

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                               STATE OF OKLAHOMA

3                               1st Session of the 57th Legislature (2019)

4   ENGROSSED SENATE  
5   BILL NO. 36

By: Dossett of the Senate

and

Vancuren of the House

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9       An Act relating to schools; amending 70 O.S. 2011,  
10      Section 11-103.9, as amended by Section 5, Chapter  
11      430, O.S.L. 2014 (70 O.S. Supp. 2018, Section 11-  
12      103.9), which relates to physical education programs;  
13      removing language requiring submission of certain  
14      report; providing an effective date; and declaring an  
15      emergency.

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

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

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

24       B.   The Board shall require, as a condition of accreditation,  
25      that public elementary schools provide instruction, for students in

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

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

24

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

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

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

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

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

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

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

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

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

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

16           2. Are consistent with national physical education standards  
17 for:

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

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

22           3. Require that, on a weekly basis, at least fifty percent  
23 (50%) of the physical education class be used for actual student  
24

1 physical activity and that the activity be, to the extent  
2 practicable, at a moderate or vigorous level;

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

5 5. Offer students both cooperative and competitive games;

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

13 7. Teach self-management and movement skills;

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

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

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

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

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

23 SECTION 3. It being immediately necessary for the preservation  
24 of the public peace, health or safety, an emergency is hereby

1 declared to exist, by reason whereof this act shall take effect and  
2 be in full force from and after its passage and approval.  
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4 COMMITTEE REPORT BY: COMMITTEE ON COMMON EDUCATION, dated 03/27/2019  
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