

# SENATE BILL No. 365

March 12, 2009, Introduced by Senators GEORGE, GARCIA, THOMAS, KAHN, PAPPAGEORGE, SANBORN and SWITALSKI and referred to the Committee on Health Policy.

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 **AND HEALTH 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~~ **COURSES** in physical education **AND**  
7 **HEALTH EDUCATION. ALL OF THE FOLLOWING APPLY TO PHYSICAL EDUCATION**  
8 **AND HEALTH EDUCATION:**

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

1 OF THE FOLLOWING:

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 AT LEAST 2  
4 DAYS PER WEEK FOR THE ENTIRE SCHOOL YEAR.

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

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

11 (i) FOR EACH OF GRADES K TO 5, THE PUBLIC SCHOOL SHALL PROVIDE  
12 FOR ALL PUPILS AT LEAST 15 HOURS OF HEALTH EDUCATION PER SCHOOL  
13 YEAR.

14 (ii) FOR EACH OF GRADES 6 TO 8, THE PUBLIC SCHOOL SHALL PROVIDE  
15 FOR ALL PUPILS AT LEAST 50 HOURS OF HEALTH EDUCATION PER SCHOOL  
16 YEAR.

17 (C) THE GOVERNING BOARD OF A PUBLIC SCHOOL SHALL ENSURE THAT  
18 CLASS SIZE FOR PHYSICAL EDUCATION AND FOR HEALTH EDUCATION IS  
19 CONSISTENT WITH CLASS SIZE FOR OTHER SUBJECT AREAS AND OTHER  
20 CLASSROOMS.

21 (D) THE DEPARTMENT SHALL ESTABLISH GUIDELINES FOR PHYSICAL  
22 EDUCATION THAT ARE CONSISTENT WITH THE PHYSICAL EDUCATION  
23 STANDARDS, GRADE LEVEL CONTENT EXPECTATIONS, THE STATE BOARD'S  
24 POLICY ON QUALITY PHYSICAL EDUCATION, AND THE BEST AVAILABLE  
25 SCIENTIFIC RESEARCH CONCERNING PHYSICAL EDUCATION. THE GOVERNING  
26 BOARD OF A PUBLIC SCHOOL SHALL ENSURE THAT THE PUBLIC SCHOOL  
27 FOLLOWS THESE GUIDELINES.

1           (E) THE DEPARTMENT SHALL ESTABLISH GUIDELINES FOR HEALTH  
2 EDUCATION THAT ARE CONSISTENT WITH THE HEALTH EDUCATION STANDARDS,  
3 GRADE LEVEL CONTENT EXPECTATIONS, THE STATE BOARD'S POLICY ON  
4 QUALITY PHYSICAL EDUCATION, AND THE BEST AVAILABLE SCIENTIFIC  
5 RESEARCH CONCERNING HEALTH EDUCATION. THE GOVERNING BOARD OF A  
6 PUBLIC SCHOOL SHALL ENSURE THAT THE PUBLIC SCHOOL FOLLOWS THESE  
7 GUIDELINES.

8           (2) A **PUBLIC** school ~~district may~~ **SHALL NOT** credit a pupil's  
9 participation in extracurricular athletics or other extracurricular  
10 activities involving physical activity as meeting the physical  
11 education requirement for the pupil under subsection (1).