

1 STATE OF OKLAHOMA

2 1st Session of the 51st Legislature (2007)

3 COMMITTEE SUBSTITUTE

4 FOR

5 HOUSE BILL NO. 1601

6 By: Hickman

7 COMMITTEE SUBSTITUTE

8 An Act relating to schools; amending Section 1,
9 Chapter 29, O.S.L. 2005 (70 O.S. Supp. 2006, Section
10 11-103.9), which relates to physical education
11 programs; clarifying statutory language; prohibiting
12 recess to count towards the physical education
13 requirements; directing the State Board of Education
14 to encourage school districts to provide physical
15 activity options to students; requiring school
16 districts to provide a physical activity report to
17 parents and guardians; specifying contents of the
18 report; creating the Fit Kids Physical Education Task
19 Force; providing for membership; providing for
20 vacancies, quorum, cochairs, meetings, staffing, and
21 travel reimbursement; stating duties of the task
22 force; requiring the task force to file a report by
23 certain date; providing for noncodification;
24 providing an effective date; and declaring an
emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY Section 1, Chapter 29, O.S.L. 2005

(70 O.S. Supp. 2006, Section 11-103.9), is amended to read as

follows:

1 Section 11-103.9 A. Beginning with the 2006-2007 school year,
2 the State Board of Education shall require, as a condition of
3 accreditation, that school districts provide to all students
4 physical education programs which may include athletics.

5 B. Beginning with the 2006-2007 school year, the ~~State Board of~~
6 ~~Education~~ shall require, as a condition of accreditation, that
7 public elementary schools provide instruction, for students in full-
8 day kindergarten and grades one through five, in physical education
9 or exercise programs with an instructor for a minimum of an average
10 of sixty (60) minutes each week. The time students participate in
11 recess shall not be counted toward the sixty minutes per week
12 physical education requirement.

13 C. The ~~State Board of Education~~ shall disseminate information
14 to each school district on the benefits of physical education
15 programs and shall strongly encourage districts to provide physical
16 education instruction to students in grades six through twelve. The
17 Board shall also strongly encourage school districts to incorporate
18 physical activity into the school day by providing to students in
19 full-day kindergarten and grades one through five at least a twenty-
20 minute daily recess, which shall be in addition to the sixty (60)
21 minutes of required physical education, and by allowing all students
22 brief physical activity breaks throughout the day, physical activity
23 clubs, and special events.

1 D. School districts shall provide to parents or guardians of
2 students a physical activity report. The report shall be provided
3 to parents and guardians at least annually and shall include:

4 1. A summary on how physical activity is being incorporated
5 into the school day;

6 2. A summary of the types of physical activities the students
7 are exposed to in the physical education programs;

8 3. Suggestions on monitoring the physical activity progress of
9 a child and how to encourage regular participation in physical
10 activity; and

11 4. Information on the benefits of physical education and
12 physical activity.

13 E. Instruction in physical education required in this section
14 shall be aligned with the Priority Academic Student Skills as
15 adopted by the ~~State Board of Education~~.

16 ~~E.~~ F. The ~~State Board of Education~~ shall adopt rules to
17 implement the provisions of this section.

18 SECTION 2. NEW LAW A new section of law not to be
19 codified in the Oklahoma Statutes reads as follows:

20 A. There is hereby created, to continue until December 31,
21 2007, the Fit Kids Physical Education Task Force.

22 B. The task force shall consist of twelve (12) members as
23 follows:

1 1. The Speaker of the House of Representatives shall appoint
2 five members as follows:

- 3 a. two members of the Oklahoma House of Representatives,
- 4 b. one member who is a physical education teacher in a
5 public school in the state,
- 6 c. one member who is a certified employee of a public
7 school in the state with experience or knowledge in
8 the area of family and consumer sciences, and
- 9 d. one member who represents a statewide children's
10 health organization;

11 2. The President Pro Tempore of the Senate shall appoint five
12 members as follows:

- 13 a. two members of the State Senate,
- 14 b. one member who is a physical education teacher in a
15 public school in the state,
- 16 c. one member who is a representative of a statewide
17 parent-teacher organization, and
- 18 d. a representative of the State Department of Education
19 Health, Safety and Physical Education section;

20 3. The State Superintendent of Public Instruction or a
21 designee; and

22 4. The State Director of the Oklahoma Department of Career and
23 Technology Education.
24

1 C. 1. Members shall serve at the pleasure of their appointing
2 authorities. A vacancy on the task force shall be filled by the
3 original appointing authority.

4 2. Appointments to the task force shall be made upon the
5 effective date of this act.

6 3. A majority of the members of the task force shall constitute
7 a quorum. A majority of the members present at a meeting may act
8 for the task force.

9 4. The President Pro Tempore of the Senate and the Speaker of
10 the House of Representatives shall each designate a cochair from
11 among the members of the task force.

12 5. The cochairs of the task force shall convene the meetings of
13 the task force and shall determine a schedule of meetings.

14 D. 1. Staff of the State Department of Education shall serve
15 as primary resource staff for the task force.

16 2. The task force may use the expertise and services of the
17 staffs of the State Senate and the Oklahoma House of Representatives
18 and may, as necessary, seek the advice and services of experts in
19 the field as well as other necessary professional and clerical
20 staff.

21 E. All departments, officers, agencies, and employees of this
22 state shall cooperate with the task force in fulfilling its duties
23 and responsibilities including, but not limited to, providing any
24 information, records, or reports requested by the task force.

1 F. Members of the task force shall receive no compensation for
2 their service, but shall receive travel reimbursement as follows:

3 1. Legislative members of the task force shall be reimbursed
4 for necessary travel expenses incurred in the performance of their
5 duties in accordance with the provisions of Section 456 of Title 74
6 of the Oklahoma Statutes; and

7 2. Nonlegislative members of the task force shall be reimbursed
8 by their appointing authorities or respective agencies for necessary
9 travel expenses incurred in the performance of their duties in
10 accordance with the State Travel Reimbursement Act.

11 G. It shall be the duty of the task force to formulate
12 recommendations related to physical education and physical activity
13 requirements for students in the public schools in Oklahoma.

14 H. The task force shall file a report of its recommendations,
15 including recommendations for any resulting legislation, with the
16 Governor, Speaker of the House of Representatives, and the President
17 Pro Tempore of the Senate by December 31, 2007.

18 SECTION 3. This act shall become effective July 1, 2007.

19 SECTION 4. It being immediately necessary for the preservation
20 of the public peace, health and safety, an emergency is hereby
21 declared to exist, by reason whereof this act shall take effect and
22 be in full force from and after its passage and approval.

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24 51-1-7514 KB 03/06/07