

By Senator Campbell

32-1543-04

See HB

1 A bill to be entitled
2 An act relating to public school instruction;
3 amending s. 1003.42, F.S.; revising
4 requirements relating to instruction in
5 comprehensive health; providing physical
6 education requirements for students in
7 prekindergarten through grade 8; amending s.
8 1003.429, F.S.; requiring credit in personal
9 fitness and life management skills for students
10 selecting certain high school graduation
11 options; amending s. 1003.43, F.S.; increasing
12 physical education credit requirements for high
13 school graduation and specifying criteria for
14 satisfaction of such credit requirements;
15 creating s. 1003.455, F.S.; requiring district
16 school boards to ensure student participation
17 in physical education and specifying
18 requirements; requiring the Department of
19 Education to monitor school district
20 compliance; requiring corrective plans in
21 certain circumstances; requiring assessment of
22 physical performance and reporting of results;
23 providing for adaptations of requirements under
24 certain circumstances; providing an effective
25 date.

26
27 WHEREAS, the Legislature intends that all children from
28 prekindergarten through high school shall have access daily to
29 a high-quality, comprehensive, developmentally appropriate
30 physical education program, and
31

1 WHEREAS, required daily physical education enhances
2 learning and promotes healthy achievers, NOW, THEREFORE,
3
4 Be It Enacted by the Legislature of the State of Florida:

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6 Section 1. Paragraph (m) of subsection (2) of section
7 1003.42, Florida Statutes, is amended, and paragraph (s) is
8 added to that subsection, to read:

9 1003.42 Required instruction.--

10 (2) Members of the instructional staff of the public
11 schools, subject to the rules of the State Board of Education
12 and the district school board, shall teach efficiently and
13 faithfully, using the books and materials required, following
14 the prescribed courses of study, and employing approved
15 methods of instruction, the following:

16 (m) Comprehensive health education that addresses
17 concepts of community health; consumer health; environmental
18 health; family life, including an awareness of the benefits of
19 sexual abstinence as the expected standard and the
20 consequences of teenage pregnancy; mental and emotional
21 health; injury prevention and safety; nutrition; personal
22 health; prevention and control of disease; and substance use
23 and abuse. Beginning with the 2004-2005 school year, such
24 education shall be taught at each grade level, prekindergarten
25 through grade 8, for no less than one semester per year.

26 (s)1. Physical education at each grade level,
27 prekindergarten through grade 5, for a minimum of 30 minutes
28 daily, consisting of structured, moderate to vigorous physical
29 activity taught by a state-certified physical education
30 instructor, beginning with the 2004-2005 school year.

1 2. Physical education at each grade level, grade 6
2 through grade 8, for a minimum of 45 minutes daily, consisting
3 of structured, moderate to vigorous physical activity taught
4 by a state-certified physical education instructor, beginning
5 with the 2004-2005 school year.

6 Section 2. Subsection (1) of section 1003.429, Florida
7 Statutes, is amended to read:

8 1003.429 Accelerated high school graduation options.--

9 (1) Beginning with the 2003-2004 school year, all
10 students scheduled to graduate in 2004 and thereafter may
11 select one of the following three high school graduation
12 options:

13 (a) Completion of the general requirements for high
14 school graduation pursuant to s. 1003.43;

15 (b) Completion of a 3-year standard college
16 preparatory program requiring successful completion of a
17 minimum of 18 academic credits in grades 9 through 12. The 18
18 credits shall be primary requirements and shall be distributed
19 as follows:

20 1. Four credits in English, with major concentration
21 in composition and literature;

22 2. Three credits in mathematics at the Algebra I level
23 or higher from the list of courses that qualify for state
24 university admission;

25 3. Three credits in natural science, two of which must
26 have a laboratory component;

27 4. Three credits in social sciences;

28 5. Two credits in the same second language unless the
29 student is a native speaker of or can otherwise demonstrate
30 competency in a language other than English. If the student
31 demonstrates competency in another language, the student may

1 replace the language requirement with two credits in other
2 academic courses; and
3 6. Three credits in electives; or
4 (c) Completion of a 3-year career preparatory program
5 requiring successful completion of a minimum of 18 academic
6 credits in grades 9 through 12. The 18 credits shall be
7 primary requirements and shall be distributed as follows:
8 1. Four credits in English, with major concentration
9 in composition and literature;
10 2. Three credits in mathematics, one of which must be
11 Algebra I;
12 3. Three credits in natural science, two of which must
13 have a laboratory component;
14 4. Three credits in social sciences;
15 5. Two credits in the same second language unless the
16 student is a native speaker of or can otherwise demonstrate
17 competency in a language other than English. If the student
18 demonstrates competency in another language, the student may
19 replace the language requirement with two credits in other
20 academic courses; and
21 6. Three credits in electives.

22
23 Beginning with students entering the 9th grade in the
24 2004-2005 school year and thereafter, a student selecting a
25 graduation option listed in paragraph (b) or paragraph (c)
26 shall be required to take one credit in personal fitness and
27 life management skills in place of one of the elective
28 credits.

29 Section 3. Paragraphs (j) and (k) of subsection (1)
30 and paragraph (a) of subsection (6) of section 1003.43,
31 Florida Statutes, are amended to read:

1 1003.43 General requirements for high school
2 graduation.--

3 (1) Graduation requires successful completion of
4 either a minimum of 24 academic credits in grades 9 through 12
5 or an International Baccalaureate curriculum. The 24 credits
6 shall be distributed as follows:

7 (j)1. One credit in physical education to include
8 assessment, improvement, and maintenance of personal fitness.
9 Participation in an interscholastic sport at the junior
10 varsity or varsity level, for two full seasons, shall satisfy
11 the one-credit requirement in physical education if the
12 student passes a competency test on personal fitness with a
13 score of "C" or better. The competency test on personal
14 fitness must be developed by the Department of Education. A
15 district school board may not require that the one credit in
16 physical education be taken during the 9th grade year.
17 Completion of one semester with a grade of "C" or better in a
18 marching band class, in a physical activity class that
19 requires participation in marching band activities as an
20 extracurricular activity, or in a Reserve Officer Training
21 Corps (R.O.T.C.) class, a significant component of which is
22 drills, shall satisfy a one-half credit requirement in
23 physical education. This one-half credit may not be used to
24 satisfy the personal fitness requirement or the requirement
25 for adaptive physical education under an individual
26 educational plan (IEP) or 504 plan.

27 2. For students entering the 9th grade in the
28 2004-2005 school year and thereafter, four credits in physical
29 education with two of such credits to include nutrition and
30 assessment, improvement, and maintenance of personal fitness.
31 Participation in an interscholastic sport at the junior

1 varsity or varsity level for four full seasons or semesters
2 shall satisfy two of the credit requirements, but may not be
3 used to satisfy the two-credit requirement that includes
4 nutrition and assessment, improvement, and maintenance of
5 personal fitness or the requirement for adaptive physical
6 education under an individual educational plan (IEP) or 504
7 plan. Completion of four full seasons or semesters with a
8 grade of "C" or better in a marching band class, in a physical
9 activity class that requires participation in marching band
10 activities as an extracurricular activity, or in a Reserve
11 Officer Training Corps (R.O.T.C.) class, a significant
12 component of which is drills, shall satisfy two of the credit
13 requirements, but may not be used to satisfy the two-credit
14 requirement that includes nutrition and assessment,
15 improvement, and maintenance of personal fitness or the
16 requirement for adaptive physical education under an
17 individual educational plan (IEP) or 504 plan.

18 (k) Eight and one-half elective credits. For students
19 entering the 9th grade in the 2004-2005 school year and
20 thereafter, five and one-half elective credits.

21 District school boards may award a maximum of one-half credit
22 in social studies and one-half elective credit for student
23 completion of nonpaid voluntary community or school service
24 work. Students choosing this option must complete a minimum of
25 75 hours of service in order to earn the one-half credit in
26 either category of instruction. Credit may not be earned for
27 service provided as a result of court action. District school
28 boards that approve the award of credit for student volunteer
29 service shall develop guidelines regarding the award of the
30 credit, and school principals are responsible for approving
31 specific volunteer activities. A course designated in the

1 Course Code Directory as grade 9 through grade 12 that is
2 taken below the 9th grade may be used to satisfy high school
3 graduation requirements or Florida Academic Scholars award
4 requirements as specified in a district school board's student
5 progression plan. A student shall be granted credit toward
6 meeting the requirements of this subsection for equivalent
7 courses, as identified pursuant to s. 1007.271(6), taken
8 through dual enrollment.

9 (6) The Legislature recognizes that adult learners are
10 unique in situation and needs. The following graduation
11 requirements are therefore instituted for students enrolled in
12 adult general education in accordance with s. 1004.93 in
13 pursuit of a high school diploma:

14 (a) The credits ~~one credit~~ in physical education
15 required for graduation, pursuant to subsection (1), are ~~is~~
16 not required for graduation and shall be substituted with
17 elective credits ~~credit~~ keeping the total credits needed for
18 graduation consistent with subsection (1).

19 Section 4. Section 1003.455, Florida Statutes, is
20 created to read:

21 1003.455 Physical education; assessment.--

22 (1) It is the responsibility of each district school
23 board to ensure that all students in prekindergarten through
24 grade 5 participate in physical education, as required in s.
25 1003.42(2)(s), taught by a state-certified physical education
26 instructor for at least 150 minutes each school week and that
27 all students in grades 6 through 8 participate in physical
28 education, as required in s. 1003.42(2)(s), for at least 225
29 minutes each school week. Physical education shall consist of
30 physical activities of at least moderate intensity level and
31 for a duration sufficient to provide a significant health

1 benefit to students. It shall take place in an environment in
2 which students learn, practice, and are assessed on
3 developmentally appropriate knowledge, motor skills, and
4 health-related fitness. The State Board of Education shall
5 establish specific learning goals and objectives for physical
6 education based on the Sunshine State Standards.

7 (2) Suitably adapted physical education shall be
8 included as a part of the individual educational plans for
9 students with chronic health problems, disabling conditions,
10 or other special needs that preclude participation in regular
11 physical activity.

12 (3)(a) The Department of Education shall annually
13 select not fewer than 10 percent of the school districts to
14 report on compliance with the provisions of this section. The
15 school districts selected shall provide a random and accurate
16 sampling of the state as a whole.

17 (b) For purposes of determining compliance, the
18 department shall count only the time a student spends in a
19 structured physical education class taught by a
20 state-certified physical education instructor.

21 (c) A school district that fails to comply with the
22 requirements of this section shall issue a corrective plan to
23 the department within 1 year of receiving a noncompliance
24 notification from the department.

25 (4)(a) During the month of March, April, or May, each
26 district school board shall administer to each student in
27 grades 5, 7, and 9 a physical performance test designated by
28 the State Board of Education. Each physically handicapped
29 student and each student who is physically unable to take a
30 health-related physical performance test shall be given as
31 much of the test as his or her condition will permit.

1 (b) Each district school board shall report the
2 individual results of each test administered pursuant to this
3 subsection, in writing, to each student's parent. The written
4 report shall include a clear explanation of the purposes of
5 the test, the student's score, and its intended use by the
6 school district. Nothing in this subsection shall be construed
7 to require teachers to prepare individualized explanations of
8 each student's test score.

9 Section 5. This act shall take effect July 1, 2004.

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