

# HOUSE BILL No. 5140

November 1, 2011, Introduced by Reps. Bauer, Liss, Slavens, Rutledge, Ananich, Haugh, Constan, Hovey-Wright and McCann 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 and~~ **EACH PUBLIC SCHOOL SHALL ESTABLISH**  
2 **AND PROVIDE** physical education for pupils of both sexes. ~~shall be~~  
3 ~~established and provided in all public schools of this state.~~  
4 ~~Subject to subsection (2), each~~ **EACH** pupil attending public school  
5 in this state ~~who is physically fit and capable of doing so~~ shall  
6 take the course in physical education.

7           (2) **ALL OF THE FOLLOWING APPLY TO PHYSICAL EDUCATION UNDER**  
8 **THIS SECTION:**

9           **(A) AS PART OF PROVIDING PHYSICAL EDUCATION UNDER THIS**  
10 **SECTION, THE GOVERNING BOARD OF A PUBLIC SCHOOL SHALL ENSURE BOTH**  
11 **OF THE FOLLOWING:**

1           (i) FOR EACH OF GRADES K TO 5, THE PUBLIC SCHOOL SHALL PROVIDE  
2 FOR ALL PUPILS AT LEAST 30 MINUTES OF PHYSICAL EDUCATION AT LEAST 2  
3 DAYS PER WEEK FOR THE ENTIRE SCHOOL YEAR.

4           (ii) FOR EACH OF GRADES 6 TO 8, THE PUBLIC SCHOOL SHALL PROVIDE  
5 FOR ALL PUPILS AT LEAST 45 MINUTES OF PHYSICAL EDUCATION EVERY  
6 SCHOOL DAY FOR AT LEAST 1 SEMESTER.

7           (B) THE GOVERNING BOARD OF A PUBLIC SCHOOL SHALL ENSURE THAT  
8 CLASS SIZE FOR PHYSICAL EDUCATION IS CONSISTENT WITH CLASS SIZE FOR  
9 OTHER SUBJECT AREAS AND OTHER CLASSROOMS.

10           (C) THE DEPARTMENT SHALL ESTABLISH GUIDELINES FOR PHYSICAL  
11 EDUCATION THAT ARE CONSISTENT WITH PHYSICAL EDUCATION STANDARDS,  
12 GRADE LEVEL CONTENT EXPECTATIONS, THE STATE BOARD'S POLICY ON  
13 QUALITY PHYSICAL EDUCATION, AND THE BEST AVAILABLE SCIENTIFIC  
14 RESEARCH CONCERNING PHYSICAL EDUCATION. THE GOVERNING BOARD OF A  
15 PUBLIC SCHOOL SHALL ENSURE THAT THE PUBLIC SCHOOL FOLLOWS THESE  
16 GUIDELINES.

17           (3) ~~(2)~~ A PUBLIC school ~~district may~~ SHALL NOT credit a  
18 pupil's participation in extracurricular athletics or other  
19 extracurricular activities involving physical activity as meeting  
20 the physical education requirement for the pupil under subsection  
21 (1).