

### Fiscal Estimate - 2009 Session

Original     
  Updated     
  Corrected     
  Supplemental

<b>LRB Number</b> <b>09s0253/2</b>	<b>Introduction Number</b> <b>ASA2-AB620</b>
<b>Description</b> Physical fitness assessments, school nutrition, and granting rule-making authority	
<b>Fiscal Effect</b>	
<b>State:</b>	
<input type="checkbox"/> No State Fiscal Effect <input checked="" type="checkbox"/> Indeterminate <div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> <input type="checkbox"/> Increase Existing Appropriations  <input type="checkbox"/> Decrease Existing Appropriations  <input type="checkbox"/> Create New Appropriations                 </div> <div style="width: 30%;"> <input type="checkbox"/> Increase Existing Revenues  <input type="checkbox"/> Decrease Existing Revenues                 </div> <div style="width: 30%;"> <input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget  <input type="checkbox"/> Yes      <input type="checkbox"/> No  <input type="checkbox"/> Decrease Costs                 </div> </div>	
<b>Local:</b>	
<input type="checkbox"/> No Local Government Costs <input checked="" type="checkbox"/> Indeterminate	
1. <input type="checkbox"/> Increase Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 2. <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	3. <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory
<b>5. Types of Local Government Units Affected</b> <input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities <input type="checkbox"/> Counties <input type="checkbox"/> Others <input checked="" type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts	
<b>Fund Sources Affected</b>	
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS	
<b>Affected Ch. 20 Appropriations</b>	
<b>Agency/Prepared By</b>	
DPI/ Lori Slauson (608) 267-9127	
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<b>Date</b>	
2/10/2010	

## Fiscal Estimate Narratives

DPI 2/10/2010

LRB Number <b>09s0253/2</b>	Introduction Number <b>ASA2-AB620</b>	Estimate Type <b>Supplemental</b>
<b>Description</b> Physical fitness assessments, school nutrition, and granting rule-making authority		

### Assumptions Used in Arriving at Fiscal Estimate

This bill is comprised of two components, assessment of physical fitness and school nutrition.

#### Physical fitness:

The bill directs public, charter, and private schools to ensure that the physical fitness of pupils in grades 3 to 8 is assessed annually and the physical fitness of each pupil enrolled in the high school grades is assessed at least once in each of 3 different school years. The assessment must include an evaluation of the aerobic capacity of each pupil. These schools are not required to assess pupils who have a disability or other condition as specified by DPI administrative rules. The results must be kept confidential but schools are required to send results to DPI and provide an individual child's results to the child and to their parent or guardian.

The DPI and the University of Wisconsin (UW) received a three-year grant, which ends in July 2010, to support the administration of a FitnessGram physical fitness test in middle schools that volunteer to participate. The FitnessGram is a software program which is comprised of four tests, including the Progressive Aerobic Cardiovascular Endurance Run (PACER) that is designed to measure aerobic capacity. The FitnessGram physical fitness test should meet the assessment requirements under this bill.

The department has distributed the FitnessGram software to approximately 150 school districts statewide, including Milwaukee Public Schools. Remaining public, charter, and private schools may get this software free from the department, if certain conditions are met and funds remain, until the grant ends in July 2010. After that date, the software would be available to schools for approximately \$300 per school building.

The FitnessGram software would likely be an assessment tool used as part of a physical education curriculum provided by the school and administered by the physical education teacher. Therefore, there should be no additional costs associated with administering the fitness test.

Finally, public, charter and private schools will have costs associated with reporting the fitness test results to the department, to the child and to the child's parent or guardian. These costs are indeterminate.

DPI will incur costs associated with developing the administrative rule exempting some pupils from having to take the physical fitness test. These costs will be absorbed by the department.

#### School nutrition:

The bill directs public, charter, and private schools to establish strict nutritional requirements for food or beverages sold from vending machines on school grounds during school hours. Beginning 30 minutes after the end of the school day and until the school is closed for the night, candy and soda beverages may be sold by a public, charter or private school or vendor at school or on school grounds and soda water beverages that contain at least 10 percent natural fruit or vegetable juice may be sold from vending machines located at school or on school grounds. In addition, the schools must ensure that all food sold at school or on school grounds (with the exception of food distributed under the school breakfast, lunch and milk programs) on a school day satisfies certain minimum nutritional standards.

Although the bill does not require the department to monitor schools in meeting the nutritional requirements under the bill, it is assumed if there are any complaints, the department will need to investigate. These costs are indeterminate, but could require additional staff.

Currently, federal guidelines do not apply to or limit the sale of a la carte or vending machine foods. However, the federal Child Nutrition Act is in the process of being reauthorized and it is highly likely that

through this reauthorization, the USDA will implement new regulations that establish national nutrition standards consistent with the Dietary Guidelines for Americans for goods and beverages sold outside of the school meals program. Once the Child Nutrition Act is reauthorized, this substitute amendment to AB 620 may conflict with the federal guidelines and could require future statutory changes or potentially risk federal nutrition program funding.

### **Long-Range Fiscal Implications**