

By the Committees on Education Pre-K - 12 Appropriations;
Education Pre-K - 12; and Senator Constantine

602-06506-08

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1 A bill to be entitled
2 An act relating to physical education; amending s.
3 1003.455, F.S.; requiring physical education in grades 6
4 through 8; providing for waivers under certain
5 circumstances; requiring school districts to notify
6 parents of the waiver options; providing an effective
7 date.

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9 Be It Enacted by the Legislature of the State of Florida:

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11 Section 1. Section 1003.455, Florida Statutes, is amended
12 to read:

13 1003.455 Physical education; assessment.--

14 (1) It is the responsibility of each district school board
15 to develop a physical education program that stresses physical
16 fitness and encourages healthful, active lifestyles and to
17 encourage all students in prekindergarten through grade 12 to
18 participate in physical education. Physical education shall
19 consist of physical activities of at least a moderate intensity
20 level and for a duration sufficient to provide a significant
21 health benefit to students, subject to the differing capabilities
22 of students. All physical education programs and curricula must
23 be reviewed by a certified physical education instructor.

24 (2) Each district school board shall adopt a written
25 physical education policy that details the school district's
26 physical education program, the ~~and~~ expected program outcomes,
27 the benefits of physical education, and the availability of one-
28 on-one counseling concerning the benefits of physical education.

29 (3) Each district school board shall provide 150 minutes of

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30 physical education each week for students in kindergarten through
31 grade 5 and for students in grade 6 who are enrolled in a school
32 that contains one or more elementary grades so that on any day
33 during which physical education instruction is conducted there
34 are at least 30 consecutive minutes per day. The equivalent of
35 one class period per day of physical education for one semester
36 of each year is required for students enrolled in grades 6
37 through 8. Students enrolled in such instruction shall be
38 reported through the periodic student membership surveys, and
39 records of such enrollment shall be audited pursuant to s.
40 1010.305. Such instruction may be provided by any instructional
41 personnel as defined in s. 1012.01(2), regardless of
42 certification, who are designated by the school principal. ~~Each~~
43 ~~district school board is encouraged to provide 225 minutes of~~
44 ~~physical education each week for students in grades 6 through 8.~~

45 (4) The requirement in subsection (3) shall be waived for a
46 student who meets one of the following criteria:

47 (a) The student is enrolled or required to enroll in a
48 remedial course.

49 (b) The student's parent indicates in writing to the school
50 that:

51 1. The parent requests that the student enroll in another
52 course from among those courses offered as options by the school
53 district; or

54 2. The student is participating in physical activities
55 outside the school day which are equal to or in excess of the
56 mandated requirement.

57 (5) Each school district shall notify the student's parent
58 of the options available under subsection (4) before scheduling

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59 the student to participate in physical education.

60 Section 2. This act shall take effect July 1, 2008.