

HOUSE BILL No. 4859

June 2, 2005, Introduced by Reps. Mortimer, Gaffney, Wojno, Leland and Ball and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1502 (MCL 380.1502), as amended by 1993 PA 335.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1502. (1) ~~Health~~ **EACH PUBLIC SCHOOL SHALL ESTABLISH AND**
2 **PROVIDE A PROGRAM OF HEALTH** and physical education for pupils of
3 both sexes. ~~shall be established and provided in all public~~
4 ~~schools of this state. Subject to subsection (2), each~~ **EACH** pupil
5 attending public school in this state who is physically fit and
6 capable of doing so shall take the course in physical education.

7 (2) ~~A school district may credit a pupil's participation in~~
8 ~~extracurricular athletics or other extracurricular activities~~

1 ~~involving physical activity as meeting the physical education~~
2 ~~requirement for the pupil under subsection (1).~~ ALL OF THE
3 FOLLOWING APPLY TO THE PROVISION OF PHYSICAL EDUCATION UNDER THIS
4 SECTION:

5 (A) NOT LATER THAN THE 2007-2008 SCHOOL YEAR, THE GOVERNING
6 BOARD OF EACH PUBLIC SCHOOL SHALL ENSURE THAT ALL OF THE FOLLOWING
7 ARE MET, AS APPLICABLE:

8 (i) FOR EACH OF GRADES K TO 5, THE PUBLIC SCHOOL SHALL PROVIDE
9 FOR ALL PUPILS AT LEAST 30 MINUTES OF PHYSICAL EDUCATION AT LEAST 2
10 DAYS PER WEEK, AND AT LEAST 60 MINUTES OF HEALTH EDUCATION PER
11 WEEK, FOR THE ENTIRE SCHOOL YEAR.

12 (ii) FOR PUPILS IN GRADES 6 TO 8, THE PUBLIC SCHOOL SHALL
13 PROVIDE FOR ALL PUPILS AT LEAST 45 MINUTES OF PHYSICAL EDUCATION
14 EACH SCHOOL DAY, AND AT LEAST 150 MINUTES OF HEALTH EDUCATION PER
15 WEEK, FOR AT LEAST THE EQUIVALENT OF 1 SCHOOL YEAR.

16 (iii) FOR PUPILS IN GRADES 9 TO 12, THE PUBLIC SCHOOL SHALL
17 PROVIDE FOR ALL PUPILS AT LEAST 45 MINUTES OF PHYSICAL EDUCATION
18 EACH SCHOOL DAY, AND AT LEAST 225 MINUTES OF HEALTH EDUCATION PER
19 WEEK, FOR AT LEAST THE EQUIVALENT OF 1 SCHOOL YEAR.

20 (B) NOT LATER THAN THE 2010-2011 SCHOOL YEAR, THE GOVERNING
21 BOARD OF EACH PUBLIC SCHOOL SHALL ENSURE THAT ALL OF THE FOLLOWING
22 ARE MET, AS APPLICABLE:

23 (i) FOR EACH OF GRADES K TO 5, THE PUBLIC SCHOOL SHALL PROVIDE
24 FOR ALL PUPILS AT LEAST 30 MINUTES OF PHYSICAL EDUCATION AT LEAST 3
25 DAYS PER WEEK, AND AT LEAST 90 MINUTES OF HEALTH EDUCATION PER
26 WEEK, FOR THE ENTIRE SCHOOL YEAR.

27 (ii) FOR PUPILS IN GRADES 6 TO 8, THE PUBLIC SCHOOL SHALL

1 PROVIDE FOR ALL PUPILS AT LEAST 45 MINUTES OF PHYSICAL EDUCATION
2 EACH SCHOOL DAY, AND AT LEAST 225 MINUTES OF HEALTH EDUCATION PER
3 WEEK, FOR AT LEAST THE EQUIVALENT OF 2 SCHOOL YEARS OR 4 SEMESTERS.

4 (iii) FOR PUPILS IN GRADES 9 TO 12, THE PUBLIC SCHOOL SHALL
5 PROVIDE FOR ALL PUPILS AT LEAST 45 MINUTES OF PHYSICAL EDUCATION
6 EACH SCHOOL DAY, AND AT LEAST 225 MINUTES OF HEALTH EDUCATION PER
7 WEEK, FOR AT LEAST THE EQUIVALENT OF 2 SCHOOL YEARS OR 4 SEMESTERS.

8 (C) NOT LATER THAN THE 2015-2016 SCHOOL YEAR, THE GOVERNING
9 BOARD OF EACH PUBLIC SCHOOL SHALL ENSURE THAT ALL OF THE FOLLOWING
10 ARE MET, AS APPLICABLE:

11 (i) FOR EACH OF GRADES K TO 5, THE PUBLIC SCHOOL SHALL PROVIDE
12 FOR ALL PUPILS AT LEAST 150 MINUTES OF PHYSICAL EDUCATION AND 150
13 MINUTES OF HEALTH EDUCATION EACH SCHOOL WEEK FOR THE ENTIRE SCHOOL
14 YEAR.

15 (ii) FOR EACH OF GRADES 6 TO 8, THE PUBLIC SCHOOL SHALL PROVIDE
16 FOR ALL PUPILS AT LEAST 45 MINUTES OF PHYSICAL EDUCATION EACH
17 SCHOOL DAY, AND AT LEAST 225 MINUTES OF HEALTH EDUCATION PER WEEK,
18 FOR THE ENTIRE SCHOOL YEAR.

19 (iii) FOR EACH OF GRADES 9 TO 12, THE PUBLIC SCHOOL SHALL
20 PROVIDE FOR ALL PUPILS AT LEAST 225 MINUTES OF PHYSICAL EDUCATION
21 AND 225 MINUTES OF HEALTH EDUCATION EACH SCHOOL WEEK FOR THE ENTIRE
22 SCHOOL YEAR.

23 (D) AT ALL GRADE LEVELS, THE GOVERNING BOARD OF EACH PUBLIC
24 SCHOOL SHALL ENSURE THAT THE PUPIL-TO-TEACHER RATIO IN PHYSICAL
25 EDUCATION CLASSES AND HEALTH EDUCATION CLASSES IS SUBSTANTIALLY
26 EQUIVALENT TO THAT RATIO IN OTHER SUBJECT AREAS AND CLASSES.

27 (E) IF A PUBLIC SCHOOL IS PROVIDING MORE PHYSICAL EDUCATION OR

1 HEALTH EDUCATION THAN REQUIRED UNDER SUBDIVISIONS (A) TO (C), THE
2 PUBLIC SCHOOL IS ENCOURAGED TO CONTINUE TO DO SO.

3 (F) IF A PUBLIC SCHOOL HAS A SCHEDULING SYSTEM, SUCH AS BLOCK
4 SCHEDULING, THAT DOES NOT ALLOW THE PUBLIC SCHOOL TO COMPLY WITH
5 THE REQUIREMENTS OF SUBDIVISIONS (A) TO (C), THE GOVERNING BOARD OF
6 THE PUBLIC SCHOOL MAY APPLY TO THE SUPERINTENDENT OF PUBLIC
7 INSTRUCTION FOR APPROVAL OF AN ALTERNATIVE SCHEDULE FOR PROVISION
8 OF PHYSICAL EDUCATION OR HEALTH EDUCATION, OR BOTH. THE
9 SUPERINTENDENT OF PUBLIC INSTRUCTION MAY APPROVE SUCH AN
10 ALTERNATIVE SCHEDULE IF IT PROVIDES, ON AVERAGE, AT LEAST AS MUCH
11 PHYSICAL EDUCATION AND HEALTH EDUCATION ON A WEEKLY BASIS AS
12 REQUIRED UNDER SUBDIVISIONS (A) TO (C).

13 (3) AT LEAST BIENNIALY, THE DEPARTMENT, IN COLLABORATION WITH
14 THE DEPARTMENT OF COMMUNITY HEALTH, SHALL REPORT INFORMATION TO THE
15 LEGISLATURE ON PHYSICAL EDUCATION AND HEALTH EDUCATION PRACTICES
16 AND CURRICULUM REQUIREMENTS IN THE PUBLIC SCHOOLS.