

HB 0289

2004

A bill to be entitled

An act relating to public K-12 educational instruction; amending s. 1003.42, F.S.; requiring physical education on a full-year basis for students in grades 1 through 8; requiring development of a physical education program; amending s. 1003.43, F.S.; increasing physical education credit requirements and decreasing elective credit requirements for high school graduation; requiring the State Board of Education to adopt rules for satisfaction of certain credit requirements; providing an effective date.

WHEREAS, the number of overweight children in the United States has doubled in the past two decades creating a generation at much higher risk for cardiovascular disease, diabetes, and other serious health problems, and

WHEREAS, the physical well-being of students has a direct impact on their ability to achieve academically and proof now exists that students achieve best when they are physically fit, and

WHEREAS, physical education classes have been cut back or eliminated in many schools to provide more preparation time for standardized testing, and fewer than one in ten schools nationwide provide daily physical education, and

WHEREAS, the 1996 Surgeon General's Report on Physical Activity and Health recommended that all students in kindergarten through grade 12 receive daily, quality physical education, and

WHEREAS, structured physical activity significantly improves mental focus and concentration levels in young

HB 0289

2004

31 children, and children who spend more time in daily physical  
 32 education show higher levels of academic success, and

33 WHEREAS, developmentally appropriate physical activity  
 34 helps young people develop skills important to academic  
 35 performance, such as self-discipline, teamwork, and leadership,  
 36 and also increases self-esteem and decreases anxiety and stress  
 37 in adolescents, and

38 WHEREAS, physical education classes offer unique  
 39 instruction related to sportsmanship, skill development, and  
 40 fitness and concomitantly provide social, developmental,  
 41 cognitive, emotional, and health benefits, NOW, THEREFORE,

42  
 43 Be It Enacted by the Legislature of the State of Florida:

44  
 45 Section 1. Paragraph (s) is added to subsection (2) of  
 46 section 1003.42, Florida Statutes, to read:

47 1003.42 Required instruction.--

48 (2) Members of the instructional staff of the public  
 49 schools, subject to the rules of the State Board of Education  
 50 and the district school board, shall teach efficiently and  
 51 faithfully, using the books and materials required, following  
 52 the prescribed courses of study, and employing approved methods  
 53 of instruction, the following:

54 (s) Physical education on a full-year basis to students in  
 55 grades 1 through 8. Each district school board shall develop a  
 56 physical education program that stresses physical fitness and  
 57 encourages healthy, active lifestyles which shall be submitted  
 58 to the department for approval. Participation in an organized  
 59 sport provided through the school or by an organization outside

HB 0289

2004

60 of school with documentation of participation shall be permitted  
 61 as part of the physical education program.

62 Section 2. Paragraphs (j) and (k) of subsection (1) and  
 63 paragraph (a) of subsection (6) of section 1003.43, Florida  
 64 Statutes, are amended to read:

65 1003.43 General requirements for high school graduation.--

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

70 (j)1. One credit in physical education to include  
 71 assessment, improvement, and maintenance of personal fitness.  
 72 Participation in an interscholastic sport at the junior varsity  
 73 or varsity level, for two full seasons, shall satisfy the one-  
 74 credit requirement in physical education if the student passes a  
 75 competency test on personal fitness with a score of "C" or  
 76 better. ~~The competency test on personal fitness must be~~  
 77 ~~developed by the Department of Education.~~ A district school  
 78 board may not require that the one credit in physical education  
 79 be taken during the 9th grade year.

80 2. For students entering the 9th grade in the 2004-2005  
 81 school year and thereafter, four credits in physical education  
 82 to include assessment, improvement, and maintenance of personal  
 83 fitness and encouragement of healthy, active lifestyles.  
 84 According to rules adopted by the State Board of Education  
 85 pursuant to ss. 120.536(1) and 120.54, participation in an  
 86 interscholastic sport at the junior varsity or varsity level or  
 87 in an organized sport provided by an organization outside of  
 88 school with documentation of participation shall satisfy the  
 89 credit requirements, or portions thereof, in physical education

HB 0289

2004

90 if the student passes a competency test on personal fitness with  
91 a score of "C" or better.

92  
93 The competency test on personal fitness must be developed by the  
94 Department of Education. Completion of one semester with a grade  
95 of "C" or better in a marching band class, in a physical  
96 activity class that requires participation in marching band  
97 activities as an extracurricular activity, or in a Reserve  
98 Officer Training Corps (R.O.T.C.) class a significant component  
99 of which is drills shall satisfy a one-half credit requirement  
100 in physical education. This one-half credit may not be used to  
101 satisfy the personal fitness requirement or the requirement for  
102 adaptive physical education under an individual educational plan  
103 (IEP) or 504 plan.

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

107  
108 District school boards may award a maximum of one-half credit in  
109 social studies and one-half elective credit for student  
110 completion of nonpaid voluntary community or school service  
111 work. Students choosing this option must complete a minimum of  
112 75 hours of service in order to earn the one-half credit in  
113 either category of instruction. Credit may not be earned for  
114 service provided as a result of court action. District school  
115 boards that approve the award of credit for student volunteer  
116 service shall develop guidelines regarding the award of the  
117 credit, and school principals are responsible for approving  
118 specific volunteer activities. A course designated in the Course  
119 Code Directory as grade 9 through grade 12 that is taken below

HB 0289

2004

120 the 9th grade may be used to satisfy high school graduation  
121 requirements or Florida Academic Scholars award requirements as  
122 specified in a district school board's student progression plan.  
123 A student shall be granted credit toward meeting the  
124 requirements of this subsection for equivalent courses, as  
125 identified pursuant to s. 1007.271(6), taken through dual  
126 enrollment.

127 (6) The Legislature recognizes that adult learners are  
128 unique in situation and needs. The following graduation  
129 requirements are therefore instituted for students enrolled in  
130 adult general education in accordance with s. 1004.93 in pursuit  
131 of a high school diploma:

132 (a) The credits ~~one credit~~ in physical education required  
133 for graduation, pursuant to subsection (1), are ~~is~~ not required  
134 for graduation and shall be substituted with elective credits  
135 ~~credit~~ keeping the total credits needed for graduation  
136 consistent with subsection (1).

137 Section 3. This act shall take effect July 1, 2004.