

1 STATE OF OKLAHOMA

2 2nd Session of the 60th Legislature (2026)

3 SENATE BILL 2045

By: Pugh

6 AS INTRODUCED

7 An Act relating to schools; amending 70 O.S. 2021,
8 Section 11-103.9, which relates to physical education
9 program requirements; requiring certain schools to
provide students in certain grades certain amount of
10 daily recess as a condition of accreditation;
allowing daily recess to be broken into segments;
defining term; requiring daily recess to occur
11 outdoors when permitted; removing language
encouraging certain amount of recess in certain
12 grades; requiring certain subject matter standards to
address certain plan; updating statutory language;
providing an effective date; and declaring an
13 emergency.

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

17 SECTION 1. AMENDATORY 70 O.S. 2021, Section 11-103.9, is
18 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

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~~ in-
8 school suspension or detention class or placement or those students
9 who are under an in-school restriction or are subject to an
10 administrative 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.

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1 D. The Board shall require, as a condition of accreditation,
2 that public elementary schools provide to students in full-day pre-
3 kindergarten, full-day kindergarten, and grades one through five, in
4 addition to the requirements of subsections B and C of this section,
5 at least thirty (30) minutes of daily recess. The daily recess
6 required by this subsection may be broken up into segments to
7 accommodate each school district's instructional day. For the
8 purposes of this section, "daily recess" means a scheduled break or
9 breaks during the school day that allow students to engage in
10 unstructured free play or physical activity. Daily recess shall
11 occur outdoors when weather and other relevant conditions permit.

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

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

4 F. G. 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 G. H. 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

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 developed pursuant to the Individuals with Disabilities
13 Education Act (IDEA) or Section 504 Plan developed pursuant to the
14 Rehabilitation Act of 1973;

15 7. Teach self-management and movement skills;

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

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

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

22 H. I. The Board shall adopt promulgate rules to implement the
23 provisions of this section.

24 SECTION 2. This act shall become effective July 1, 2026.

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

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