

By: Nelson

S.B. No. 185

A BILL TO BE ENTITLED

AN ACT

relating to physical activity requirements for students in public schools.

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

SECTION 1. Section 28.002(1), Education Code, is amended to read as follows:

(1) A school district shall require a student enrolled in full-day prekindergarten, in kindergarten, or in a grade level below grade six to participate in moderate or vigorous daily physical activity for at least 30 minutes throughout the school year as part of the district's physical education curriculum or through structured activity during a school campus's daily recess. To the extent practicable, a school district shall require a student enrolled in prekindergarten on less than a full-day basis to participate in the same type and amount of physical activity as a student enrolled in full-day prekindergarten. A school district shall require a student [~~students~~] enrolled in grade level [~~levels~~] six, seven, or [~~and~~] eight to participate in moderate or vigorous daily physical activity for at least 30 minutes throughout the school year [~~for at least four semesters during those grade levels~~] as part of the district's physical education curriculum. If a school district determines, for any particular grade level below grade six, that requiring moderate or vigorous daily physical activity is impractical due to scheduling concerns or other

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

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

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

15 SECTION 2. This Act applies beginning with the 2011-2012
16 school year.

17 SECTION 3. This Act takes effect immediately if it receives
18 a vote of two-thirds of all the members elected to each house, as
19 provided by Section 39, Article III, Texas Constitution. If this
20 Act does not receive the vote necessary for immediate effect, this
21 Act takes effect September 1, 2011.