

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

*As Engrossed: H3/30/01*

## A Bill

HOUSE BILL 2514

4  
5 By: Representatives T. Steele, Broadway, Adams, Fite, Schall, French, Dangeau, Rodgers, Goss, Mack,  
6 Salmon, J. Elliott  
7  
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### For An Act To Be Entitled

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

17  
18 AN ACT TO IMPROVE THE HEALTH OF  
19 ARKANSAS' SCHOOL CHILDREN BY MANDATING  
20 EVERY PUBLIC EDUCATIONAL INSTITUTION IN  
21 THIS STATE TO OFFER HEALTH RELATED  
22 EDUCATION INCLUDING PHYSICAL EDUCATION  
23 TRAINING AND INSTRUCTION.  
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26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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28 SECTION 1. The General Assembly finds:

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

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

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

35 (4) That research has shown that physical exercise decreases the  
36 incidence of clinical depression, even for persons diagnosed with cancer;

1       (5) That the Physical Education for Progress Act authorized under  
2 Title X of the Elementary and Secondary Education Act makes federal dollars  
3 available for kindergarten through grade twelve (K-12) physical education  
4 programs.

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6       SECTION 2. (a) Every kindergarten through grade twelve (K-12) public  
7 educational institution in this state shall require no less than one (1) hour  
8 per week of physical education training and instruction which includes no  
9 less than twenty (20) minutes of physical activity three (3) times a week for  
10 every student who is physically fit and able to participate.

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

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

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

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

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

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

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

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

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

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

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

34               (A) The student must present a statement by the student's  
35 attending physician indicating that participation in physical education and  
36 physical activity will jeopardize the student's health and well-being; or

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

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

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

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13                   */s/ T. Steele, et al.*  
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