

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 As Engrossed: H1/25/07 H2/2/07 H2/6/07 S3/8/07

2 86th General Assembly

A Bill

3 Regular Session, 2007

HOUSE BILL 1039

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5 By: Representatives Wells, Abernathy, Norton, T. Bradford, Cheatham, Everett, George, Hawkins,
6 Lamoureux, M. Martin, Overbey, J. Roebuck, Stewart, Walters

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For An Act To Be Entitled

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

14

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Subtitle

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AN ACT TO INCREASE ACADEMIC INSTRUCTION
17 TIME IN PUBLIC SCHOOLS AND TO LIMIT
18 PHYSICAL ACTIVITY REQUIREMENTS FOR
19 PUBLIC SCHOOL STUDENTS.

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

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24 SECTION 1. Arkansas Code § 6-16-132(b)(1), regarding physical
25 education requirements for public school students, is amended to read as
26 follows:

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

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

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



1 (b) Ninety (90) minutes of physical activity
2 each calendar week of the school year, which may include without limitation
3 daily recess, physical education instruction in addition to the requirement
4 of subdivision (b)(1)(A)(i)(a) of this section, or intramural sports;

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

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

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

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

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

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

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

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

36 (f)(1) The Department of Education and the division shall report

1 annually on progress in implementing nutrition and physical education
2 standards to the chairs of the House Interim Committee on Public Health,
3 Welfare, ~~and~~ Labor and the Senate Interim Committee on Public Health,
4 Welfare, and Labor, the House Interim Committee on Education, and the Senate
5 Interim Committee on Education.

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

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/s/ Wells