

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 967 Public School Physical Education
SPONSOR(S): Weatherford and others
TIED BILLS: **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) Committee on K-12	8 Y, 0 N	Barnhill	Ahearn
2) Schools & Learning Council			
3) Policy & Budget Council			
4)			
5)			

SUMMARY ANALYSIS

Currently, Florida law *encourages* all students in prekindergarten through grade 12 to participate in physical education. More particularly, school boards are *encouraged* to provide 150 minutes of physical education each week to students in kindergarten through grade 5 and to provide 225 minutes of physical education each week to students in grades 6 through 8. Students in grades 9 through 12 are encouraged to participate in physical education, although no amount of time is suggested. However, high school graduation requirements require one credit of physical education.

This bill *requires* all students in kindergarten through grade 5 to participate in physical education. The bill *requires* these students to participate in a total of 150 minutes of physical education each week. This bill encourages students in grades 6 through 12 to participate in 225 minutes of physical education each week, thus providing students in grades 9 through 12 a suggested amount of time each week to spend on physical education.

This bill also requires the State Board of Education to review, and revise as necessary, the Sunshine State Standards to ensure the standards reflect the state-of-the-art physical education philosophy and practice in this state.

This bill also requires the Department of Education and the district school boards to provide a professional development program for physical education instructors and developers of physical education curricula.

This bill does not appear to have a significant fiscal impact on state government. This bill does not appear to have an impact on local governments. Please see FISCAL ANALYSIS, section II.

The Committee on K-12 adopted one amendment on March 20, 2007, which retained the bill's provision requiring 150 minutes of physical education for students in kindergarten through grade 5, but also provided a definition of "physical education" to include a wide variety of activity and knowledge, thus providing school districts greater flexibility in meeting the 150 minute requirement. Please see AMENDMENT SECTION, section IV.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

Provide limited government – This bill requires the State Board of Education to revise the Sunshine State Standards to reflect Florida's state-of-the-art physical education philosophy and practice. This bill also requires the Department of Education and district school boards to provide a professional development program for physical education instructors and developers of physical education curricula.

B. EFFECT OF PROPOSED CHANGES:

Background

Obesity is a growing concern across the country and in this state. Overweight rates have doubled among children and tripled among adolescents in the last 25 years.¹ Obesity has been linked to inactivity, yet schools have reduced or completely excluded physical education from the curriculum in an effort to spend more time in the classroom.

Present Situation

Currently, Florida law *encourages* all students in prekindergarten through grade 12 to participate in physical education.² Section 1003.455(2), F.S., states the district school boards are responsible for developing a physical education program that stresses physical fitness and encourages healthy, active lifestyles. Physical education must include physical activities of moderate intensity, for enough time to provide a significant health benefit to students. Differing capabilities of students must be considered in the development of the physical education program.

Each school board must adopt a written policy for physical education. This policy must detail the school district's physical education program and include the district's expected program outcomes.

Current law *encourages* district school boards to provide 150 minutes of physical education each week for students in kindergarten through grade 5. District school boards are encouraged to provide 225 minutes of physical education each week to students in grades 6 through 8. Students in grades 9 through 12 are encouraged to participate in physical education, although no amount of time is suggested. However, high school graduation requirements require one credit of physical education.³

There are currently 6,233 physical education teachers employed in Florida. There are also an unknown number of additional teachers involved in physical education.

Effects of Proposed Changes

This bill changes the law from requiring school districts to *encourage* student participation in physical education, to requiring school districts to *require* students in kindergarten through grade 5 to participate in physical education and *encourage* students in grades 6 through 12 to participate in physical education.

More particularly, district school boards must require students in kindergarten through grade 5 to participate in daily physical activity, for a total of 150 minutes per week. The district school board must encourage students in grades 6 through 12 to participate in physical activity for a total of 225 minutes

¹ <http://www.cdc.gov/HealthyYouth/index.htm>

² s. 1003.455(1), F.S.

³ s. 1003.428(2)(a)(6), F.S.

per week, thus providing school boards a suggested amount of time each week students in grades 9 through 12 should spend on physical education.

This bill requires the State Board of Education to review and revise as necessary the Sunshine State Standards for physical education. These standards should reflect Florida's state-of-the-art physical education philosophy and practice.

This bill requires the Department of Education and each school district to provide a professional development program for physical education instructors and developers of physical education curricula. Physical education instructors include elementary and secondary school teachers whose responsibilities include teaching physical education classes.

C. SECTION DIRECTORY:

Section 1. Amends s. 1003.455, F.S., providing requirements for student participation in physical education and requiring review and revision of the Sunshine State Standards for physical education.

Section 2. Amends s. 1012.98, F.S., requiring the Department of Education to develop and school districts to provide a professional development program.

Section 3. Provides an effective date of July 1, 2007.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

This bill does not appear to have a fiscal impact on state government revenues.

2. Expenditures:

This bill has an indeterminate fiscal impact on the Department of Education (DOE). This bill requires the DOE to provide a professional development program for physical education instructors and developers of physical education curricula. These costs depend on availability of existing material and professional analysis of needed content.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

This bill does not appear to have a fiscal impact on local government revenues.

2. Expenditures:

This bill does not appear to have a fiscal impact on local government expenditures.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

Each school district may experience additional costs to provide the required professional development program for physical education instructors and developers of physical education curricula. Costs will vary depending on the method of delivery (e.g., online, demonstration) and the duration of the program.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

This bill does not appear to require a city or county to expend funds or to take any action requiring the expenditure of funds.

This bill does not appear to reduce the authority that municipalities or counties have to raise revenues in the aggregate.

This bill does not appear to reduce the percentage of state tax shared with counties or municipalities.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

This bill does not raise the need for rules or rulemaking authority or direct an agency to adopt rules.

C. DRAFTING ISSUES OR OTHER COMMENTS:

This bill will have an impact on daily instructional time for elementary schools. Districts that do not currently follow the recommendations in statute will have to eliminate instruction time in other areas.

This bill will have an impact on teacher certification requirements. Enrollment in physical education classes will increase significantly, causing a need for more teachers.

The language of this bill requires an actual physical *education* class. This is different from required physical *activity* (i.e., recess).

The bill does not provide for exemptions that will be needed for some students.

D. STATEMENT OF THE SPONSOR

No statement submitted.

IV. AMENDMENTS/COUNCIL SUBSTITUTE CHANGES

The Committee on K-12 adopted one amendment on March 20, 2007. Representative Weatherford's amendment retained the new requirement as provided in the bill that children in kindergarten through grade 5 take 150 minutes of physical education per week, but provided a definition of "physical education" to include the development or maintenance of skills related to strength, agility, flexibility, movement, and stamina; the development of knowledge and skills regarding teamwork and fair play and nutrition and physical fitness; and the development of positive attitudes regarding nutrition and physical activity. Thus, the amendment allows greater flexibility in meeting the 150 minute requirement.