

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 1113

Physical Education in the Public Schools

SPONSOR(S): Sobel

TIED BILLS:

IDEN./SIM. BILLS:

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) PreK-12 Committee		Howlette	Mizereck
2) Education Appropriations Committee			
3) Education Council			
4) _____			
5) _____			

SUMMARY ANALYSIS

House Bill 1113 requires school districts to administer student physical fitness assessments twice annually and report each of the results to its school improvement team, the district school board, the students and the parents. Each school district must report annually the aggregate results to the Department of Education. The bill includes physical education in the core curricula of teacher preparation programs and provides for teachers to be given in-service training to incorporate the best practices for fitness training and strategies for integrating academic subject matter with physical education, particularly reading and mathematics. A district-level coordinator for physical education and health would be appointed in each school district whose main responsibility would be to develop and maintain a quality physical education program. Each school district must include in its physical education program specific requirements regarding class size, content, frequency, and teacher qualifications. Each school district must publicize its local wellness policy. The bill authorizes the establishment of partnerships to provide for a system of grants for the improvement of student physical fitness.

The bill sets an effective date of July 1, 2005.

The fiscal impact of the bill is indeterminate. See Fiscal Comments.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

Provide limited government: The bill mandates that school districts administer a physical fitness assessment; conduct training; provide reports; develop policy that must be publicized; and appoint a district-level physical education coordinator. The bill also adds requirements to the uniform core curricula of state-approved teacher preparation programs.

B. EFFECT OF PROPOSED CHANGES:

Background

Presently, section 1003.42, Florida Statutes, provides that each school board shall provide appropriate instruction that meets State Board of Education standards, also known as the Sunshine State Standards, in specific subject areas including health and physical education.

In 2004 the Legislature enacted CS/CS/SB 354 which included several requirements regarding physical education. The 2004 bill directed the Department of Education (DOE) to conduct a study to determine the status of physical education instruction in the public schools and to develop recommendations for changes. The study was due February 1, 2005 to the Governor and the Legislature. It was received on March 24, 2005. The study did not recommend any Legislative action.

Physical Fitness Assessments

As part of the required study, DOE was required to select or develop a physical fitness instrument and standard report form that school districts may use in assessing individual student fitness. There is no current requirement that schools administer fitness assessments. DOE reports that more than 75% of districts currently administer a physical fitness assessment in some of their schools at some grade levels. Only about 10% of districts currently send notifications of the results to parents.¹ The DOE provided a Technical Assistance memo identifying available assessments, and is currently developing an assessment.

This bill requires districts, beginning in 2005-06, to administer a nationally-validated health-related physical fitness assessment to each student in the district twice a year. The bill does not identify specific grade levels for the assessments.

School districts must:

- Provide training to individuals administering the physical fitness assessment instrument, and
- Report aggregate results annually to DOE.

Schools must:

- Notify students and parents of each student's individual results, and
- Report the scores of its students to its school improvement team and to the school board.

The bill encourages school districts to promote physical fitness in the community by inviting representatives of community based organizations, such as the YMCA, YWCA, and Boys and Girls Clubs, to physical fitness assessment training and annual physical fitness assessments.

¹ Department of Education Bill Analysis.

Physical Education Requirements and Policies

Presently, s. 1003.42, F.S., requires district school boards to provide appropriate instruction to meet State Board of Education (SBE) standards in specific subject areas including health and physical education. In 2004, the Legislature enacted s.1003.455, F.S. which required district school boards to adopt written physical education policies by December 1, 2004 that detailed the district's physical education program and expected program outcomes. Districts that did not adopt physical education policies by the deadline were required to implement a program requiring, at a minimum, 30 minutes of physical education for kindergarten through fifth-graders for three days a week. Six districts did not adopt physical education programs by the deadline. Four (Gadsden, Glades, Hardee, and Highlands) are listed as "pending" by the Department of Education, and two districts (Lee and Monroe) received waivers due to the 2004 hurricanes. It is unclear if any of the four "pending" districts are now subject to the minimum requirements.

The bill provides additional requirements for district physical education programs by requiring each district to:

- Adopt a physical education program policy that includes specific criteria for class size, content, frequency, and teacher qualifications.
- Provide teacher in-service training that incorporates best practices for fitness-related instruction, with particular instruction on the integration of reading and mathematics in physical education instructions.
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- Appoint a district-level coordinator for physical education and health.
- Develop and publicize its local wellness policy required by the federal Child Nutrition and WIC Reauthorization Act which must include nutritional education, physical activity, and other school based efforts to promote wellness.
- Include physical education in school improvement plans.

Public and private partnerships are authorized to provide for a system of grants for those school districts that demonstrate adequate annual progress toward improving the physical fitness of their students. The grant moneys may be used for fitness centers, fitness assessment equipment, professional development or teacher recognition. The bill does not define "adequate annual progress" or specify who will administer the grant program.

Teacher Training

In 2004 the Legislature amended section 1012.98 to direct the Department of Education to approve a public state university to develop and implement an internet-based clearinghouse for physical education professional development programs that may be accessed and used by all instructional personnel. The clearinghouse must be available no later than August 1, 2005 and is currently under development.

The bill adds physical education concepts to the uniform core curricula for each state-approved teacher preparation program. The bill does not specify that this requirement is limited to preparing physical education teachers.

C. SECTION DIRECTORY:

Section 1: Amends s. 1003.455, F.S., to revise school district requirements for physical education and fitness assessments.

Section 2: Amends s. 1004.04, F. S., to add physical education content to the uniform core curricula of state-approved teacher preparation programs.

Section 3: Creates an unnumbered section of law authorizing a grant program.

Section 4. Provides an effective date of July 1, 2005

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

This bill does not appear to have a fiscal impact on state government revenues.

2. Expenditures:

Please see Fiscal Comments section.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

This bill does not appear to have a fiscal impact on local government revenues.

2. Expenditures:

Please see Fiscal Comments section.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

This bill does not appear to have a fiscal impact on the private sector.

D. FISCAL COMMENTS:

Although the amount is indeterminate there are likely additional costs to school districts for specialized teacher training; record keeping; dissemination of the results of physical fitness assessments to students, parents, and the aggregate study to the Department of Education; appointment of a district-level coordinator; publicizing local wellness policies, and including community based organizations in physical fitness assessment training and administration.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

The bill does not require a municipality or county to spend funds or to take any action requiring the expenditure of funds.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

The bill adds physical education concepts to the uniform core curricula for state-approved teacher preparation programs. The bill should be amended to limit this requirement to the curricula for physical education teachers

The bill authorizes public and private partnerships to provide for grants to school districts and schools that demonstrate “adequate annual progress” toward improving physical fitness and academic achievement. The bill should define “adequate annual progress” and specify who will administer the grant program.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE & COMBINED BILL CHANGES