

Senate Bill 4

Sponsored by Senator COURTNEY (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Directs State Board of Education to adopt rules that prorate number of minutes required for instruction in physical education under certain circumstances.

Declares emergency, effective July 1, 2017.

A BILL FOR AN ACT

1
2 Relating to physical education; amending ORS 329.496; and declaring an emergency.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 329.496 is amended to read:

5 329.496. (1)(a) Every public school student in kindergarten through grade 8 shall participate in
6 physical education for the entire school year. Students in kindergarten through grade 5 shall par-
7 ticipate in physical education for at least 150 minutes during each school week. Students in grades
8 6 through 8 shall participate in physical education for at least 225 minutes during each school week.

9 **(b) Notwithstanding the time requirements under paragraph (a) of this subsection, the**
10 **State Board of Education shall adopt rules that prorate the number of required minutes for:**

11 **(A) School weeks with scheduled school closures, including closures for holidays, inser-**
12 **vice days and days scheduled for parent-teacher conferences;**

13 **(B) School weeks with unscheduled school closures, including closures for inclement**
14 **weather and emergencies;**

15 **(C) School weeks with out-of-school activities that occur during usual school hours, in-**
16 **cluding field trips and outdoor school programs;**

17 **(D) Part-time school programs, including half-day kindergarten; and**

18 **(E) Irregular class schedules, including class schedules based on a four-day week.**

19 (2) School districts and public charter schools shall offer instruction in physical education that
20 meets the academic content standards for physical education adopted by the State Board of Educa-
21 tion under ORS 329.045. The instruction shall be a sequential, developmentally appropriate curric-
22 ulum that is designed, implemented and evaluated to help students develop the knowledge, motor
23 skills, self-management skills, attitudes and confidence needed to adopt and maintain physical ac-
24 tivity throughout their lives.

25 (3) School districts and public charter schools shall devote at least 50 percent of physical edu-
26 cation class time to actual physical activity in each school week, with as much class time as possi-
27 ble spent in moderate physical activity.

28 (4)(a) Notwithstanding subsections (1) and (3) of this section, a student with disabilities shall
29 have suitably adapted physical education incorporated as part of the individualized education pro-
30 gram developed for the student under ORS 343.151.

31 (b) Notwithstanding subsections (1) and (3) of this section, a student who does not have an in-

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.
New sections are in **boldfaced** type.

1 individualized education program but has chronic health problems, other disabling conditions or other
2 special needs that preclude the student from participating in regular physical education instruction
3 shall have suitably adapted physical education incorporated as part of an individualized health plan
4 developed for the student by the school district or public charter school.

5 (5) School districts and public charter schools shall assess school curricula at regular intervals
6 to measure the attainment of the minimum number of minutes that students are required to partic-
7 ipate in physical education under this section.

8 (6) All teachers of physical education for public school students in kindergarten through grade
9 8 shall be adequately prepared and shall regularly participate in professional development activities
10 to effectively deliver the physical education program.

11 **SECTION 2. This 2017 Act being necessary for the immediate preservation of the public**
12 **peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect**
13 **July 1, 2017.**

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