

1 ENGROSSED HOUSE
2 BILL NO. 1938

By: Sterling of the House

3 and

4 Rader of the Senate

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7 [schools - school districts - annual fitness
8 assessment - grade levels for student participation
9 - methods - exceptions - State Department of
10 Education - assessment instrument - annual report -
11 student information - analysis of performance
12 results - funding - recognition program -
13 codification]
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16 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

17 SECTION 1. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 11-103.9c of Title 70, unless
19 there is created a duplication in numbering, reads as follows:

20 A. Beginning in the 2025-2026 school year, each school district
21 shall conduct an annual fitness assessment, as approved by the State
22 Board of Education, each school year for students in grades three
23 through twelve, to be conducted in a course that satisfies the
24 physical education program required pursuant to Section 11-103.9 of

1 Title 70 of the Oklahoma Statutes or during the school year where
2 the assessment can be administered by trained personnel, including,
3 but not limited to, school nurses, physical education and health
4 teachers, coaches and any other certified school employees. The
5 assessments shall include methods deemed by the Board as appropriate
6 to ascertain levels of student physical fitness and factors and
7 standards required in subsection B of this section. A school
8 district shall not be required to conduct the annual fitness
9 assessment for students with a disability or other condition that
10 requires an exemption as determined by the State Department of
11 Education.

12 B. The State Department of Education shall adopt an assessment
13 instrument to be used by all school districts in assessing student
14 physical fitness that includes standards accessible to districts
15 which adequately express the most current and widely accepted best
16 practices and benchmarks in the areas of student health and physical
17 education. The minimum required contents of the assessment shall
18 address the measurements and assessment instrument to be used by a
19 school district in assessing student physical fitness under this
20 section. The assessment instrument shall:

21 1. Be based on factors related to student health, including the
22 following factors that have been identified as essential to overall
23 health and function:

24 a. aerobic capacity,

1 b. body composition, and

2 c. muscular strength, endurance and flexibility or power;

3 and

4 2. Include criterion-referenced standards specific to a
5 student's age and gender, and be based on the physical fitness level
6 required for good health.

7 C. A school district shall annually report the results of each
8 student's performance on the physical fitness assessment required by
9 this section to the Board and the State Department of Health. The
10 results shall not contain the name of the student or the student's
11 Social Security number. The performance results provided to the
12 Board pursuant to this subsection may be used for assessing the
13 effectiveness of health programs and developing recommendations for
14 modifications to physical education and health and wellness programs
15 or related curriculum.

16 D. Not later than the last day of the school year, a school
17 district shall provide a parent or guardian with a copy of the
18 results of the physical fitness assessment of the parent's or
19 guardian's child. The results provided to a parent or guardian
20 under this subsection shall be clear, precise, and easy to
21 understand. A copy of the results shall be submitted to the
22 student's health insurance provider.

23 E. 1. The State Department of Education and the State
24 Department of Health shall analyze the performance results provided

1 pursuant to subsection C of this section and identify, for each
2 school district, any correlation between the results and the
3 following:

- 4 a. student obesity,
- 5 b. student attendance levels,
- 6 c. student academic achievement levels,
- 7 d. student disciplinary problems, and
- 8 e. school meal programs.

9 2. The State Department of Education may contract with a public
10 or private entity to conduct all or part of the analysis required in
11 paragraph 1 of this subsection. The State Department of Education's
12 efforts may be supported with state, federal or private funding, or
13 a combination thereof.

14 3. The State Department of Education shall submit a copy of
15 each school district's analysis required in paragraph 1 of this
16 subsection to the applicable district for its information and
17 review.

18 F. The State Board of Education shall submit an annual report
19 to the Governor, beginning October 1, 2026, and annually thereafter.
20 The report shall include the compliance status of each school
21 district. The Governor may, in coordination with the Board,
22 establish one or more recognition programs to acknowledge school
23 districts and schools which have most improved in their physical
24 fitness assessments. The Governor may collaborate with private

1 corporations in the development and implementation of recognition
2 programs pursuant to this subsection, including providing monetary
3 or other incentives to school districts or schools for attaining
4 certain levels of health status. All school districts or schools
5 receiving acknowledgment through a recognition program established
6 by the Governor pursuant to this subsection shall also be recognized
7 on the Board's website.

8 Passed the House of Representatives the 25th day of March, 2025.

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Presiding Officer of the House
of Representatives

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13 Passed the Senate the _____ day of _____, 2025.

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Presiding Officer of the Senate

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