

# HOUSE BILL No. 5019

September 28, 2011, Introduced by Rep. Stapleton and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1502 (MCL 380.1502), as amended by 1993 PA 335.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 1502. (1) ~~Health~~ **EACH PUBLIC SCHOOL SHALL ESTABLISH AND**  
2 **PROVIDE A PROGRAM OF HEALTH** and physical education for pupils of  
3 both sexes. ~~shall be established and provided in all public schools~~  
4 ~~of this state. Subject to subsection (2), each~~ **EACH** pupil attending  
5 public school in this state who is ~~physically fit and capable of~~  
6 doing so shall take the course in physical education.

7           (2) ~~A school district may credit a pupil's participation in~~  
8 ~~extracurricular athletics or other extracurricular activities~~  
9 ~~involving physical activity as meeting the physical education~~  
10 ~~requirement for the pupil under subsection (1).~~ **ALL OF THE FOLLOWING**

1 APPLY TO THE PROVISION OF PHYSICAL EDUCATION UNDER THIS SECTION:

2 (A) NOT LATER THAN THE 2012-2013 SCHOOL YEAR, THE GOVERNING  
3 BOARD OF EACH PUBLIC SCHOOL SHALL ENSURE THAT ALL OF THE FOLLOWING  
4 ARE MET, AS APPLICABLE:

5 (i) FOR EACH OF GRADES K TO 5, THE PUBLIC SCHOOL SHALL PROVIDE  
6 FOR ALL PUPILS AT LEAST 30 MINUTES OF PHYSICAL EDUCATION AT LEAST 2  
7 DAYS PER SCHOOL WEEK, AND AT LEAST 60 MINUTES OF HEALTH EDUCATION  
8 EACH SCHOOL WEEK, FOR THE ENTIRE SCHOOL YEAR.

9 (ii) FOR PUPILS IN GRADES 6 TO 8, THE PUBLIC SCHOOL SHALL  
10 PROVIDE FOR ALL PUPILS AT LEAST 45 MINUTES OF PHYSICAL EDUCATION  
11 EACH SCHOOL DAY, AND AT LEAST 225 MINUTES OF HEALTH EDUCATION EACH  
12 SCHOOL WEEK, FOR AT LEAST THE EQUIVALENT OF 1 SCHOOL YEAR DURING  
13 THOSE GRADES.

14 (B) NOT LATER THAN THE 2015-2016 SCHOOL YEAR, THE GOVERNING  
15 BOARD OF EACH PUBLIC SCHOOL SHALL ENSURE THAT ALL OF THE FOLLOWING  
16 ARE MET, AS APPLICABLE:

17 (i) FOR EACH OF GRADES K TO 5, THE PUBLIC SCHOOL SHALL PROVIDE  
18 FOR ALL PUPILS AT LEAST 30 MINUTES OF PHYSICAL EDUCATION AT LEAST 3  
19 DAYS PER SCHOOL WEEK, AND AT LEAST 90 MINUTES OF HEALTH EDUCATION  
20 EACH SCHOOL WEEK, FOR THE ENTIRE SCHOOL YEAR.

21 (ii) FOR PUPILS IN GRADES 6 TO 8, THE PUBLIC SCHOOL SHALL  
22 PROVIDE FOR ALL PUPILS AT LEAST 45 MINUTES OF PHYSICAL EDUCATION  
23 EACH SCHOOL DAY, AND AT LEAST 225 MINUTES OF HEALTH EDUCATION EACH  
24 SCHOOL WEEK, FOR AT LEAST THE EQUIVALENT OF 2 SCHOOL YEARS OR 4  
25 SEMESTERS DURING THOSE GRADES.

26 (C) NOT LATER THAN THE 2020-2021 SCHOOL YEAR, THE GOVERNING  
27 BOARD OF EACH PUBLIC SCHOOL SHALL ENSURE THAT ALL OF THE FOLLOWING

1 ARE MET, AS APPLICABLE:

2 (i) FOR EACH OF GRADES K TO 5, THE PUBLIC SCHOOL SHALL PROVIDE  
3 FOR ALL PUPILS AT LEAST 30 MINUTES OF PHYSICAL EDUCATION EACH  
4 SCHOOL DAY, AND AT LEAST 150 MINUTES OF HEALTH EDUCATION EACH  
5 SCHOOL WEEK, FOR THE ENTIRE SCHOOL YEAR.

6 (ii) FOR EACH OF GRADES 6 TO 8, THE PUBLIC SCHOOL SHALL PROVIDE  
7 FOR ALL PUPILS AT LEAST 45 MINUTES OF PHYSICAL EDUCATION EACH  
8 SCHOOL DAY, AND AT LEAST 225 MINUTES OF HEALTH EDUCATION EACH  
9 SCHOOL WEEK, FOR THE ENTIRE SCHOOL YEAR.

10 (D) AT ALL GRADE LEVELS FOR GRADES K TO 8, THE GOVERNING BOARD  
11 OF EACH PUBLIC SCHOOL SHALL ENSURE THAT THE PUPIL-TO-TEACHER RATIO  
12 IN PHYSICAL EDUCATION CLASSES AND HEALTH EDUCATION CLASSES IS  
13 SUBSTANTIALLY EQUIVALENT TO THAT RATIO IN OTHER SUBJECT AREAS AND  
14 CLASSES.

15 (E) IF A PUBLIC SCHOOL IS PROVIDING MORE PHYSICAL EDUCATION OR  
16 HEALTH EDUCATION THAN REQUIRED UNDER SUBDIVISIONS (A) TO (C), THE  
17 PUBLIC SCHOOL IS ENCOURAGED TO CONTINUE TO DO SO.

18 (F) IF A PUBLIC SCHOOL HAS A SCHEDULING SYSTEM, SUCH AS BLOCK  
19 SCHEDULING, THAT DOES NOT ALLOW THE PUBLIC SCHOOL TO COMPLY WITH  
20 THE REQUIREMENTS OF SUBDIVISIONS (A) TO (C), THE GOVERNING BOARD OF  
21 THE PUBLIC SCHOOL MAY APPLY TO THE SUPERINTENDENT OF PUBLIC  
22 INSTRUCTION FOR APPROVAL OF AN ALTERNATIVE SCHEDULE FOR PROVISION  
23 OF PHYSICAL EDUCATION OR HEALTH EDUCATION, OR BOTH. THE  
24 SUPERINTENDENT OF PUBLIC INSTRUCTION MAY APPROVE SUCH AN  
25 ALTERNATIVE SCHEDULE IF IT PROVIDES, ON AVERAGE, AT LEAST AS MUCH  
26 PHYSICAL EDUCATION AND HEALTH EDUCATION ON A WEEKLY BASIS AS  
27 REQUIRED UNDER SUBDIVISIONS (A) TO (C).

1           (3) AT LEAST BIENNIALY, THE DEPARTMENT, IN COLLABORATION WITH  
2 THE DEPARTMENT OF COMMUNITY HEALTH, SHALL REPORT INFORMATION TO THE  
3 LEGISLATURE ON PHYSICAL EDUCATION AND HEALTH EDUCATION PRACTICES  
4 AND CURRICULUM REQUIREMENTS IN THE PUBLIC SCHOOLS.