

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 86th General Assembly
3 Regular Session, 2007
4

As Engrossed: H1/25/07 H2/2/07

A Bill

HOUSE BILL 1039

5 By: Representatives Wells, Abernathy, Walters, Norton, J. Johnson
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For An Act To Be Entitled

9 AN ACT TO INCREASE ACADEMIC INSTRUCTION TIME IN
10 PUBLIC SCHOOLS; TO LIMIT PHYSICAL *ACTIVITY*
11 REQUIREMENTS FOR PUBLIC SCHOOL STUDENTS; AND FOR
12 OTHER PURPOSES.

Subtitle

15 AN ACT TO INCREASE ACADEMIC INSTRUCTION
16 TIME IN PUBLIC SCHOOLS AND TO LIMIT
17 PHYSICAL *ACTIVITY* REQUIREMENTS FOR
18 PUBLIC SCHOOL STUDENTS.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 *SECTION 1. Arkansas Code § 6-16-132(b)(1), regarding physical*
24 *education requirements for public school students, is amended to read as*
25 *follows:*

26 *(b)(1)(A) ~~Every kindergarten through grade eight (K-8) public~~*
27 *~~educational institution shall require no less than a total of~~ The physical*
28 *education curriculum and physical activity requirements for every public*
29 *school student who is physically fit and able to participate are:*

30 *(i) Except as provided in subdivision (b)(1)(A)(ii)*
31 *of this section, for students in kindergarten through grade six (K-6):*

32 *(a) ~~one (1) hour per week~~ Sixty (60) minutes*
33 *of physical education training and instruction each calendar week of the*
34 *school year or an equivalent amount of time in each school year ~~for every~~*
35 *~~student who is physically fit and able to participate; and~~*

36 *(b) Ninety (90) minutes of physical activity*



1 that may include without limitation daily recess, scheduled physical
2 education classes, or intramural sports each calendar week of the school year
3 or an equivalent amount of time in each school year;

4 (ii) For students in grades seven (7) and eight (8)
5 and students in grade six (6) who attend a public school organized to teach
6 grades six through eight (6-8) or higher, sixty (60) minutes of physical
7 education training and instruction each calendar week of the school year or
8 an equivalent amount of time in each school year, with no additional
9 requirement for physical activity; and

10 (iii) For students in grades nine through twelve (9-
11 12), one-half (1/2) unit of physical education as required for high school
12 graduation, with no additional requirement for physical activity.

13 (B) Nothing in subdivision (b)(1)(A) of this section
14 prohibits:

15 (i) A public school student's elective enrollment or
16 voluntary participation in physical activity or physical education as a part
17 of public school curriculum or extra-curricular activities; or

18 (ii) A school district's decision to require physical
19 education instruction or physical activity in excess of the amounts
20 identified in subdivision (b)(1) of this section.

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22 SECTION 2. Arkansas Code § 6-16-132, concerning the physical education
23 curriculum requirement for public schools, is amended to add an additional
24 subsection to read as follows:

25 (g) The State Board of Education shall submit to the House Interim
26 Committee on Education and the Senate Interim Committee on Education for the
27 committees' review any proposed rules regarding physical education or
28 physical activity standards for grades kindergarten through twelve (K-12)
29 developed pursuant to this section that exceed the maximums identified in
30 subdivision (b)(1) of this section.

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32 SECTION 3. Arkansas Code § 20-7-135(f), concerning the nutrition and
33 physical education standards for public school children, is amended to read
34 as follows:

35 (f)(1) The Department of Education and the division shall report
36 annually on progress in implementing nutrition and physical education

1 standards to the chairs of the House Interim Committee on Public Health,
2 Welfare, ~~and~~ Labor and the Senate Interim Committee on Public Health,
3 Welfare, and Labor, the House Interim Committee on Education, and the Senate
4 Interim Committee on Education.

5 (2) The State Board of Education shall submit to the House Interim
6 Committee on Education and the Senate Interim Committee on Education for the
7 committees' review any proposed rules regarding physical education or
8 physical activity standards for grades kindergarten through twelve (K-12)
9 developed pursuant to this section.

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/s/ Wells, et al