



# Physical Education

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Today's society is filled with many distractions for children and adolescents, such as playing video games, watching television and surfing the Internet. These and many more have taken time and precedence, it seems, over physical activity. Although children are more active than adults, their level of activity decreases during adolescence, with the downward trend continuing through adulthood. The Centers for Disease Control and Prevention (CDC) found that one out of three children--33 percent--do not engage in the recommended level of daily vigorous physical activity. Coinciding with our changing culture are budget cuts affecting school systems and challenges to mandated physical education that have turned into optional classes in many school districts.

This issue brief examines state statutes and policies concerning school-sponsored physical activity and physical education programs in levels K-12 including some general information regarding physical activity. Federal and corporate sponsored programs that encourage youth to be physically active will be highlighted. A 50 state table details current state statutes and variations in state mandates of physical education.

## **Facts about Overweight and Obesity**

In December 2001, the Office of the U.S. Surgeon General issued a report entitled, *The Surgeon General's Call to Action to Prevent and Decrease Overweight and Obesity*, emphasizing the numerous negative effects of poor nutritional dietary habits and lack of routine physical activity on Americans' body weight and health. The report contained findings by the Centers for Disease Control including the fact that more than 61 percent of adults are overweight and 27 percent of those are obese. Health problems arising from overweight and obesity include several cardiovascular disease risk factors including hypertension, high blood pressure, high cholesterol and diabetes. The economic cost of obesity in the United States was approximately \$117 billion in 2000, with 300,000 deaths attributed to obesity a year.

According to the CDC's National Center for Health Statistics, during the past 20 years, the percentage of overweight children has more than doubled with the overweight percentage of children aged 6 to 11 rising from 6.5 percent in 1980 to 15.3 percent in 2000. The overweight percentage of adolescents aged 12 to 19 tripled from 5 percent in 1980 to 15.5 percent in 2000. These statistics raise concerns as overweight children and adolescents are more likely to become overweight or obese adults who may experience a wide range of health problems. In a study of 813 Louisiana school children, 58 percent had high blood pressure, high cholesterol or high insulin levels. Currently, 4 percent of adolescents nationwide have Type II diabetes, which is typically diagnosed later in life and also known as adult onset diabetes. Diabetic children usually suffer from Type I diabetes, which is not insulin resistant.

As reported in the January 1, 2003 Journal of the American Medical Association, further research conducted through the CDC's Behavioral Risk Factor Surveillance System in 2001 found that the prevalence of obesity continued to rise between 2000 and 2001. It is estimated that among United States population, the rate of obesity has increased from 19.8 percent in 2000 to 20.9 percent in 2001. That translates to roughly 21.4 million obese men and 22.9 million obese women. The study found that the continuing rise in rates of obesity and diabetes occurs in both genders, all races, and all educational levels.<sup>1</sup>

## **Importance of Physical Activity**

According to the Surgeon General's report, only half of adolescents regularly participate in vigorous physical activity; one-fourth report no vigorous physical activity. While enrollment in physical education remained stagnant, daily attendance declined from 42 percent to 25 percent among high school students. Regular physical activity is important for maintaining a healthy body, enhancing psychological well-being, and preventing premature death.

Regular physical activity has been proven to:

- Decrease the risk of death from heart disease;
- Lower the risk of developing diabetes;
- Reduce blood pressure in persons with elevated levels;
- Increase muscle and bone strength;
- Decrease body fat; and
- Enhance psychological well being.

In addition, weight-bearing exercise is important for normal skeletal development and for achieving and maintaining peak bone mass. Individuals can improve and maintain strength and agility with regular physical activity.<sup>2</sup>

### **Physical Activity and Academic Performance**

In 2001, the Maryland Physical Education Study Group reported a relationship between physical activity, brain development and cognitive performance. The study demonstrated that aerobic exercise could improve cognitive performance. Regular aerobic exercise produced an increase in the number of capillaries serving tissues and organs, including the brain. Increased capillary density in the brain results in greater capillary exchange of nutrients and waste products. More oxygen and glucose are delivered to the brain and more waste products, such as carbon dioxide, are removed. This maximizes learning and academic performance, which would mean that some form of regular aerobic exercise should be an important component of the student curriculum. Studies conducted in Sweden, Germany and Australia have supported the correlation between physically active children and improved cognitive abilities.

According to the California School Boards Association (CSBA), a survey taken by the state Department of Education Health Kids Program office found that children in the lowest performing schools experience lower levels of physical activity during their day than students at higher performing schools. This suggests that children need activity to spur blood flow to the brain, thereby enhancing cognitive capabilities. CSBA stated that beyond higher curriculum and teaching standards, children need to be healthy both mentally and physically to be prepared to learn.

### **Physical Education Curriculum**

According to the CDC, regular participation in vigorous physical education drops from 73 percent of 9th grade students to 61 percent of 12th grade students. In 2000, only 29 percent of high school students attended daily physical education classes, compared to 42 percent in 1999. In addition, nearly half of U.S. high school students do not play on any sports teams during the year.

The National Association of State Boards of Education (NASBE) recommended that school administrators develop and implement a comprehensive plan that encourages physical activity by including the following:

- A sequential program of physical education that involves moderate to vigorous physical activity on a daily basis; teaches knowledge, motor skills, self-management skills, and positive attitudes; promotes activities and sports that students enjoy and can pursue throughout their lives; is taught by well-prepared and well-supported staff; and is coordinated with the health education curriculum.
- Time in the elementary school day for supervised recess.
- Opportunities and encouragement for students to voluntarily participate in before- and after-school physical activity programs, such as intramural activities, clubs, and, at the high school level, interscholastic athletics.
- Joint school and community recreation activities.
- Opportunities and encouragement for staff to be physically active.
- Strategies to involve family members in program development and implementation

The program should make effective use of school and community resources and equitably serve the needs and interests of all students and staff, while taking into consideration differences of gender, cultural norms, physical and cognitive abilities, and fitness levels.

The National Association for Sport and Physical Education (NASPE) issued physical activity guidelines for elementary school-aged children that recommend:

- Elementary school-aged children should accumulate at least 30 to 60 minutes of age-appropriate and developmentally appropriate physical activity from a variety of activities on all, or most, days of the week;
- An accumulation of more than 60 minutes, and up to several hours per day, of age-appropriate and developmentally appropriate activity is encouraged;
- Some of the child's activity each day should be in periods lasting 10 to 15 minutes or more and include moderate to vigorous activity, this activity will typically be intermittent in nature, involving alternating moderate to vigorous activity with brief periods of rest and recovery; and
- Children should not have extended periods of inactivity.

## Federal Action

In 2000, the Physical Education for Progress (PEP) Act authorized a new program under the Elementary and Secondary Education Act, Title X, to provide federal funding for physical education. Under the PEP program, the U.S. Secretary of Education is authorized to award grants to help initiate, expand and improve physical education programs for kindergarten through grade 12 students. The grants are allocated to local educational agencies and community-based organizations that provide equipment and support that enable students to actively participate in physical education activities. Funds may be used to purchase equipment, develop curriculum, hire and train staff, and support other initiatives designed to enable students to participate in physical education activities. In 2002, the U.S. Congress appropriated \$50 million for PEP activities.

In December 2001, Congress directed the CDC to create a media campaign to encourage healthy activity among youth. The five-year, \$190 million "VERB: It's What You Do" campaign, that began June 2002, is aimed at children ages 9 to 13. The goal is for kids to pick a favorite verb and do it. Advertising has appeared on billboards, radio, and television, in print, and on tour with Nickelodeon. The campaign to promote healthy activity will work with schools, youth-serving organizations, health departments, faith-based organizations, corporations, media outlets and federal agencies to promote positive activity, both physical and prosocial.

The CDC also started promoting its "Kids Walk-to-School" campaign, to encourage kids to walk to school, if they live within a mile of their school. Currently only 10 percent of trips to school, which are located more than a mile away, are made by biking or walking. Of school trips one mile or less, only 31 percent are made by walking. Regardless of distance, 50 percent of kids are driven to school via private vehicles. The CDC has published a guide that helps people organize a walking program in their neighborhood and provides safety tips for children and families.

Beginning in Fiscal Year 2000, the CDC sponsored six states--**California, Connecticut, Massachusetts, North Carolina, Rhode Island** and **Texas**--as part of a program initiated by the Division of Nutrition and Physical Activity to develop and implement nutrition and physical activity goals in an effort to prevent chronic diseases, especially obesity. The following year, Congress appropriated \$16.2 million to the CDC to fund six additional **states--Colorado Florida, Michigan, Montana, Pennsylvania** and Washington--as part of the cooperative agreement with the CDC to develop state specific strategies to reduce obesity.

Healthy People 2010 is an initiative sponsored by the Office of Disease Prevention and Health Promotion, U.S. Department of Health and Human Services. Healthy People 2010 is a set of health objectives for the Nation to achieve over the first decade of the new century. It can be used by many different people,

States, communities, professional organizations, and others to help them develop programs to improve health. There are two goals directed at physical education in schools: increase the proportion of public and private schools that require daily physical education for all students, and increase the proportion of adolescents who spend at least 50 percent of school physical education class time being physically active.

## State Action

There is no federal standard or education mandate for physical education, therefore state and local boards of education are free to decide on the extent and intensity of the physical education curriculum and standards in schools. As a result, There is great variation among state physical education requirements.

Currently, twenty-two states have statutes that mandate schools offer physical education programs as part of the school curriculum--**Alabama, Arkansas, Arizona, California, Connecticut, Delaware, Iowa, Idaho, Indiana, Massachusetts, Maryland, Maine, Michigan, Minnesota, North Carolina, North Dakota, Nevada, New York, Ohio, Texas, Virginia,** and **Vermont**. Seven states--**Georgia, Missouri, Mississippi, Nebraska, Tennessee** and **Washington**--hold their respective state departments of education or boards of education accountable for adoption of physical education standards. Most states that require physical education programs provide exemptions for physical illness, religious reasons and physical disabilities.

A number of states require specific physical education classes at the elementary grade level. **Arkansas** mandates that every student in kindergarten through grade nine receive no less than one hour (and in no less than three 20-minute sessions) per week for every student who is physically fit and able to participate. **New York** requires all pupils above age 8 in all public elementary and secondary schools to receive prescribed courses of instruction on physical education. Courses must be designed to aid in the well-rounded education of pupils and in the development of character, citizenship, physical fitness, health and the worthy use of leisure. In **Washington**, every pupil in grades one through eight will receive physical education instruction as prescribed by the state board of education.

Eighteen states specifically require physical education to be taught in high school--**Alabama, California, Connecticut, Delaware, Florida, Iowa, Kentucky, Louisiana, Maine, Massachusetts, North Dakota, New Jersey, New Mexico, Pennsylvania, Rhode Island, Vermont, Virginia** and **Wisconsin**. Participation, time and grading requirements vary among these states. Of those 18 states that require physical education to be taught, 11 require a physical education component or class to be completed for high school graduation --**Connecticut, Delaware, Florida, Iowa, Kentucky, Louisiana, New Jersey, New Mexico, Vermont** and **Wisconsin**. **Connecticut** requires one, out of a total of twenty, credit of physical education for graduation. **Nevada** requires two units of physical education for graduation. **New Jersey** requires 3.75 credits in health, safety, and physical education during each year of enrollment, distributed as 150 minutes per week.

**California** requires no less than 200 minutes each 10 schooldays of physical education for elementary and junior high school students and requires students to have two courses in physical education to receive their high school diploma. **Iowa** mandates physical education as part of the K-8 curriculum. In high school, all students physically able shall be required to participate in physical education activities during each semester they are enrolled in school. A minimum of one-eighth unit each semester is required. In **Massachusetts**, physical education is a required subject in all grades for the purpose of promoting the physical well being of students. Instruction in physical education may include, but is not limited to, calisthenics, gymnastics and military drills. All students in grade one through 12 who attend public schools must receive at least 20 minutes of instruction on health and physical education in **Rhode Island**.

Physical education in high school is optional in three states--**New Hampshire, Oklahoma, and Texas**. **Oklahoma** statute states that for schools to receive accreditation from the State Board of Education, all students in grades nine through 12 will enroll in a minimum of six periods, which *may* include physical education classes. Physical education is considered an optional service at all grade levels in **New Hampshire**. In **Texas**, the State Board of Education, may require a student enrolled in kindergarten through grade six in an elementary school setting to participate in daily physical activity as part of a school district's physical education curriculum or through structured activity during a school campus's daily recess, except that the board may not require more than 30 minutes of daily physical activity. If the board adopts these rules, the board must provide for an exemption for a student who is unable to participate in daily physical activity because of illness or disability. In the high school setting, health and physical education is offered as an enrichment curriculum. While **North Dakota** law does not mandate participation in physical education, it does require one unit of health and physical education to be made available to all students in each public and private high school at least once during each four-year period.

Several states allow students to meet the physical education requirement through alternative activities, such as the Reserve Officer Training Core (ROTC), marching band, organized sports and approved academic or work experiences. In **Florida**, participation in an interscholastic sport at the junior varsity or varsity level, for two full seasons, will satisfy the one-credit requirement in physical education if the student passes a competency test on personal fitness with a score of "C" or better. The Department of Education must develop the competency test on personal fitness. Completion of one semester with a grade of "C" or better in a marching band class or in a physical activity class that requires participation in marching band activities as an extracurricular activity will satisfy a one-half credit requirement in physical education.

A twelfth grade student in **Iowa** may be excused from the physical education requirement by the principal of the school in which the student is enrolled if the parent or guardian of the student requests in writing that the student be excused from the physical education requirement. A student who wishes to be excused must participate in one of the following:

- A cooperative or work-study program or other educational program authorized by the school; or
- An organized and supervised athletic program which requires at least as much participation per week as one-eighth unit of physical education.

Students in grades nine through eleven may be excused from the physical education requirement in order to enroll in academic courses not otherwise available to the student. Students from the school may be excused from the physical education requirement as determined by the board of directors of the school district in which the school is located, or the authorities in charge of the school. The student must participate in an organized and supervised athletic program, which requires at least as much time of participation per week as one-eighth unit of physical education.

Similarly, **Illinois** allows a school board to excuse pupils enrolled in grades 11 and 12 from engaging in physical education for any of the following:

- Ongoing participation in an interscholastic athletic program;
- Enrollment in academic classes required for admission to an institution of higher learning; or
- Enrollment in academic classes that are required for graduation from high school.

Pupils in grades nine through 12 enrolled in a marching band program and those enrolled in a Reserve Officer's Training Corps (ROTC) program can be excused from physical education courses.

**New Mexico** requires one unit in physical fitness as a graduation prerequisite and allows up to nine elective classes to be in physical education. With the approval of the local school board, participation on an athletic team or in an athletic sport during the school day may count toward fulfillment of the physical education required unit.

**Washington** allows individual students to be excused from participating in physical education on account of a physical disability, employment or religious belief, or because of participation in directed athletics or military science and tactics.

Some states, which lack mandated physical education, are trying to reverse the trend of inactive youth by implementing unique physical education programs, commissioning studies on the importance of physical activity or allowing the Department of Education to adopt standards that may be tailored to the location of school districts.

**Colorado** mandated that the Department of Education develop and implement model content standards for physical education through the State Standards and Assessment Development and Implementation Council, specifically the Colorado Model Physical Education Standards Task Force. The task force recommended, and the Department of Education adopted, three model standards to be implemented at every grade level. The standards require students to demonstrate:

- Competent skills in a variety of physical activities and sports;
- Competency in physical fitness; and
- Knowledge of factors important to participation in physical activity.

The **Georgia** Legislature created a Joint Study Committee on Physical Activity in 2001, which studied opportunities to increase physical activity in school settings and submitted its recommendations to the legislature in February 2002. The committee recommended mandated physical curriculum for all grades as a way to prevent future health care costs of obesity. The committee emphasized the importance of daily physical education, integration of physical activity benefits in health education curricula, access to school physical activity space outside of school hours and parental involvement in school-based physical activity. The Committee also identified the need for a physical education coordinator at the state level and local school health advisory committees.

In **Hawaii**, Senate Concurrent Resolution 42 (2001) directed the Department of Health (DOH) and Department of Education (DOE) to collaborate and examine the problem of childhood obesity, and recommend strategies focused on school intervention. The state DOH provided \$1.85 million to the DOE to support Coordinated School Health Programs. One focus of the program is to implement state content and performance standards for health and physical education throughout the state. The Healthy Hawaii Initiative, run through the DOH, currently supports efforts to increase physical activity through the development of appropriate, comprehensive physical education programs in schools. Physical education advocates would like to see the creation of a mandated elementary school level physical education program and a certified physical education teacher at every elementary school. The current policy recommends 120 minutes of physical education per week for elementary school students and one year of physical education in high school.

**Mississippi** requires the state Department of Education to employ a K-12 physical activity coordinator, funds permitting and to provide the comprehensive health education curriculum for all grades. Statutes specify the minimum qualifications of the physical activity coordinator, require the coordinator to present a state physical activity plan each year, and require the State Department of Education to conduct a study and submit a report to the Education Committees on the correlation between physical activity and classroom performance.

**Missouri** legislators allocated \$350,000 for the Governor's Council on Physical Fitness and Health in 2001. The council was established in 1982 and has grown continually through executive orders of the governor's office. The money from the council's trust fund has been used for contributions, gifts and grants to promote physical fitness and healthy lifestyles. One such program that receives funds from the council is "Flip for Fitness." This program began in 1996 with the first honorary chair of the governor's council, Ozzie Smith, former shortstop for the St. Louis Cardinals. The promotional program uses posters and videos throughout junior high and high schools that encourage students to become more physically

active and make healthy lifestyle choices. The council has also sponsored programs such as "Walk to School Day" and established a Body Walk Task Force.

While **Oregon** does not have a state law mandating physical education classes, students are encouraged to attain a Certificate of Initial Mastery (CIM) that indicates the student has gone above and beyond basic requirements for high school graduation in various subject areas including English, mathematics, science, social sciences and the arts. Beginning in the 2003-2004 school year the standards for a CIM will include completion of physical education classes for students in tenth grade. Standards for performance and completion are set by the local school board and must be approved by the local school district. Overall performance standards for all grade levels are set by local school boards and based on the state's academic content standards.

**West Virginia** Board of Education prescribes a program within a school system's existing health and physical education program that incorporates the testing, awards recognition, fitness events and incentive programs designed under the auspices of the President's Council on Physical Fitness and Sports. It requires each school in the state to participate in National Physical Fitness and Sports Month in the month of May and to make every effort to involve the community in the related events. In Cabell County, school district students became involved in lifetime physical activities, such as mountain biking and skiing, but with a twist. Before engaging in the actual activities, students learned about the economics of the activity, any special clothing that is used, safety for the equipment and the skills needed to obtain a job working in that industry. Students also engaged in muscle conditioning and training appropriate for each activity.

## 2003 Legislative Action

Legislators in several states--**Arkansas, California, Connecticut, Hawaii, Illinois, Kentucky, Maine, Massachusetts, Mississippi, Missouri, North Carolina, New York, Ohio, Oklahoma** and **Texas**--are considering or have considered legislation to address obesity through enhancement of physical education programs in schools. The following chart details physical education proposals currently before the state legislatures.

<b>Bill</b>	<b>Description</b>	<b>Sponsor</b>	<b>Status</b>
AR H 1435	Codifies school curriculum and accreditation standards, repeals Board of Education authority over curriculum decisions; 21 credits would be required for high school graduation, of those one-half credit of physical education is required, but no more than one credit is allowed to count towards 21 credits.	Cleveland	2/10/03 to House Committee on Education  4/16/03 dead upon adjournment
AR H 1466	The Board of Education may require no more than two credits in physical education for accreditation standards in grades K-12.	Elliot	2/11/03 to House Committee on Education  4/16/03 dead upon adjournment
AR H 1538 Enacted	Creates a Child Health Advisory Committee to consist of 15 members serving three year terms, representing various health organizations and state departments. The committee will meet monthly and make recommendations to the State Board of Education and the State Board of Health. The committee's duties include developing nutrition and physical activity standards and policy recommendations.	Bradford	<b>4/10/03- Signed by Governor</b>
AR HCR 1006	Resolution encourages school districts to offer nutritious meals and provide time for physical activity	Dickinson	2/12/03 Introduced 2/20/03 Passed House
AR S 936 Enacted	Requires each school district to report physical education compliance to the Department of Education annually. Strikes language from state code requiring no less than 20 minutes of physical activity three times a week for every student who is physically fit and able to participate in grades K-8.	Steele	<b>4/22/03 Signed by Governor</b> <b>4/22/03 Act No. 1729</b>



CA A 756	Increases state mandate which requires students in grades one through six to participate in 200 minutes of physical activity to 300 minutes.	Montanez	4/23/03 Hearing Scheduled before Assembly Education Committee: Not Heard
CA ACR 31	Resolution encourages schools to fulfill physical education requirements.	Montanez	5/15/03 Adopted by Assembly
CA SB 70	Requires the State Department of Education to provide information to each After School Education and Safety Program grant recipient on the resources available to promote nutrition and physical activity.	Torkalson	1/17/03 Introduced 5/12/03 Passed Senate 5/22/03 To Assembly Committee on Education
CT H 5083	Requires public school students to spend 30 minutes in physical education class or recess daily.	Klarides	1/17/03 To Joint Committee on Education 03/25/2003 Failed Joint Favorable deadline
HI H 278	Requires physical education to be included in public school curriculum. Would comprise of at least 200 minutes every 10 school days for grades one through six; and at least 400 minutes every 10 school days for grades seven through 12.	Takumi	02/07/2003 In House Committee on Education: Held in committee.
HI S 720	Appropriates funds for a dedicated physical education teacher in each public school.	Aduja	01/22/2003 To Senate Committee on Education
IL S 26	Requires every high school student to complete two years of physical education beginning in the 2003-2004 school year as a stipulation of graduation.	del Valle	03/14/2003 Rereferred to Senate Committee on Rules
KY H 77 d	Requires public school students in elementary and intermediate schools to spend 30 minutes a day, or 135 minutes a week on structured moderate to vigorous physical activity to be completed in 15 minute segments.	Burch	02/12/2003 - Passed HOUSE. *****To SENATE.
ME H 363 Enacted	Establishes a Commission to Study Public Health; requires that commission to study physical education programs in the state, dating back to 1970, in light of increasing obesity rates, and report to the Legislature.	Faircloth	<b>6/25/03 Signed by Governor</b> <b>6/25/03 Resolve No. 95.</b>
MA H 1647	Requires physical education to consist of at least 60 hours each year for grades one through 10. Health education will not be allowed as a substitute. State aid may be withheld by the Commissioner of Education if the minimal instruction is not provided, and not reinstated until compliance with minimal instructions standards are met.	J Sullivan	01/01/2003 Introduced
MA H 324	Establishes physical education requirement in the public schools.		
MA S 276	Physical education shall be taught as a required subject in a maximum of two grades for all students in the public schools for the purpose of promoting the physical well-being of such students.	Lees	01/09/2003 Introduced
MO S 159 d	Provides for a coordinated statewide health program board to aid local school districts in addressing nutrition, physical	Bland	3/13/03 Recommended as

	education, health education and parental involvement in regards to obesity.		Substituted from Committee
MS S 2339 Enacted	Allows local school boards to establish a local school health/physical education advisory council to ensure that local community values are conveyed in health and physical education classes. The local council may recommend curriculum for specific grade levels, including a coordinated health education program designed to prevent obesity, cardiovascular disease and type II diabetes through coordination of health education; physical education; nutritional services; parental involvement; and instruction to prevent the use of tobacco, drugs and alcohol. The role of the physical activity coordinator employed under Section 37-13-133, would be expanded to include monitoring and acting as a clearinghouse for local school health/physical advisory councils.	Harder	<b>3/18/03 Signed by Governor</b>
NC H 303	Requires all school children, in grades kindergarden through eight, to receive at least 30 minutes of daily physical education activity.	Bell	4/28/03 Passed House 4/30/03 To Senate Committee on Education and Higher Education
NY A 8711	Requires schools to offer physical education classes to students aged five and older. Existing statute includes students aged eight and older. Requires the state board of regents to incorporate physical education into the daily routine of grades kindergarden through 8. Sets a minimum amount of time for physical education at 150 minutes during the week for elementary schools and 225 minutes for secondary schools.	Assembly Committee on Rules	6/2/03 Introduced
OH S 81	Requires the state board of education to propose standards and model curricula for physical education, independent of health education, for grades one through 12. Requires the state board to designate a physical education curriculum director.	Fodor	5/1/03 Introduced
OK S 250	For grades one through five: requires schools to provide 30 minutes each day, three days per week for physical activity. For grades six through eight: requires schools to provide 50 minutes each day, three days per week for physical activity.	Cain	02/04/2003 To Senate Committee on Education
TX S 343	The State Board of Education shall require K-7 students to participate in daily physical activity as part of the districts physical education curriculum or through structured activity during recess. No more than 30 minutes may be required by the board. Provides for exemptions from physical education classes. Establishes a ratio of 40 students to one teacher for physical education classes.	Shapleigh	02/11/2003 To Senate Committee on Education

### Corporate Action

In addition to federal and state programs and policies, corporations are becoming more involved in youth physical fitness and physical education. Coca-Cola has introduced a new program called, "Step with it." This program is aimed at middle school students to incorporate physical activity into their lives and is

developed with NASPE. The program challenges youth to take 10,000 steps a day. "Step with It" will be introduced in the fall of 2002 to 50 schools in major metropolitan areas, such as New York, Los Angeles, and Baltimore, and is expected to reach 50,000 students and 5,000 teachers in the coming year.

Pepsi is starting a program called, "Get Active, Stay Active". This program is aimed at students in grades 7-12 and encourages students to participate in after-school physical activities.

In addition to these corporate-sponsored health programs, companies such as the global Human Kinetics produce physical education curriculum for teachers and coaches. One of their products, the Fitnessgram assists professionals with testing and assessing students' fitness levels. This program helps students devise individualized programs and set healthy goals. It also provides an organized method of tracking and recording the students' progress.

**Chart 1: State Laws on Physical Education**

State	Code	Grades K-8	Grades 9-12	General Information
AL	Ala. Code § 16-35-5  Ala. Code § 16-40-1  Ala. Code § 16-6B-2	Includes physical education as a required subject along with reading, spelling and writing, arithmetic, oral and written English, geography, history of the United States and Alabama, elementary science and health education, as prescribed by the State Board of Education.	Every public school and private school, except church schools, shall offer physical education, as prescribed by the Board of Education.	States that, in addition to the required courses, elective courses such as physical education shall be available to all students as determined by the local board of education.
AK	Ala. Admin. Code 4 § 06.075		Requires the completion of one credit in health/physical education for graduation; 21 credits are required overall. Other requirements include that students earn four credits in language arts, three in social studies, two each in math and science.	
AR	Ark. Stat. Ann. § 16-16-132	Public schools with grades K-9 are		

		required to offer no less than one hour per week of physical education training and instruction which includes no less than 20 minutes of physical activity three times a week for every student who is physically fit and able to participate. Provides for exemptions due to physical or religious reasons.		
AZ	Ariz. Admin. Code R7-2-301,  Ariz. Stat. 15-346	Students are required to demonstrate competency, as defined by local governing board, in health/physical education before receiving a certificate of promotion from the 8th grade.		Pupils with chronic health problems may have flexibility in participating in the regular physical education program.
CA	Cal. Ed. Code § 51222-3  § 51241  § 51242  § 33350	Adoptive course of study mandates 200 minutes of physical education each 10 schooldays, exclusive of recesses and the lunch period.	Adoptive course of study mandates 400 minutes of physical education each 10 schooldays, exclusive of recesses and the lunch period.  Allows students in 9th grade to take a physical assessment test to qualify for an exemption from physical education classes for the remainder of high school.  Allows schools to exempt fourth year seniors from physical education classes if they participate in an extracurricular athletic program.	Requires the Board of Education to adopt standards for K-12 physical education courses.
CO	Colo. Rev. Stat. § 22-7-405			Requires State Standards and Assessments

				Development and Implementation Council to develop physical education standards. Such standards were recommended and adopted by the Colorado Model Physical Education Standards Task Force on December 11, 1997.
CT	Conn. Gen. Stat. § 10-211  § 10-16b		Requires the completion of one credit in physical education for graduation; 20 credits are required overall. Provides for exemptions for physical limitations.	Requires all public schools to offer physical education provided the subject matter is taught by a qualified instructor under the supervision of a teacher who holds a certificate issued by the state Board of Education.
DE	Del. Admin. Code Title 14 § 503-511	Requires all public school students in grades 1-8 to be enrolled in a physical education program.	Requires the completion of one credit in physical education for graduation; 22 credits are required overall. One credit is equivalent to 135 hours of instruction.	Requires local school districts to provide physical education for grades K-12.
FL	Fla. Stat. 1003.43	Encourages each elementary and middle school to implement a personal fitness program, approved by the Department of Education, that complies with American Heart Association guidelines for elementary school and middle school personal fitness courses. From incentive funds provided in the General Appropriations Act, the Department of Education shall allocate funds to schools implementing personal fitness programs.	Requires the completion of one credit in physical education, which includes personal fitness assessment, improvement and maintenance, for graduation; 24 credits are required overall. The credit requirement may be replaced by two full seasons of participation in an interscholastic sport at the junior varsity or varsity level if the student passes a competency test on personal fitness with a score of "C" or better. The physical education requirement may not be taken during the 9th grade. Completion of one year in a marching band class or in a physical activity class that includes marching band	

			activities as an extracurricular activity may count for one-half of a credit.	
GA	Ga. Code § 20-2-142			Requires the state Board of Education to prescribe a course of study in health and physical education for all grade levels in the public schools and to establish standards for its administration.
HI	Department of Education Reg. 2020.2  Board of Education Policy 2100	Includes physical education as a component of the elementary and intermediate school curriculum.		The Department of Education shall provide an academic program to equip each student with the knowledge, skills, attitudes and values needed to give responsible direction to his or her life. The learning experience provided shall include health and physical education.
IA	Iowa Code Ann. § 256.1	Physical education is a required component of public school curriculum.	Students, who are physically able, are required to complete a minimum of one-eighths unit of physical education each semester. Provides for substitutions and exemptions including work-study programs and supervised athletic programs.	
ID	Idaho Code Title 33, Chapter 16, § 5			Requires all school districts to instruct students about physical fitness and health.
IL	Ill Rev. Stat. Ch. 105 ILCS 5/27-5	Requires the school board to provide physical education to all students. Requires daily participation in physical education classes to be as long as other subject areas.	Requires the school board to provide physical education to all students. Requires daily participation in physical education classes to be as long as other subject areas. Allows a school board to excuse pupils enrolled in grades 11 and 12 from engaging in physical education for any of the following: 1) ongoing participation in an interscholastic athletic program; 2) to enroll in	Requires pupils enrolled in the schools and state universities that assist in preparing teachers to be required to engage daily, in physical education courses compatible with the optimum growth and development needs of individuals at the various age levels.

			academic classes required for admission to an institution of higher learning; or 3) to enroll in academic classes that are required for graduation from high school. Allows a school board to excuse pupils in grades nine through 12 enrolled in a marching band program for credit in physical education courses. States that a school board also may excuse pupils in grades nine through 12 who are enrolled in a Reserve Officer's Training Corps (ROTC) program from engaging in physical education courses. Requires school boards that choose to exercise this authority to establish a policy to excuse pupils on an individual basis.	
IN	Ind. Code § 20-10.1-4-5			Requires each school corporation to include physical fitness in its curriculum.
KS	No mandate			
KY	704 Kentucky Administrative Regulation 3:305		Requires the completion of one-half credit in physical education for graduation.	
LA	La. Rev Stat. Ann. § 17:183.3		Requires the completion of at least two credits in health and physical education for graduation.	
MA	Mass. Gen. Laws Ch. 71 § 3			Requires physical education to be taught as a required subject in all grades for all students in the public schools for the purpose of promoting the physical well-being of students. States that instruction in physical education may include, but is not limited to, calisthenics, gymnastics and military drills. Provides for exemptions from physical education classes if the student presents a letter from a physician.
MD	Md. Code Ann. § 7-409			Requires public schools to provide a physical education program.
ME	Me. Rev. Stat. Ann. Tit 20-A	The basic course of study must		

	§ 4711 § 4721, § 4723	include physical education.	Secondary schools are required to provide a course of study of at least 2 years in length, which must include physical education.	
MI	Mich Comp. Laws § 380.152			Requires all public schools to provide physical education programs. Each student physically capable of participating is required to attend physical education classes. Extracurricular activities involving physical activity may substitute for physical education classes.
MN	Minn. Stat. § 120A.22			Requires physical education to be included as part of the curriculum.
MO	Mo. Rev Stat. § 161.120.1			Requires the State Department of Education to adopt rules concerning physical education and provide a manual to schools for the implementation of the physical education program.
MS	Miss. Code Ann. § 37-13-134	Recommends guidelines for local school districts to offer thirty minutes per day of physical education or fitness classes for students in grades K through 6	Recommends guidelines for local school districts to offer two hours per week of physical education or fitness classes for students in grades 7 through 9	Requires the State Department of Education to employ a K-12 physical activity coordinator, funds permitting, to provide a comprehensive health education curriculum. The State Department of Education must conduct a study and submit a report to the Education Committees on the correlation between physical activity and classroom performance.
MT	No mandate			
NC	N.C. Gen. Stat. § 115C-81  N.C. Board of Education Policy HSP-S-00			The Basic Education Program provides for instruction in physical education in public schools.  By the 2006-07 school year, elementary schools are encouraged to consider the benefits of having 150 minutes per week and middle schools should consider having 225 minutes



				per week of physical activity including a minimum of every other day of physical education throughout the 180-day school year.
ND	N.D. Cent. Code § 15-41-24		Requires one unit of health and physical education to be made available to all students in each public and private high school in this state at least once during each four-year period.	
NE	Education Regulations			Allows the Board of Education to establish and recommend statewide graduation guidelines.
NH	N.H. Rev. Stat. Ann. § 189:49			Physical education is considered optional.
NJ	N.J. Admin. Code § 6A:8-5.1		Requires 3.75 credits in health, safety, and physical education during each year of enrollment, distributed as 150 minutes per week.	
NM	N.M. State. Ann. § 22-2-8.4		Requires the completion of one unit in physical fitness for graduation; 23 units are required overall. Physical education may be used for up to 9 elective units required for graduation. With the approval of the school board, participation in an athletic team may be substituted for the physical education requirement.	
NV	Nev. Rev. Stat. Chap. 389 § 4			Requires physical education to be provided by all public schools, to the extent practicable.
NY	N.Y. Educ. Law 17 § 803	Requires all pupils above age 8 in all elementary and secondary schools to receive prescribed courses of instruction on physical education. States that courses shall be designed to aid in the well-rounded education of pupils and in the development of character, citizenship, physical fitness, health and the worthy use of leisure. Pupils above such age attending the public schools shall be required to attend the prescribed courses of instruction.		Requires the regents to adopt rules determining the subjects to be included in courses of physical education provided for in this section, the period of instruction in each of such courses, the qualifications of teachers, and the attendance upon such courses of instruction.
OH	Ohio Rev. Code Ann. § 3313.60			Requires the board of education of each city and exempted village school

				district, the governing board of each educational service center, and the board of each cooperative education school district to prescribe a curriculum for all schools under their control. Physical education must be included in any curriculum developed.
OK	Okla. Stat. Ann. Tit 70 § 11-103.6		States that, in order for schools to receive accreditation from the state Board of Education, all students in grades nine through 12 shall enroll in a minimum of six periods, which may include physical education classes.	
OR	Or. Rev. Stat. § 329.007			Requires the Department of Education to develop academic content standards in the areas of mathematics, science, history, geography, economics, civic, English, second languages, the arts, health, and physical education. Content standards for physical education become effective during the 2003-2004 school year.
PA	Pa Cons. Stat. Ann. § 55.31 and § 57.31	Requires physical education to be taught for all students in grades one through eight.	Requires one unit of health and physical education to be taught to students in grades nine through 12 on a yearly basis.	
RI	R.I. Gen. Laws § 16-22-4	States that all children in grades one through 12 who attend public schools are to receive at least a daily average of 20 minutes of instruction on health and physical education under rules and regulations prescribed by the Department of Elementary and Secondary Education.	States that all children in grade one through 12 who attend public schools are to receive at least a daily average of 20 minutes of instruction on health and physical education under rules and regulations prescribed by the Department of Elementary and Secondary Education.	
SC	S.C. Code Ann. § 59-29-80			Requires all public schools to establish and provide physical education, training and instruction for every student. Provides for exemptions including for those who participate in ROTC programs and those students physically incapable of participating.

SD	Department of Education and Cultural Affairs			Physical education standards are provided for grades K-12 as a framework for local school districts to use to create an instructional program that will enable students to become healthy and capable of academic success.
TN	Tenn. Code Ann. § 49-1-1002			The Commissioner of Education, in consultation with the Department of Health is required to develop guidelines and standards for the implementation of a coordinated school health program. Components of the program shall include physical activity.
TX	Tex. Code Ann. 28 § 2	The State Board of Education may require a student enrolled in kindergarten through grade six in an elementary school setting to participate in daily physical activity as part of a school district's physical education curriculum or through structured activity during a school campus's daily recess, except that the board may not require more than 30 minutes of daily physical activity. Provides for exemptions due to illness or disability	Health and physical education may be offered as an enrichment curriculum to the extent possible.	
UT	Utah State Office of Education (USOE)	K-6 content areas include: fitness; motor skill development; social/emotional development; and knowledge. Life skill development is woven throughout all content areas. It is recommended that all students be provided a minimum of ninety (90) minutes of structured physical education per week. Recess, or other free time, does not fulfill the educational requirements.  7-8 content area focuses on team sports at a beginning and intermediate level with no specific time requirements.	Core curriculum offerings include the following one semester physical education courses: participation skills, fitness for life, individual activities and advanced individual activities. Completion of core curriculum is required for graduation.	
VA	Va. Code § 22.1-200	Requires health and physical education to be provided as part of the curriculum.		

	§ 22.1-207			States that physical and health education are to be emphasized throughout the public school curriculum by lessons, drills and physical exercises. Requires all pupils in the public elementary, middle, and high schools to receive health instruction and physical training as part of the educational program.
VT	Vt. Educ. Code 2120.8.2  Vt. Stat. Ann. Tit. 16 Chap 23 § 906		Requires one and a half years of physical education	Requires public schools, approved and recognized independent schools and in home study programs to provide learning experiences for pupils in physical education and comprehensive health education.
WA	Wash. Rev. Code § 28A.230.040  § 28A.230.050	Every pupil in grades one through eight will receive physical education instruction as prescribed by the state board of education. Students may be excused due to physical disability, religious belief, or participation in directed athletics.	Requires all high schools to emphasize physical education and carry into effect all physical education requirements established by rule or regulation of the state board of education. Allows individual students to be excused from participating in physical education on account of a physical disability, employment or religious belief, or because of participation in directed athletics or military science and tactics.	
WI	Wis. Stat. § 118.33		Prohibits a school board from granting a high school diploma	

			to any pupil unless the pupil has earned 1.5 credits in physical education.	
WV	W.Va. Code § 18-2-7a			States that the state Board of Education is to prescribe a program within the existing health and physical education program that incorporates the testing, awards recognition, fitness events and incentive programs designed under the auspices of the President's Council on Physical Fitness and Sports. Requires each school in the state to participate in National Physical Fitness and Sports Month in May of each year and to make every effort to involve the community in the related events.
WY	Wyo. Stat. § 21-9-101			Requires each school district in the state to provide physical education programs sufficient to meet uniform student performance standards at the level established by the state Board of Education.

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