

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 SENATE BILL 1309

By: Sparks

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5
6 AS INTRODUCED

7 An Act relating to physical education in schools;
8 amending 70 O.S. 2011, Section 11-103.9, as amended
9 by Section 5, Chapter 430, O.S.L. 2014 (70 O.S. Supp.
10 2015, Section 11-103.9), which relates to physical
11 education programs; requiring that districts complete
12 certain self-assessments; adding requirements for
13 certain physical activity report; providing an
14 effective date; and declaring an emergency.

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

16 SECTION 1. AMENDATORY 70 O.S. 2011, Section 11-103.9, as
17 amended by Section 5, Chapter 430, O.S.L. 2014 (70 O.S. Supp. 2015,
18 Section 11-103.9), is amended to read as follows:

19 Section 11-103.9. A. Except as otherwise provided for in this
20 section, the State Board of Education shall require, as a condition
21 of accreditation, that school districts provide to all students
22 physical education programs which may include athletics.

23 B. The Board shall require, as a condition of accreditation,
24 that public elementary schools provide instruction, for students in
full-day kindergarten and grades one through five, in physical
education or exercise programs for a minimum of an average of sixty

1 (60) minutes each week. The time students participate in recess
2 shall not be counted toward the sixty-minutes-per-week physical
3 education requirement. Schools may exclude from participation in
4 the physical education or exercise programs required in this
5 subsection those students who have been placed into an in-house
6 suspension or detention class or placement or those students who are
7 under an in-school restriction or are subject to an administrative
8 disciplinary action.

9 C. The Board shall require, as a condition of accreditation,
10 that public elementary schools provide to students in full-day
11 kindergarten and grades one through five, in addition to the
12 requirements set forth in subsection B of this section, an average
13 of sixty (60) minutes each week of physical activity, which may
14 include, but not be limited to, physical education, exercise
15 programs, fitness breaks, recess, and classroom activities, and
16 wellness and nutrition education. Each school district board of
17 education shall determine the specific activities and means of
18 compliance with the provisions of this subsection, giving
19 consideration to the recommendations of each school's Healthy and
20 Fit School Advisory Committee as submitted to the school principal
21 pursuant to the provisions of Section 24-100a of this title.

22 D. The Board shall disseminate information to each school
23 district on the benefits of physical education programs and shall
24 strongly encourage districts to provide physical education

1 instruction to students in grades six through twelve. The Board
2 shall also strongly encourage school districts to incorporate
3 physical activity into the school day by providing to students in
4 full-day kindergarten and grades one through five at least a twenty-
5 minute daily recess, which shall be in addition to the sixty (60)
6 minutes of physical education as required by subsection B of this
7 section, and by allowing all students brief physical activity breaks
8 throughout the day, physical activity clubs, and special events.

9 E. School districts shall complete comprehensive self-
10 assessments on their physical education programs and best practices
11 for each physical education measure assessed and provide to parents
12 or guardians of students a physical activity report. The report
13 shall be provided to parents and guardians at least annually, be
14 made available to the public in an easy-to-access form on the State
15 Department of Education's website and shall include:

16 1. The amount of physical education offered in elementary,
17 middle and high schools by days, class period and minutes per week,
18 as well as the number of students enrolled in physical education
19 classes compared to the overall enrollment;

20 2. Whether physical education is a requirement for graduation;

21 3. Whether the school district is using a planned, kindergarten
22 through twelfth grade sequential physical education curriculum that
23 adheres to national and state standards for physical education and
24 whether the curriculum is systematically reviewed and updated;

1 4. How many of the district's physical education teachers are
2 licensed, certified or endorsed by an accredited teacher preparation
3 program to teach physical education as well as the number of
4 physical education teachers currently seeking licenses or
5 certifications and the progress of those candidates;

6 5. Whether physical education programs have appropriate
7 equipment and adequate facilities for students to engage in the
8 recommended amount and intensity of physical activity;

9 6. Whether modification or adaptations allow physical education
10 courses to meet the needs of students with disabilities, instead of
11 offering waivers to students with disabilities;

12 7. A summary on how physical activity is being incorporated
13 into the school day;

14 ~~2-8.~~ A summary of the types of physical activities the students
15 are exposed to in the physical education programs;

16 ~~3-9.~~ Suggestions on monitoring the physical activity progress
17 of a child and how to encourage regular participation in physical
18 activity; and

19 ~~4-10.~~ Information on the benefits of physical education and
20 physical activity.

21 F. Instruction in physical education required in this section
22 shall be aligned with the subject matter standards as adopted by the
23 Board.

1 G. The physical education curriculum shall be sequential,
2 developmentally appropriate, and designed, implemented, and
3 evaluated to enable students to develop the motor and self-
4 management skills and knowledge necessary to participate in physical
5 activity throughout life. Each school district shall establish
6 specific objectives and goals the district intends to accomplish
7 through the physical education curriculum.

8 H. In identifying the essential knowledge and skills, the State
9 Board of Education shall ensure that the subject matter standards
10 for physical education:

11 1. Emphasize the knowledge and skills capable of being used
12 during a lifetime of regular physical activity;

13 2. Are consistent with national physical education standards
14 for:

15 a. the information that students should learn about
16 physical activity, and

17 b. the physical activities that students should be able
18 to perform;

19 3. Require that, on a weekly basis, at least fifty percent
20 (50%) of the physical education class be used for actual student
21 physical activity and that the activity be, to the extent
22 practicable, at a moderate or vigorous level;

23 4. Offer students an opportunity to choose among many types of
24 physical activity in which to participate;

1 5. Offer students both cooperative and competitive games;

2 6. Meet the needs of students of all physical ability levels,
3 including students who have a disability, chronic health problem, or
4 other special need that precludes the student from participating in
5 regular physical education instruction but who might be able to
6 participate in physical education that is suitably adapted and, if
7 applicable, included in the student's individualized education
8 program;

9 7. Teach self-management and movement skills;

10 8. Teach cooperation, fair play, and responsible participation
11 in physical activity;

12 9. Promote student participation in physical activity outside
13 of school; and

14 10. Allow physical education classes to be an enjoyable
15 experience for students.

16 I. The Board shall adopt rules to implement the provisions of
17 this section.

18 SECTION 2. This act shall become effective July 1, 2016.

19 SECTION 3. 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 55-2-2096

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