

Senate File 464 - Introduced

SENATE FILE _____
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO SF 93)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the physical education requirements for grades
2 nine through twelve under the educational standards for school
3 districts and accredited nonpublic schools.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

5 TLSB 1697SV 82

6 kh/es/88

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1 1 Section 1. Section 256.11, subsection 5, paragraph g,
1 2 unnumbered paragraph 1, Code 2007, is amended to read as
1 3 follows:

1 4 All students physically able shall be required to
1 5 participate in physical education activities during each
1 6 semester they are enrolled in school except as otherwise
1 7 provided in this paragraph. For purposes of this paragraph,
1 8 "physical education activities" includes a minimum of one
1 9 hundred minutes per week of activities designed to increase
1 10 cardiovascular fitness. A minimum of ~~one-eighth~~ one-quarter
1 11 unit each semester is required. A twelfth grade student who
1 12 meets the requirements of this paragraph may be excused from
1 13 the physical education requirement by the principal of the
1 14 school in which the student is enrolled if the parent or
1 15 guardian of the student requests in writing that the student
1 16 be excused from the physical education requirement. A student
1 17 who wishes to be excused from the physical education
1 18 requirement must be seeking to be excused in order to enroll
1 19 in academic courses not otherwise available to the student, or
1 20 be enrolled or participating in one of the following:

1 21 Sec. 2. Section 256.11, subsection 5, paragraph g,
1 22 subparagraph (2), Code 2007, is amended to read as follows:

1 23 (2) An organized and supervised athletic program which
1 24 requires at least as much participation per week as ~~one-eighth~~
1 25 one-fourth unit of physical education.

1 26 Sec. 3. Section 256.11, subsection 5, paragraph g,
1 27 unnumbered paragraph 2, Code 2007, is amended to read as
1 28 follows:

1 29 Students in grades nine through eleven may be excused from
1 30 the physical education requirement in order to enroll in
1 31 academic courses not otherwise available to the student if the
1 32 board of directors of the school district in which the school
1 33 is located, or the authorities in charge of the school, if the
1 34 school is a nonpublic school, determine that students from the
1 35 school may be permitted to be excused from the physical

2 1 education requirement. A student may be excused by the
2 2 principal of the school in which the student is enrolled, in
2 3 consultation with the student's counselor, for up to one
2 4 semester, trimester, or the equivalent of a semester or
2 5 trimester, per year if the parent or guardian of the student
2 6 requests in writing that the student be excused from the
2 7 physical education requirement. The student seeking to be
2 8 excused from the physical education requirement must, at some
2 9 time during the period for which the excuse is sought, be a
2 10 participant in an organized and supervised athletic program
2 11 which requires at least as much time of participation per week
2 12 as ~~one-eighth~~ one-fourth unit of physical education.

2 13 Sec. 4. DEPARTMENT OF EDUCATION. The department of
2 14 education shall convene, and provide administrative support
2 15 to, an advisory committee of appropriate education
2 16 stakeholders to consider the physical education requirements
2 17 under section 256.11 and make recommendations for changes to

2 18 the requirements. The department of education shall submit
2 19 the advisory committee's findings and recommendations to the
2 20 general assembly by January 14, 2008.
2 21 Sec. 5. STATE MANDATE FUNDING SPECIFIED. In accordance
2 22 with section 25B.2, subsection 3, the state cost of requiring
2 23 compliance with any state mandate included in this Act shall
2 24 be paid by a school district from state school foundation aid
2 25 received by the school district under section 257.16. This
2 26 specification of the payment of the state cost shall be deemed
2 27 to meet all the state funding-related requirements of section
2 28 25B.2, subsection 3, and no additional state funding shall be
2 29 necessary for the full implementation of this Act by and
2 30 enforcement of this Act against all affected school districts.

2 31 EXPLANATION

2 32 This bill increases the physical education unit requirement
2 33 from one-eighth unit per semester to one-quarter, or from 50
2 34 minutes per week to 100 minutes per week, for grades nine
2 35 through 12. The bill also provides that "physical education
3 1 activities", which all physically able students who do not
3 2 qualify for an exemption must participate in, includes a
3 3 minimum of 100 minutes per week, of activities designed to
3 4 increase cardiovascular fitness.

3 5 Rules adopted by the state board currently provide that
3 6 physical fitness activities include activities that increase
3 7 cardiovascular endurance, muscular strength and flexibility;
3 8 sports and games; tumbling and gymnastics; rhythms and dance;
3 9 water safety; leisure and lifetime activities.

3 10 The bill also directs the department of education to
3 11 convene an advisory committee to consider the statutory
3 12 physical education requirements and submit findings and
3 13 recommendations to the general assembly by January 14, 2008.

3 14 The bill may include a state mandate as defined in Code
3 15 section 25B.3. The bill requires that the state cost of any
3 16 state mandate included in the bill be paid by a school
3 17 district from state school foundation aid received by the
3 18 school district under section 257.16. The specification is
3 19 deemed to constitute state compliance with any state mandate
3 20 funding-related requirements of Code section 25B.2. The
3 21 inclusion of this specification is intended to reinstate the
3 22 requirement of political subdivisions to comply with any state
3 23 mandates included in the bill.

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