

2565

2013-2014 Regular Sessions

I N A S S E M B L Y

January 16, 2013

Introduced by M. of A. ORTIZ, BOYLAND, CASTRO -- Multi-Sponsored by --
M. of A. RIVERA -- read once and referred to the Committee on Educa-
tion

AN ACT to amend the education law, in relation to students' body mass
index analyses

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-
BLY, DO ENACT AS FOLLOWS:

1 Section 1. The education law is amended by adding a new section 921 to
2 read as follows:
3 S 921. BODY MASS INDEX ANALYSIS AND REPORT. 1. SCHOOLS SHALL ANNUALLY
4 MEASURE THE HEIGHT AND WEIGHT OF EVERY PUPIL TO ANALYZE EACH PUPIL'S
5 BODY MASS INDEX PERCENTILE BY AGE AND USE THE RESULTS OF SUCH ANALYSIS
6 TO FURNISH A REPORT OR LETTER TO THE PUPIL'S PARENTS OR LEGAL GUARDIANS
7 CONTAINING THE PERCENTILE INFORMATION, AN EXPLANATION OF THE RESULTS,
8 GENERAL ADVICE ABOUT WHAT ACTIONS, IF NECESSARY, SHOULD BE TAKEN BY THE
9 PARENTS OR GUARDIANS AS A RESULT OF THE PUPIL'S BODY MASS INDEX, AND
10 RESOURCE INFORMATION FOR NUTRITION AND PHYSICAL ACTIVITY INFORMATION AND
11 SERVICES.
12 2. THE COMMISSIONER, IN COOPERATION WITH THE COMMISSIONER OF HEALTH
13 SHALL DEVELOP REGULATIONS FOR THE MEASUREMENT, ANALYSIS, AND REPORTING
14 OF PUPILS BODY MASS INDEX, INCLUDING BUT NOT LIMITED TO, PROTECTING THE
15 CONFIDENTIALITY OF THE PUPIL AND THEIR PARENTS OR LEGAL GUARDIANS,
16 PROVIDED HOWEVER, THAT THE AGGREGATE OF BODY MASS INDEX ANALYSIS FOR AN
17 ENTIRE SCHOOL OR SCHOOL DISTRICT POPULATION SHALL BE MADE AVAILABLE TO
18 THE PUBLIC ON AN ANNUAL BASIS.
19 S 2. This act shall take effect on the one hundred eightieth day after
20 it shall have become a law; provided, however, that effective immediate-
21 ly the amendment, addition, and/or repeal of any regulation necessary
22 for the timely implementation of this act on its effective date is
23 authorized and directed to be made on or before such effective date.

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets
[] is old law to be omitted.

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