, and the Tuberculosis Control Act, Section 392.53, Florida Statutes. Reports for adults should include adults with a Body Mass Index over 30. Reports for children and adolescents should include those whose Body Mass Index-for-age percentile is equal to or greater than the 95th percentile, using the Center for Disease Control's Body Mass Index-for-age growth charts. The legislation must identify who is required to report obesity and provide administrative support and funding for reporting individuals or entities.*

The goals for this recommendation were discussed as well as the definitions of overweight and obesity. The group noted potential implications for the Americans with Disabilities Act and possible premium increases resulting from the adoption of this recommendation.

The council directed the Department of Health staff to verify the definitions for obesity using Centers for Disease Control and Prevention (CDC) standards and make sure that this recommendation accurately reflected those standards.

Health and Nutrition II(F) was approved by consensus on the contingency that the definitions for obesity match CDC standards.

Dr. Schaechter read III(A)

III. *Improve the Health of Floridians by:*

- A. *Creating a Healthier Floridians Challenge Certification and Recognition Program that will acknowledge alterations, enhancements, innovation and improvements that are likely to improve the health and fitness of Florida citizens, whether these advances in promoting a healthier Florida occur in schools, early childhood development, care and education centers, businesses, other workplaces or in communities.*

There was no discussion on this recommendation. Health and Nutrition III(A) was approved by consensus.

Dr. Schaechter read III(B)

III. *Improve the Health of Floridians by:*

- B. *Amending Chapters 220 and 624, Florida Statutes, to create an employee fitness tax credit that may be applied against a taxpayer's corporate income tax liability, and in the case of an insurer, against the insurance premium tax liability. A taxpayer may receive a tax credit equal to 10 percent of:*
1. *The cost of equipping and operation an employee fitness facility;*
 2. *The cost of sponsoring an amateur athletic team; and*
 3. *The cost of subsidizing an employee's membership to a health studio.*
- A taxpayer may receive a tax credit equal to 50% of the cost of employing a qualified person or organization to provide physical fitness or health instruction to all interested employees. Credits authorized may not exceed 50 percent of an employer's corporate income tax or insurance premium tax due in any taxable year and cannot exceed \$50 per employee. Unused tax credits may be carried forward for 5 years.*

Some of the council members expressed concern that this would not provide any incentive for healthy people to stay healthy. Ms. Young provided the background and implementation of the fitness tax credit. The explanation satisfied the concerns that were expressed.

Health and Nutrition III(B) was approved by consensus.

Dr. Schaechter read Health and Nutrition IV(A-D).

IV. Support families in adopting health, nutrition and fitness habits by:

A. Expanding the nutrition education available to pregnant women through the Healthy Start Coalitions and through the Florida Department of Health's Office of Minority Health as well as through the Florida Special Supplemental Nutrition Program for Women, Infants and Children, to the extent authorized by federal law.

B. Expand benefits provided under the Florida Medicaid Program, the Florida KidCare Program and the private insurance industry by requiring insurance coverage for lactation consultations and medically necessary breast pumps to the extent that such expanded benefits are authorized by federal law.

C. Encourage private and public workplaces to provide appropriate space for nursing mothers to nurse their babies or to express breast milk.

D. Support the creation of a state-wide coalition, the purpose of which is to work with existing programs within the Florida Department of Health to enhance data collection regarding breast-feeding, recommend state initiatives to promote breast-feeding and to encourage hospital policies that support breastfeeding.

There was general discussion about the correlation between breastfeeding and healthy weight, insurance reimbursement and necessity of lactation consultations, and other efforts around the state to increase breastfeeding.

Health and Nutrition IV(A-D) was approved by consensus.

Dr. Schaechter read Health and Nutrition IV(E)

IV. Support families in adopting health, nutrition and fitness habits by:

E. Consider the nutritional value of foods that can be purchased with food stamps and draft an implementation plan to improve their nutritional quality. Plan should include the reduction or possible exclusion of foods and beverages with minimal nutritional value.

Phase 1 FY 08-09: Identify federal agencies and appropriate staff; initiate communication

Phase 2-4 FY 09-10 through 11-12: Ongoing communication, planning and support for federal implementation

Dr. Schaechter explained that individuals are allowed to purchase a wide variety of items with food stamps. Many of these items have minimal nutritional value.

Health and Nutrition IV(E) was approved by consensus.

V. *Improve nutrition for those who live, work and play in Florida:*

A. Investigate posting nutritional information for foods served in restaurants and fast food establishments, and, if posting is feasible, designate a state agency to monitor compliance with the posting requirement and the accuracy of the nutritional information. Provides funding and rulemaking authority for the designated state agency.

B. Identify qualified individuals to study the primary sources of trans fats and high fructose corn syrup in the diets of all individuals in Florida; identify feasible methods to reduce and eliminate trans fats and high fructose corn syrup and implement a course of action.

C. Establish an on-going dialog with governmental organizations that regulate food service in schools, and early childhood development, care and education centers, food distributors, institutional caterers, food wholesalers, retailers and manufacturers regarding the goal of eliminating foods and beverages that contain trans fats and high fructose corn syrup in meals served to children.

After discussion, the council directed the Department of Health to revise V(A-B). They requested that these recommendations be made more specific.

Health and Nutrition V(A-B) was not approved. The council will revisit these recommendations after the Department of Health has made the necessary edits.

Health and Nutrition V(C) was deleted because the council felt that this recommendation was redundant.

Public Testimony

Four individuals were present to provide public testimony to the council: Darlene Moppert, Ardith Clayton-Wright, Marla Banta, and Lori Dornbush.

After public testimony, the council moved forward with reviewing and approving the recommendations.

State Plan of Action Review and Approval Continued

Dr. Schaechter requested that Mr. Montford read the recommendations from his subcommittee. Mr. Montford read Education I(A).

I. Assuring continuity of state leadership by assuring that the Governor's Council on Physical Fitness continues to act under the authority of Executive Order or through legislation or that the Governor appoint or the legislature create a Task Force on Physical Fitness that will develop:

A. A report of the best practices for Florida Schools' physical education programs and recommendations for the amendment of Section 1003.455, Florida Statutes, to implement these best practices. The report and recommendations shall address implementation throughout Florida of minimum physical fitness education requirements for kindergarten through grade 5, grades 6 through 8, and grades 9 through 12 by amending Sections 1003.01(16) and 1003.455, Florida Statutes.

Phase 1 FY 08-09: Identify educators, physical fitness experts and health care providers to develop best practice standards for physical fitness in Florida's schools; provide funding for administrative support, data collection, research and analysis; submit the resulting report to the Department of Education, the Governor and the Florida legislature.

Phase 2 FY 09-10: Enact legislation to and implement best practices, provide funding and rulemaking authority.

Phase 3 FY 10-11: Implement and provide adequate funding along with amendments authorizing changes to the curriculum or an increase in the hours of a school day to enable school districts to require 225 minutes of physical education per week for grades 6 through 8 by the 2010 school year.

Phase 4 FY 11-12: Implement and provide adequate funding along with amendments authorizing changes to the curriculum or an increase in the hours of a school day to enable school districts to require 225 minutes of physical education per week for grades 9 through 12 by the 2012 school year.

There was discussion on the purpose of the Task Force on Physical Fitness. The group decided to strike the language about the task force. Dr. Dowd informed the members that best practices and standards were already in place with National Association for Sport and Physical Education. The group decided to use the national best practices and standards and eliminate the first line of Phase 1. There was discussion on the time in the school day and requirements that students currently have. The council debated whether the recommendation should be 225 minutes per week or 45 minutes per day. The majority of the council felt the schools needed flexibility to implement any mandate so they should be given 225 minutes per week.

The council had a working lunch.

Dr. Schaechter asked Mr. Montford to read I(B).

B. A method to determine compliance with physical fitness education requirements throughout Florida's public schools through reports to the Department of Education.

Phase 1 FY 08-09: Enact legislation necessary to require reports of each school district's adherence to physical fitness requirements, provide funding and rulemaking authority.

Phase 2 FY 09-10: Implement rules for standardized reporting of adherence to physical fitness requirements.

Phase 3 FY 10-11: Collect and review reports regarding grades 6 through 8 for the 2010 school year.

Phase 4 FY 11-12: Collect and review reports regarding grades 9 through 12 for the 2011 school year.

After discussion, the council agreed to delete section B.

Mr. Montford read section I(C).

C. Methods by which individual public schools or school districts can enter into public and private partnerships to provide physical fitness programs outside school hours to students, their families and other members of the community. Such recommendations must assess liability for personal injury or property damage and recommend a method or methods to protect schools from unnecessary risk while assuring the safety and legal rights of participants in the physical fitness programs.

Phase 1 FY 08-09: Collect information from school districts throughout the state regarding the physical fitness facilities available and the times these facilities could be made available to the public; invite comment regarding liability concerns and suggested solutions from legal counsel from each school district.

Phase 2 FY 09-10: Enact legislation to authorize use of public school facilities for physical fitness programs available to the public; provide funded liability insurance to participating school districts or provide another workable solution to potential liability.

Phase 3 FY 10-11: Publicize and coordinate programs based in public schools outside school hours and provide for reporting public participation in these programs.

The council discussed including charter schools and community colleges being made publicly available. There was also discussion to address cost funding issues such as maintenance and liabilities.

The council reached a consensus on I(C) including the discussion items.

Mr. Montford read II(A and B).

II. Initiating a "Healthy Lifestyle School" designation for public and private schools throughout Florida that will:

A. *Establish standards for obtaining the "Healthy Lifestyle School" designation. The standards should quantify the facilities, equipment, student access and staffing for physical fitness activities as well as the nutritional value of foods available to students and staff required to obtain the designation. The best practices standards should be phased in to allow schools to invest resources in improvements over time. Standards for the designation may be different for existing schools and those constructed after the standards are established.*

Phase 1 FY 08-09: Collect information from school districts throughout the state regarding current physical fitness facilities, equipment, staff, school resources and nutritional information; develop best practices standards in collaboration with state and local educators and other experts in the field of school-based fitness programs
Phase 2 FY 09-10: Establish standards for obtaining the "Healthy Lifestyles School" designation that can be reasonably achieved by existing schools within a reasonable period if funding is made available; establish best practices standards for existing and new schools; establish a schedule under which existing and new schools can continue to receive the "Healthy Lifestyles School" designation so long as the scheduled improvements leading to best practices continue in accordance with the schedule.

B. *Establish methods of determining the physical fitness of students in every Florida school and evaluate and identify a valid and reliable testing mechanism to recognize progress made each year by individual students and the school as a whole. This should be a component of the "Healthy Lifestyle School" designation or a separate evaluation and award process. The assessment may include aerobic condition, muscular development and Body Mass Index. The assessment is intended to assist students to improve their life-long health outlook, not to further alienate children who could most benefit from a more active lifestyle.*

Phase 1 FY 08-09: Identify educators, physical fitness experts and health care providers to develop standards to evaluate student, teacher and staff fitness; provide funding and administrative support for data collection, research and analysis.

Phase 2 FY 09-10: Establish standards determining fitness levels for students, teachers and staff; collaborate with school districts to obtain support for the standards.

Phase 3 FY 10-11: Enact legislation to authorize and fund implementation of the plan to evaluate student, teacher and staff fitness, to report results, initiate fitness programs and provide yearly re-evaluation of fitness levels at each school; the legislation should address privacy concerns.

Phase 4 FY 11-12: Publicize and coordinate assistance to schools actively seeking to improve the fitness levels of the students, teachers and staff.

There was group discussion on the testing. Dr. Dowd informed the committee that in II(B) Phase 1 there are already standards in place and a valid and reliable testing mechanism should be used. There was a discussion on whether to include teachers as well as students for testing. It was suggested to make it a mandate for students and encourage teachers. A consensus was reached for II A and II B will be revisited on the conference call.

Mr. Montford read III(A).

III. Evaluating the curriculum in Elementary, Middle and High Schools to determine:

A. The actual time in each school week necessary for each grade grouping (PreK through 2, 3 through 5, 6 through 8 and 9 through 12) to teach the knowledge and skills required by the Sunshine State Standards for language arts, mathematics, science, social studies, foreign languages, the arts and health and physical education. The evaluation should include the feasibility of requiring 225 minutes of health and physical education training. The evaluation should also include the feasibility of incorporating physical fitness, nutrition and wellness information into academic course requirements. (Examples: calculation of the Body Mass Index and calories burned through different exercises in elementary school math; the genetics that predispose individuals and groups of individuals to obesity, high blood pressure and heart disease and the effect of exercise on these populations in middle school science classes; the economics of health care and the cost of unhealthy lifestyles in middle school social studies and high school economics.) The evaluation must also include recommended changes to assure that students are able to meet requirements while meeting the increased physical fitness course requirements.

Phase 1 FY 08-09: Create a workgroup within the Florida Department of Education incorporating educators and other related professionals throughout the state to establish a detailed plan for the evaluation, including the materials that must be reviewed and the experts consulted.

Phase 2 FY 09-10: Designate the individuals or groups that will conduct the evaluation; begin the evaluation.

Phase 3 FY 10-11: Complete the evaluation and make recommendations for legislation necessary to allow schools to meet academic and fitness standards for students of all ages.

Phase 4 FY 11-12: Enact legislation to implement the recommendations, provided funding and rulemaking authority.

Ms. Berfield provided clarification on the task explaining the goal was to see what the current requirements are compared with what would like to be seen. It was discussed to have a glossary of terms and to include physical education and physical fitness.

The council approved by consensus recommendation III.

Mr. Montford read section IV.

IV. Providing opportunities and incentives for Florida's Elementary, Middle and High School teachers and staff to receive in-service training and other opportunities for Professional development relating to health lifestyles based on the National Standards for Physical Education and National Standards for Physical Education Teacher Preparation by:

Phase 1 FY 08-09: Develop courses intended to be presented as in-service training on nutrition, physical fitness and health care management; include teachers as stakeholders in the "Healthy Floridian's Month" summit conference.

Phase 2 FY 09-10: Develop courses for teacher and staff professional development and allow time from teaching activities to attend courses outside the school.

Phase 3 FY 10-11: Compile reports from school boards and school districts regarding the hours of in-service and other professional development courses completed by teachers and staff.

Mr. Montford informed the council of the costs involved with providing in-service.

The council reached a consensus on recommendation IV.

Mr. Montford read section V.

V. Evaluate and strengthen Florida's Colleges of Education in their preparation of teachers to provide physical fitness training to Florida's Elementary, Middle and High School Students.

Phase 1 FY 08-09: Create a workgroup within the Florida Department of Education incorporating educators and other related professionals throughout the state to evaluate the current standards of teacher training in the subject area of health and physical education. The workgroup should evaluate the standards for certification for early and middle physical education and early adolescence through young adulthood physical education developed by the National Board for Professional Teaching Standards; provide funding for this workgroup.

Phase 2 FY 09-10: Provide a workgroup report to the Governor and the Florida legislature that: addresses the current status of education for health and physical education teachers in Florida; recommends for improvements in the standards for teachers; recommends incentives for college students to enter the fields of health and physical education for Elementary, Middle and High School; recommends effective recruitment programs that will support enrollment in Florida's colleges of education

for physical education teachers; identifies any obstacles to assuring that Florida's teachers of health and physical education meet national standards and are able to adapt to the fitness needs of 21st century students.

Phase 3 FY 09-10: Enact legislation to adopt standards of excellence in the education of our health and physical fitness teachers, promote and provide incentives for Florida's colleges and universities to meet these higher standards and provide funding and rulemaking authority.

Dr. Dowd clarified that it should read “provide physical education training.”

There was consensus on recommendation V with the approved changes.

Mr. Montford read section VI.

VI. Each school district shall create a physical fitness and sports advisory panel to the School Health Advisory Council (SHAC) or the wellness committee.

Phase 1 FY 08-09: Identify educators, fitness professionals, community leaders and parent groups most interested in working with the school district's School Health Advisory Council; appoint members to the panel; establish the procedure for appointment and for recruiting members

Phase 2 FY 09-10: Provide annual reports to the Department of Education regarding the activity of the physical fitness and sports advisory panel, its role in the School Health Advisory Council, and any improvements or initiatives sought by the panel in during the school year.

There was consensus on recommendation VI.

Dr. Schaechter asked Dr. Richardson to read the Active Lifestyles recommendations. Dr. Richardson read section I(A-G).

I. Improve Public Awareness of the Benefits of an Active Lifestyle by:

A. Designating February of each year as "Healthy Floridians Month" to promote physical fitness through increased public awareness of the need for an active lifestyle. "Healthy Floridians Month" will require legislation to fund a state-agency coordinated state-wide advertising campaign. The campaign will use public and private partnerships to create and promote activities throughout the state during February. The campaign will provide written materials to support these activities and provide concrete information to multiple segments of Florida's citizens regarding active lifestyles.

Phase 1 FY 08-09: Enact legislation to develop and launch the campaign, provide funding and rulemaking authority

Phase 2 FY 09-10: Develop the public awareness campaign to align with existing public and private health initiatives

B. Introducing "Healthy Floridians Month" through a large-scale media event that includes private and public stakeholders in Floridians' health, including government, individual and corporate leaders. Such leaders should come from fitness businesses, such as gyms and health clubs, fitness equipment manufacturers, retail sales outlets, weight loss programs using best practices for lifetime weight management, health care providers, health care coalitions and advocates, county health departments, insurance providers, community leaders, church leaders, children's advocates, senior citizen advocates, and disabled citizen advocates. The event will showcase collaborations and partnerships that have been forged to offer specific solutions to the public to increase physical activity and personal commitment to self care. The event will also reflect collaborations and partnerships with existing fitness-related promotions such as Step Up, Florida, Greenways and Trails Month, and Safe Routes to School. February should be showcased as a time that identified businesses and organizations will provide free or discounted fitness related activities, from health club memberships to outdoor activities such as guided hikes, nature walks, canoeing, skating, as well as weight loss or health assessment clinics and other year-round fitness-related opportunities.

Phase 1 FY 08-09: Host a summit conference for key stakeholders; develop campaign and campaign materials; develop a speakers bureau of experts in the fields of fitness, healthy lifestyles, health management, lifestyle coaching and community improvements that promote healthy lifestyles

Phase 2 FY 09-10: Hold a major media event followed by statewide activities and informational opportunities throughout the state during February

C. Enacting legislation necessary to authorize partnerships between the public and private sectors to implement the public awareness campaign that includes activities, events and promotions, provide funding and rulemaking authority.

Phase 1 FY 08-09: Determine what legislative and rule changes are necessary to implement specific partnerships, programs, campaigns, events and activities

Phase 2 FY 09-10: Enact legislation, provide funding and rulemaking authority

D. Expanding the "Healthy Floridians" website to include recognition of individuals, communities, businesses and programs that are enhancing and encouraging active lifestyles for Floridians. The website expansion should include information about the progress being made in planning and implementing "Healthy Floridians Month." Information provided should also include resources and links to resources for pro-active personal health management, including but not limited to materials developed for use by the "Healthy Floridians Month" speaker's bureau. Speaker's bureau material should include information on disease and disease processes along with information related to prevention, treatment, and management of diseases and

medical conditions as well as suggestions for forging positive partnerships with a patient's health care professionals.

Phase 1 FY 08-09: Review the website and determine the cost and expertise necessary for website expansion and for routine updating; provide funding.

Phase 2 FY 09-10: Complete expansion of the website and set intervals for routine website updates; provide funding.

E. Improving opportunities in existing communities and in planning for new construction that will increase Floridians' ability to walk or bicycle to work and other essential activities as well as providing opportunities for active recreational activities. This would include encouraging state agencies, counties and cities to identify and implement best practices for community development and renewal as well as assuring effective implementation of existing provisions relating to bike lanes, roadways, green spaces and handicapped access. Permits for projects that incorporate best practices for developing healthy lifestyle communities should be expedited.

Phase 1 FY 08-09: Establish best practices for healthy lifestyle opportunities in community planning and renewal; determine what legislative and rule changes are necessary to include these best practices in state and local growth management and comprehensive plans.

Phase 2 FY 09-10: Enact legislation, provide funding and rulemaking authority.

F. Reviewing and enforcing policies relating to retrofitting road projects to assure compliance with current law relating to bike lanes, sidewalks and accessibility for those with disabilities.

Phase 1 FY 08-09: Enact legislation requiring each agency to annually review and report on its implementation of existing requirements; provide funding and rulemaking authority.

Phase 2 FY 09-10: Review annual reports

G. Encouraging state and local government, public schools, universities and community colleges to open all recreational and exercise facilities or land areas that are suitable for physical activity to members of the public at reasonable times and during reasonable hours. Provide legislative support for this public access through risk assessment and liability management, including providing liability coverage through mechanisms similar to the state agency volunteer program authorized by Part IV of Chapter 110, Florida Statutes, the Florida Volunteer Protection Act authorized in Section 768.1355, Florida Statutes, and the provisions of Section 260.0125, Florida Statutes, relating to limitations of liability for landowners participating in the statewide system of greenways and trails.

Phase 1 FY 08-09: Identify publicly owned recreational and exercise facilities and land areas suitable for physical activity that are not currently open to the public at large. Seek support from the public entities for open public use and obtain recommendations for needed legislation to allow reasonable public access.

Phase 2 FY 09-10: Pass legislation that will allow open public access to these publicly owned resources while providing risk assessment and liability management.

There was brief discussion on the Active Lifestyles recommendations.

Active Lifestyles I(A-G) was approved by consensus.

Due to time constraints the council decided to postpone discussion regarding marketing the plan to the conference call scheduled on November 20.

Ms. Timmann read a letter from Governor Crist to the council.

Dr. Schaechter adjourned the meeting at 2:05 PM.