

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Education Pre-K - 12 Appropriations Committee

BILL: CS/CS/SB 0610

INTRODUCER: Education Pre-K-12 Appropriations, Education Pre-K-12 Committee and Senator Constantine

SUBJECT: Physical Education/Grades 6-8

DATE: April 2, 2008 REVISED: _____

| | ANALYST | STAFF DIRECTOR | REFERENCE | ACTION |
|----|------------------|-----------------|-----------|---------------|
| 1. | <u>Harkey</u> | <u>Matthews</u> | <u>ED</u> | Fav/CS |
| 2. | <u>Armstrong</u> | <u>Hamon</u> | <u>EA</u> | Fav/CS |
| 3. | _____ | _____ | _____ | _____ |
| 4. | _____ | _____ | _____ | _____ |
| 5. | _____ | _____ | _____ | _____ |
| 6. | _____ | _____ | _____ | _____ |

Please see Section VIII. for Additional Information:

A. COMMITTEE SUBSTITUTE..... Statement of Substantial Changes

B. AMENDMENTS..... Technical amendments were recommended

Amendments were recommended

Significant amendments were recommended

I. Summary:

This bill requires each district school board to include in its written physical education policy the benefits of physical education and the availability of one-on-one counseling concerning the benefits. In addition to current requirements for the provision of 150 minutes of physical education each week to students in kindergarten through grade 5, the bill requires each school board to provide such education to students in 6th grade who are enrolled in a school that also contains one or more elementary grades.

The bill requires district school boards to provide the equivalent of one class period per day of physical education for one semester of each year for students enrolled in grades 6 through 8. This requirement must be waived for students who are enrolled in a remedial course or whose parents request a waiver under certain conditions. School districts are required to notify parents of the waiver options.

This bill amends section 1003.455, Florida Statutes.

II. Present Situation:

Florida requires one credit in physical education in high school.¹ District school boards are required to provide 150 minutes of physical education each week for students in kindergarten through grade 5 and are encouraged to provide 225 minutes of physical education each week for students in grades 6 through 8. According to the DOE, approximately 50 percent of students in grades 6-8 are enrolled in physical education classes. Those students are taught by 2,822 physical education teachers.

Physical education must consist of physical activities of at least a moderate intensity level and for a duration sufficient to provide a significant health benefit to students, subject to the differing capabilities of students.²

The physical education instruction in kindergarten through grade 5 may be provided by any instructional personnel regardless of certification.³ The Florida Course Code Directory requires physical education teacher certification for physical education courses in grades 6-8.

Each school district must adopt a written physical education policy that details the school district's physical education program and expected program outcomes.

III. Effect of Proposed Changes:

This bill requires each district school board to include in its written physical education policy the benefits of physical education and the availability of one-on-one counseling concerning the benefits. In addition to current requirements for the provision of 150 minutes of physical education each week to students in kindergarten through grade 5, the bill requires each school board to provide such education to students in 6th grade who are enrolled in a school that also contains one or more elementary grades.

The bill requires district school boards to provide the equivalent of one class period per day of physical education for one semester of each year for students enrolled in grades 6 through 8. Under s. 1003.4156, F.S., students in grades 6-8 must complete three middle school or higher courses in each of the following subjects: English, mathematics, social studies and science. In a school with a 6-period day, a student taking these four courses and one class per day of physical education would have only one and one-half electives remaining, absent a waiver.

The required instruction in physical education must be waived for a student who is enrolled in a remedial course or a student whose parents request a waiver because they want the student to enroll in another course from among those courses offered as options by the school district or because the student is participating in physical activities outside the school day which are equal to or in excess of the mandated requirement. School districts are required to notify parents of the waiver options.

¹ ss. 1003.428 and 1003.43, F.S.

² s. 1003.445(1), F.S.

³ s. 1003.445(3), F.S.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill requires one class period of physical education per day for one semester of each year the student is enrolled in 6th, 7th, and 8th grade. According to the DOE, if each school district uses only certified physical education teachers, 1,835 additional physical education teachers would be required at a cost of \$89,500,290 annually in salaries and benefits. However, the bill retains authorization for the district to use any instructional personnel to provide the physical education instruction so that additional cost could be mitigated. Costs may also be minimized because parents may exercise the waiver option and P.E. classes are not subject to class size maximum restrictions.

This bill has no fiscal impact to the state.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by the Education Pre-K-12 Appropriations Committee, April 2, 2008:

The CS for CS for SB 610 adds a requirement that school districts notify parents of waiver options for student participation in physical education.

CS by the Education Pre-K-12 Committee, March 19, 2008:

The CS for SB 610:

- Requires each district school board to revise its written physical education policies to include the benefits of physical education and the availability of one-on-one counseling concerning the benefits;
- Extends the requirement for physical education in elementary school to require each school board to provide 150 minutes of physical education instruction to students in 6th grade who are enrolled in a school that also contains one or more elementary grades;
- Requires district school boards to provide the equivalent of one class period per day of physical education for one semester of each year for students enrolled in grades 6 through 8; and
- Requires a waiver of the requirement for physical education for students who are enrolled in a remedial course or whose parents request a waiver under certain conditions.

- B. **Amendments:**

None.