

1 A bill to be entitled
 2 An act relating to public school recess; amending s.
 3 1003.45, F.S.; allowing free-play recess to be part of
 4 a physical education class for specified grade levels;
 5 requiring a specified amount of free-play recess on
 6 days physical education classes are not scheduled;
 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.

30 | (3) Each district school board shall provide 150 minutes
31 | of 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. Physical
36 | education for students in kindergarten through grade 3 may
37 | include free-play recess. ~~Beginning with the 2009-2010 school~~
38 | ~~year,~~ the equivalent of one class period per day of physical
39 | education for one semester of each year is required for students
40 | enrolled in grades 6 through 8. Students enrolled in such
41 | instruction shall be reported through the periodic student
42 | membership surveys, and records of such enrollment shall be
43 | audited pursuant to s. 1010.305. Such instruction may be
44 | provided by any instructional personnel as defined in s.
45 | 1012.01(2), regardless of certification, who are designated by
46 | the school principal.

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

49 | (a) The student is enrolled or required to enroll in a
50 | remedial course.

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

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

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

59 (5) Each school district shall notify the student's parent
 60 of the options available under subsection (4) before scheduling
 61 the student to participate in physical education.

62 (6) In addition to the requirements in subsection (3),
 63 each district school board shall provide free-play recess each
 64 week on days when physical education classes are not held for
 65 students in kindergarten through grade 3 so that there are at
 66 least 20 consecutive minutes of free-play recess.

67 Section 2. This act shall take effect July 1, 2017.