

1 **SENATE FLOOR VERSION**

2 February 24, 2026

3 SENATE BILL NO. 2045

By: Stanley of the Senate

4 and

5 Lowe (Dick) of the House

6
7
8 An Act relating to schools; amending 70 O.S. 2021,
9 Section 11-103.9, which relates to physical education
10 program requirements; requiring certain schools to
11 provide students in certain grades certain amount of
12 daily recess as a condition of accreditation;
13 allowing daily recess to be broken into segments;
14 defining term; requiring daily recess to occur
15 outdoors when permitted; removing language
16 encouraging certain amount of recess in certain
17 grades; requiring certain subject matter standards to
18 address certain plan; updating statutory language;
19 providing an effective date; and declaring an
20 emergency.

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

22 SECTION 1. AMENDATORY 70 O.S. 2021, Section 11-103.9, is
23 amended to read as follows:

24 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.

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

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

1 Fit School Advisory Committee as submitted to the school principal
2 pursuant to the provisions of Section 24-100a of this title.

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

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

24

1 physical activity breaks throughout the day, physical activity
2 clubs, and special events.

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

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

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

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

18 2. Are consistent with national physical education standards
19 for:

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

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

24

1 3. Require that, on a weekly basis, at least fifty percent
2 (50%) of the physical education class be used for actual student
3 physical activity and that the activity be, to the extent
4 practicable, at a moderate or vigorous level;

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

7 5. Offer students both cooperative and competitive games;

8 6. Meet the needs of students of all physical ability levels,
9 including students who have a disability, chronic health problem, or
10 other special need that precludes the student from participating in
11 regular physical education instruction but who might be able to
12 participate in physical education that is suitably adapted and, if
13 applicable, included in the student's individualized education
14 program developed pursuant to the Individuals with Disabilities
15 Education Act (IDEA) or Section 504 Plan developed pursuant to the
16 Rehabilitation Act of 1973;

17 7. Teach self-management and movement skills;

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

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

22 10. Allow physical education classes to be an enjoyable
23 experience for students.
24

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

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

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

8 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION
9 February 24, 2026 - DO PASS

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24