

An Act

ENROLLED SENATE
BILL NO. 36

By: Dossett of the Senate

and

Vancuren of the House

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

SUBJECT: Physical education programs in schools

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

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

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

B. The Board shall require, as a condition of accreditation, 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 (60) minutes each week. The time students participate in recess shall not be counted toward the sixty-minutes-per-week physical education requirement. Schools may exclude from participation in

the physical education or exercise programs required in this subsection those students who have been placed into an in-house suspension or detention class or placement or those students who are under an in-school restriction or are subject to an administrative disciplinary action.

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

D. The Board shall disseminate information to each school district on the benefits of physical education programs and shall strongly encourage districts to provide physical education instruction to students in grades six through twelve. The Board shall also strongly encourage school districts to incorporate physical activity into the school day by providing to students in full-day kindergarten and grades one through five at least a twenty-minute daily recess, which shall be in addition to the sixty (60) minutes of physical education as required by subsection B of this section, and by allowing all students brief physical activity breaks throughout the day, physical activity clubs, and special events.

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

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

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

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

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

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

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

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

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

2. Are consistent with national physical education standards for:

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

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

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

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

5. Offer students both cooperative and competitive games;

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

7. Teach self-management and movement skills;

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

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

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

~~I.~~ H. The Board shall adopt rules to implement the provisions of this section.

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

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

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

Presiding Officer of the Senate

Passed the House of Representatives the 8th day of April, 2019.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____