

By: West

S.B. No. 1426

A BILL TO BE ENTITLED

AN ACT

relating to physical activity and physical education requirements  
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 students enrolled in grade levels six, seven, and  
eight to participate in moderate or vigorous daily physical  
activity for at least 30 minutes for six ~~[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 factors, the district may as an alternative

1 require a student in that grade level to participate in moderate or  
2 vigorous physical activity for at least 135 minutes during each  
3 school week. Additionally, a school district may as an alternative  
4 require a student enrolled in a grade level for which the district  
5 uses block scheduling to participate in moderate or vigorous  
6 physical activity for at least 225 minutes during each period of two  
7 school weeks. A school district must provide for an 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 2. Section 28.025(b-1), Education Code, is amended  
15 to read as follows:

16 (b-1) The State Board of Education by rule shall require  
17 that the curriculum requirements for the foundation high school  
18 program under Subsection (a) include a requirement that students  
19 successfully complete:

20 (1) four credits in English language arts under  
21 Section 28.002(a)(1)(A), including one credit in English I, one  
22 credit in English II, one credit in English III, and one credit in  
23 an advanced English course authorized under Subsection (b-2);

24 (2) three credits in mathematics under Section  
25 28.002(a)(1)(B), including one credit in Algebra I, one credit in  
26 geometry, and one credit in any advanced mathematics course  
27 authorized under Subsection (b-2);

(3) three credits in science under Section 28.002(a)(1)(C), including one credit in biology, one credit in any advanced science course authorized under Subsection (b-2), and one credit in integrated physics and chemistry or in an additional advanced science course authorized under Subsection (b-2);

(4) three credits in social studies under Section 28.002(a)(1)(D), including one credit in United States history, at least one-half credit in government and at least one-half credit in economics, and one credit in world geography or world history;

(5) except as provided under Subsections (b-12), (b-13), and (b-14), two credits in the same language in a language other than English under Section 28.002(a)(2)(A);

(6) 4-1/2 [~~five~~] elective credits;

(7) one credit in fine arts under Section 28.002(a)(2)(D); and

(8) except as provided by Subsection (b-11), 1-1/2 credits [~~one credit~~] in physical education under Section 28.002(a)(2)(C).

SECTION 3. Section 28.002(1), Education Code, as amended by this Act, applies only to students entering the sixth grade during the 2015-2016 school year or a later school year. For students entering a grade above sixth grade during the 2015-2016 school year, Section 28.002(1), Education Code, as that section existed before amendment by this Act, applies, and that section is continued in effect for that purpose.

SECTION 4. Section 28.025(b-1), Education Code, as amended by this Act, applies only to students entering the ninth grade

1 during the 2015-2016 school year or a later school year. For  
2 students entering a grade above ninth grade during the 2015-2016  
3 school year, Section 28.025(b-1), Education Code, as that section  
4 existed before amendment by this Act, applies, and that section is  
5 continued in effect for that purpose.

6 SECTION 5. 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, 2015.