

1 ENGROSSED SENATE
2 BILL NO. 36

By: Dossett of the Senate

3 and

4 Vancuren of the House
5

6 An Act relating to schools; amending 70 O.S. 2011,
7 Section 11-103.9, as amended by Section 5, Chapter
8 430, O.S.L. 2014 (70 O.S. Supp. 2018, Section 11-
9 103.9), which relates to physical education programs;
removing language requiring submission of certain
report; providing an effective date; and declaring an
emergency.

10
11
12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 1. AMENDATORY 70 O.S. 2011, Section 11-103.9, as
14 amended by Section 5, Chapter 430, O.S.L. 2014 (70 O.S. Supp. 2018,
15 Section 11-103.9), is amended to read as follows:

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

20 B. The Board shall require, as a condition of accreditation,
21 that public elementary schools provide instruction, for students in
22 full-day kindergarten and grades one through five, in physical
23 education or exercise programs for a minimum of an average of sixty
24 (60) minutes each week. The time students participate in recess

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

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

21 D. The Board shall disseminate information to each school
22 district on the benefits of physical education programs and shall
23 strongly encourage districts to provide physical education
24 instruction to students in grades six through twelve. The Board

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

8 ~~E. School districts shall provide to parents or guardians of~~
9 ~~students a physical activity report. The report shall be provided~~
10 ~~to parents and guardians at least annually and shall include:~~

11 ~~1. A summary on how physical activity is being incorporated~~
12 ~~into the school day;~~

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

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

18 ~~4. Information on the benefits of physical education and~~
19 ~~physical activity.~~

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

23 ~~G.~~ F. The physical education curriculum shall be sequential,
24 developmentally appropriate, and designed, implemented, and

1 evaluated to enable students to develop the motor and self-
2 management skills and knowledge necessary to participate in physical
3 activity throughout life. Each school district shall establish
4 specific objectives and goals the district intends to accomplish
5 through the physical education curriculum.

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

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

11 2. Are consistent with national physical education standards
12 for:

13 a. the information that students should learn about
14 physical activity, and

15 b. the physical activities that students should be able
16 to perform;

17 3. Require that, on a weekly basis, at least fifty percent
18 (50%) of the physical education class be used for actual student
19 physical activity and that the activity be, to the extent
20 practicable, at a moderate or vigorous level;

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

23 5. Offer students both cooperative and competitive games;
24

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

8 7. Teach self-management and movement skills;

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

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

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

15 ~~F.~~ H. The Board shall adopt rules to implement the provisions
16 of this section.

17 SECTION 2. This act shall become effective July 1, 2019.

18 SECTION 3. It being immediately necessary for the preservation
19 of the public peace, health or safety, an emergency is hereby
20 declared to exist, by reason whereof this act shall take effect and
21 be in full force from and after its passage and approval.

1 Passed the Senate the 20th day of February, 2019.

2
3 _____
4 Presiding Officer of the Senate

5 Passed the House of Representatives the ____ day of _____,
6 2019.

7
8 _____
9 Presiding Officer of the House
10 of Representatives