

1                                   A bill to be entitled  
 2       An act relating to physical education; amending s.  
 3       1003.455, F.S.; adding requirements regarding a school  
 4       district's physical education policy; adding a condition  
 5       to existing physical education requirements; requiring  
 6       physical education in grades 6 through 8; providing  
 7       exceptions under certain circumstances; providing an  
 8       effective date.

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

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

14       1003.455   Physical education; assessment.--

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

26       (2)   Each district school board shall adopt a written  
 27   physical education policy that details the school district's  
 28   physical education program, the ~~and~~ expected program outcomes,

29 the benefits of physical education, and the availability of one-  
 30 on-one counseling concerning the benefits of physical education.

31 (3) Each district school board, except as otherwise  
 32 permitted under subsection (4), shall provide:

33 (a) One hundred fifty ~~150~~ minutes of physical education  
 34 each week, of which at least 30 consecutive minutes must be  
 35 provided on any day that physical education is provided, for  
 36 students in kindergarten through grade 5 and students in grade 6  
 37 who are enrolled in a school that contains one or more  
 38 elementary grades; and

39 (b) Beginning with the 2009-2010 school year, one class  
 40 period per day, or the equivalent, of physical education for one  
 41 semester of each school year for students in grade 6 who are  
 42 enrolled in a school that does not contain an elementary grade  
 43 and for students in grades 7 and 8.

44  
 45 Students enrolled in such instruction shall be reported through  
 46 the periodic student membership surveys, and records of such  
 47 enrollment shall be audited under ~~pursuant to~~ s. 1010.305. Such  
 48 instruction may be provided by any instructional personnel as  
 49 defined in s. 1012.01(2), regardless of certification, who are  
 50 designated by the school principal. ~~Each district school board~~  
 51 ~~is encouraged to provide 225 minutes of physical education each~~  
 52 ~~week for students in grades 6 through 8.~~

53 (4) A district school board is not required to provide  
 54 physical education for a student in grade 6, who is enrolled in  
 55 a school that does not contain an elementary grade, and for  
 56 students in grades 7 and 8, if:

57        (a) The parent requests, in writing, prior to the  
58 student's enrollment, an exemption from the physical education  
59 requirement for that school year. The parent may make such a  
60 written request for each school year the student is in grades 6,  
61 7, or 8; or

62        (b) The schedule for the student's courses of study cannot  
63 be modified to provide adequate time for physical education  
64 without interfering with the student's normal progression or  
65 enrollment in a remedial course.

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