

By the Committee on Education Pre-K - 12; and Senators Wise, Storms, and Sobel

581-03407-11

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1 A bill to be entitled
2 An act relating to physical education instruction in
3 public schools; amending s. 1003.455, F.S.; providing
4 that a student may have the physical education
5 requirement waived for a period of one semester each
6 year under certain circumstances; providing an
7 effective date.
8
9 WHEREAS, every year an estimated 300,000 people in the
10 United States die because they are overweight or obese, and
11 WHEREAS, since 1970, the number of overweight children in
12 Florida has increased by 300 percent, and
13 WHEREAS, overweight or obese children experience the same
14 risk factors associated with heart disease in adults such as
15 high blood pressure, high cholesterol levels, and Type 2
16 diabetes, once known as adult-onset diabetes, and
17 WHEREAS, studies have shown that up to 80 percent of
18 overweight adolescents become overweight adults, and
19 WHEREAS, the annual economic impact in the United States
20 from obesity on our health care system is estimated by the
21 Centers for Disease Control and Prevention at \$147 billion, and
22 WHEREAS, a recent study by a major insurance carrier stated
23 that 50 percent of all Americans will develop diabetes by 2020,
24 which will cost the health care system approximately \$3.35
25 trillion if current trends in obesity are not abated, and
26 WHEREAS, early education on proper physical fitness and
27 nutrition will provide a foundation for a child's future as does
28 learning to read, which prepares a child for success in his or
29 her life and academic achievement, NOW, THEREFORE,

581-03407-11

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

Section 1. Subsections (3), (4), and (5) of section 1003.455, Florida Statutes, are amended to read:

1003.455 Physical education; assessment.—

(3) Each district school board shall provide 150 minutes of physical education each week for students in kindergarten through grade 5 ~~and for students in grade 6 who are enrolled in a school that contains one or more elementary grades~~ so that on any day during which physical education instruction is conducted there are at least 30 consecutive minutes per day.

(4) Each district school board shall provide 150 minutes of physical education instruction each week for students in grade 6 who are enrolled in a school that contains one or more elementary grades so that on any day during which physical education instruction is conducted there are at least 30 consecutive minutes per day.

(5) Beginning with the 2009-2010 school year, the equivalent of one class period per day of physical education for one semester of each year is required for students enrolled in grades 6 through 8. Students enrolled in such instruction shall be reported through the periodic student membership surveys, and records of such enrollment shall be audited pursuant to s. 1010.305. Such instruction may be provided by any instructional personnel as defined in s. 1012.01(2), regardless of certification, who are designated by the school principal.

(6) ~~(4)~~ The requirement in subsection (5) ~~(3)~~ shall be waived for a period of one semester each year for a student who

581-03407-11

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59 meets one of the following criteria:

60 (a) The student is enrolled or required to enroll in a
61 remedial course.

62 (b) The student's parent indicates in writing to the school
63 principal, and the principal or the principal's designee
64 verifies, that:

65 1. The parent requests that the student enroll, and the
66 student subsequently enrolls, in another course offered by the
67 school district that poses a scheduling conflict with the
68 physical education course ~~from among these courses offered as~~
69 ~~options by the school district~~; or

70 2. The student is participating in physical activities
71 outside the school day which are equal to or in excess of the
72 mandated requirement.

73 (c) The student submits to the school's principal or the
74 principal's designee a note from a physician licensed under
75 chapter 458 or chapter 459 that specifies the health reasons as
76 to why the student should not participate in physical education.

77 (7) ~~(5)~~ Each school district shall notify the student's
78 parent of the options available under subsection (6) ~~(4)~~ before
79 scheduling the student to participate in physical education.

80 Section 2. This act shall take effect July 1, 2011.