

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 83rd General Assembly
3 Regular Session, 2001
4

As Engrossed: H3/30/01 S4/9/01

A Bill

Act 1748 of 2001
HOUSE BILL 2514

5 By: Representatives T. Steele, Broadway, Adams, Fite, Schall, French, Dangeau, Rodgers, Goss, Mack,
6 Salmon, J. Elliott

7 By: *Senator Wilkins*
8
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For An Act To Be Entitled

11 AN ACT TO IMPROVE THE HEALTH OF ARKANSAS' SCHOOL
12 CHILDREN BY MANDATING EVERY *KINDERGARTEN THROUGH*
13 *GRADE NINE (K-9) PUBLIC* EDUCATIONAL INSTITUTION
14 IN THIS STATE TO OFFER HEALTH RELATED EDUCATION
15 INCLUDING PHYSICAL EDUCATION TRAINING AND
16 INSTRUCTION; AND FOR OTHER PURPOSES.

Subtitle

19 AN ACT TO IMPROVE THE HEALTH OF
20 ARKANSAS' SCHOOL CHILDREN BY MANDATING
21 EVERY PUBLIC EDUCATIONAL INSTITUTION IN
22 THIS STATE TO OFFER HEALTH RELATED
23 EDUCATION INCLUDING PHYSICAL EDUCATION
24 TRAINING AND INSTRUCTION.

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27 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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29 SECTION 1. The General Assembly finds:

30 (1) That research has shown that active children become active adults;

31 (2) That children who engage in physical education at school are twice
32 as likely to engage in physical activity outside of school;

33 (3) That research has shown that physical exercise contributes to
34 maximizing brain function, by increasing cerebral blood flow and levels of
35 brain cell growth hormone;

36 (4) That research has shown that physical exercise decreases the

1 incidence of clinical depression, even for persons diagnosed with cancer;

2 (5) That the Physical Education for Progress Act authorized under
3 Title X of the Elementary and Secondary Education Act makes federal dollars
4 available for kindergarten through grade nine (K-9) physical education
5 programs.

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7 SECTION 2. (a) Every kindergarten through grade nine (K-9) public
8 educational institution in this state shall require no less than one (1) hour
9 per week of physical education training and instruction which includes no
10 less than twenty (20) minutes of physical activity three (3) times a week for
11 every student who is physically fit and able to participate.

12 (b) The physical education training and instruction shall be designed
13 to:

14 (1) Improve the health of this state's school children;

15 (2) Increase knowledge about the health benefits of physical
16 activity and exercise;

17 (3) Develop behavioral and motor skills that promote a lifelong
18 commitment to healthy physical activity;

19 (4) Promote health-focused physical activity among children and
20 adolescents; and

21 (5) Encourage physical activity outside of physical education.

22 (c)(1) Suitable modified courses shall be provided for students
23 physically or mentally unable or unfit to take the course or courses
24 prescribed for other pupils.

25 (2) Nothing in this act shall be construed to require any school
26 or school district to hire personnel certified in physical education.

27 (3) Each school shall develop a physical education program which
28 fits effectively and efficiently into the school's existing organization
29 while incorporating the goals of this act.

30 (d)(1) A student may be exempted from physical education and physical
31 activity requirements by seeking a waiver from the local school board of
32 directors.

33 (2) The local board may grant such a waiver based on the
34 following criteria:

35 (A) The student must present a statement by the student's
36 attending physician indicating that participation in physical education and

1 physical activity will jeopardize the student's health and well-being; or
2 (B)(i) The parent and student must show that attending
3 physical education classes will violate the student's religious beliefs and
4 would not be merely a matter of personal objection; and

5 (ii) The parent or student must be members of a
6 recognized religious faith that objects to physical education as part of its
7 official doctrine or creed.

8 (3) The local board shall encourage a student granted waiver
9 under this subsection to take, as an alternative to physical education,
10 appropriate instruction in health education or other instruction in lifestyle
11 modification if an exemption is granted pursuant to this section.

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14 /s/ T. Steele

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17 APPROVED: 4/18/2001
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