

Amendment No. 3

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION _____ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

1 Committee/Subcommittee hearing bill: Education Committee
2 Representative Garcia offered the following:

3
4 **Amendment (with title amendment)**

5 Remove everything after the enacting clause and insert:
6 Section 1. Subsections (3), (4), and (5) of section

7 1003.455, Florida Statutes, are amended to read:

8 1003.455 Physical education; assessment.—

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

15 (4) ~~Beginning with the 2009-2010 school year,~~ The
16 equivalent of one class period per day of physical education for
17 one semester of each year is required for students enrolled in
18 grades 6 through 8. Students enrolled in such instruction shall
19 be reported through the periodic student membership surveys, and

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20 records of such enrollment shall be audited pursuant to s.
21 1010.305. Such instruction may be provided by any instructional
22 personnel as defined in s. 1012.01(2), regardless of
23 certification, who are designated by the school principal.

24 ~~(5)-(4)~~ The requirements requirement in subsections (3) and
25 (4) subsection (3) shall be waived for one semester per school
26 year for a student who meets one of the following criteria:

27 (a) The student is enrolled or required to enroll in a
28 remedial course.

29 (b) The student's parent requests ~~indicates~~ in writing ~~to~~
30 ~~the school that:~~

31 ~~1. The parent requests that the student enroll in another~~
32 ~~course, which may include, but is not limited to, from among~~
33 ~~those courses offered as options by the school district; or~~

34 ~~(c)2.~~ The student's parent certifies in writing and
35 provides documentation to the school that the student is
36 participating in physical activities outside the school day
37 which are equal to or in excess of the mandated requirement.

38 ~~(6)-(5)~~ Each school district shall notify the student's
39 parent of the options available under subsection (5) subsection
40 ~~(4)~~ before scheduling the student to participate in physical
41 education.

42 Section 2. This act shall take effect July 1, 2012.

43
44 -----
45 **T I T L E A M E N D M E N T**

46 Remove the entire title and insert:

47 A bill to be entitled

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48 An act relating to physical education in the public
49 schools; amending s. 1003.455, F.S.; limiting the
50 parental waiver of physical education requirements for
51 students in kindergarten through grade 8 to one
52 semester per school year; revising requirements for
53 the parental waivers; deleting an obsolete provision;
54 reorganizing and conforming provisions; providing an
55 effective date.

56
57 WHEREAS, every year, an estimated 300,000 people in the
58 United States die because they are overweight or obese, and

59 WHEREAS, since 1970, the number of overweight children in
60 the state has increased by 300 percent, and

61 WHEREAS, overweight or obese children experience the same
62 risk factors associated with heart disease in adults, such as
63 high blood pressure, high cholesterol levels, and Type 2
64 diabetes, formerly cited as adult-onset diabetes, and

65 WHEREAS, studies have shown that up to 80 percent of
66 overweight adolescents become overweight adults, and

67 WHEREAS, the annual economic impact on the health care
68 system of the United States from obesity is estimated by the
69 Centers for Disease Control and Prevention to be \$147 billion,
70 and

71 WHEREAS, a recent study by a major insurance carrier stated
72 that 50 percent of all Americans will develop diabetes by 2020,
73 which is estimated to cost the health care system approximately
74 \$3.35 trillion if current trends in obesity are not abated, and

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 4057 (2012)

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75 WHEREAS, early education on proper physical fitness and
76 nutrition provide a foundation for a child's future, in a
77 similar manner as learning to read, which prepares the child for
78 success in his or her life and academic achievement, NOW,
79 THEREFORE,