

By Senator Constantine

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1 A bill to be entitled
2 An act relating to physical education; amending s.
3 1003.455, F.S.; clarifying provisions requiring that a
4 school district notify a student's parent regarding
5 certain options available to the student as an
6 alternative to participation in physical education;
7 providing an effective 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
22 capabilities of students. All physical education programs and
23 curricula must be reviewed by a certified physical education
24 instructor.

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

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30 (3) Each district school board shall provide 150 minutes of
31 physical education each week for students in kindergarten
32 through grade 5 and for students in grade 6 who are enrolled in
33 a school that contains one or more elementary grades so that on
34 any day during which physical education instruction is conducted
35 there are at least 30 consecutive minutes per day. Beginning
36 with the 2009-2010 school year, the equivalent of one class
37 period per day of physical education for one semester of each
38 year is required for students enrolled in grades 6 through 8.
39 Students enrolled in such instruction shall be reported through
40 the periodic student membership surveys, and records of such
41 enrollment shall be audited pursuant to s. 1010.305. Such
42 instruction may be provided by any instructional personnel as
43 defined in s. 1012.01(2), regardless of certification, who are
44 designated by the school principal.

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) a sufficient time

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59 in advance before scheduling the student to participate in
60 physical education.

61 Section 2. This act shall take effect July 1, 2009.