

By: Shapleigh

S.B. No. 1525

A BILL TO BE ENTITLED

AN ACT

relating to physical education and physical activity requirements  
in public schools.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 21.003, Education Code, is amended by  
adding Subsection (a-1) to read as follows:

(a-1) A person employed by a school district may not provide  
physical education instruction unless the person is certified  
specifically for that purpose by the State Board for Educator  
Certification under Subchapter B.

SECTION 2. Section 28.002, Education Code, is amended by  
adding Subsection (d) and amending Subsection (1) to read as  
follows:

(d) In identifying the essential knowledge and skills for  
the physical education curriculum under Subsection (a)(2)(C), the  
board shall ensure that the curriculum:

(1) enables students to develop the knowledge, motor  
skills, attitudes, and confidence necessary to maintain regular  
lifetime physical activity;

(2) is consistent with national standards defining the  
knowledge and skills that should be acquired by students through  
physical education;

(3) provides for significant portions of physical  
education class time to involve physical activity;

1           (4) meets the needs of all students and provides for  
2 many different physical activity choices, including cooperative as  
3 well as competitive games;

4           (5) is responsive to gender and cultural differences  
5 in students' interests;

6           (6) provides for instruction in self-management  
7 skills as well as movement skills;

8           (7) provides for active instruction regarding  
9 cooperation, fair play, and responsible participation in physical  
10 activity; and

11           (8) promotes participation in physical activity  
12 outside of school.

13           (1) A school district shall require a student enrolled in  
14 kindergarten or a grade level below grade six to participate in  
15 moderate or vigorous daily physical activity for at least 45 [~~30~~]  
16 minutes throughout the school year as part of the district's  
17 physical education curriculum or through structured activity  
18 during a school campus's daily recess. A school district shall  
19 require students enrolled in grade levels six, seven, and eight to  
20 participate in moderate or vigorous daily physical activity for at  
21 least 45 [~~30~~] minutes for at least four semesters during those grade  
22 levels as part of the district's physical education curriculum. If  
23 a school district determines, for any particular grade level below  
24 grade six, that requiring moderate or vigorous daily physical  
25 activity is impractical due to scheduling concerns or other  
26 factors, the district may as an alternative require a student in  
27 that grade level to participate in moderate or vigorous physical

1 activity for at least 200 [~~135~~] minutes during each school  
2 week. Additionally, a school district may as an alternative  
3 require a student enrolled in a grade level for which the district  
4 uses block scheduling to participate in moderate or vigorous  
5 physical activity for at least 335 [~~225~~] minutes during each period  
6 of two school weeks. A school district must provide for an  
7 exemption for:

8 (1) any student who is unable to participate in the  
9 required physical activity because of illness or disability; and

10 (2) a middle school or junior high school student who  
11 participates in an extracurricular activity with a moderate or  
12 vigorous physical activity component that is considered a  
13 structured activity under rules adopted by the commissioner.

14 SECTION 3. Section 28.025, Education Code, is amended by  
15 adding Subsection (a-1) to read as follows:

16 (a-1) The curriculum requirements determined under  
17 Subsection (a) must include at least one physical education course  
18 as a requirement for each high school program. The State Board of  
19 Education by rule shall provide for an exemption for a student who  
20 is unable, even with reasonable modification, to comply with the  
21 requirement because of illness or disability.

22 SECTION 4. The State Board of Education shall modify the  
23 essential knowledge and skills for physical education as necessary  
24 to comply with Section 28.002(d), Education Code, as added by this  
25 Act, not later than the date that permits instruction reflecting  
26 the requirements of that section to be provided beginning with the  
27 2010-2011 school year.

1           SECTION 5. Section 28.025(a-1), Education Code, as added by  
2 this Act, applies beginning with students entering the ninth grade  
3 during the 2009-2010 school year.

4           SECTION 6. Except as otherwise provided by this Act, this  
5 Act applies beginning with the 2009-2010 school year.

6           SECTION 7. This Act takes effect immediately if it receives  
7 a vote of two-thirds of all the members elected to each house, as  
8 provided by Section 39, Article III, Texas Constitution. If this  
9 Act does not receive the vote necessary for immediate effect, this  
10 Act takes effect September 1, 2009.