

6-16-132. Physical education.

(a) The General Assembly finds that:

(1) Research has shown that active children become active adults;

(2) Children who engage in physical education at school are twice as likely to engage in physical activity outside of school;

(3) Research has shown that physical exercise contributes to maximizing brain function by increasing cerebral blood flow and levels of brain cell growth hormone; and

(4) Research has shown that physical exercise decreases the incidence of clinical depression, even for persons diagnosed with cancer.

(b) (1) (A) The physical education curriculum and physical activity requirements for every public school student who is physically fit and able to participate are:

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

(a) Sixty (60) minutes of physical education training and instruction each calendar week of the school year; and

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

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

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

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

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

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

(2) The physical education training and instruction shall be designed to:

(A) Improve the health of this state's school children;

(B) Increase knowledge about the health benefits of physical activity and exercise;

(C) Develop behavioral and motor skills that promote a lifelong commitment to healthy physical activity;

(D) Promote health-focused physical activity among children and adolescents; and

(E) Encourage physical activity outside of physical education.

(3) Suitable modified courses shall be provided for students physically or mentally unable or unfit to take the course or courses prescribed for other pupils.

(4) (A) A student may be exempted from physical education and physical activity requirements by seeking a waiver from the local school district board of directors.

(B) The local school district board of directors may grant such a waiver based on the following criteria:

(i) The student must present a statement by the student's attending physician indicating that participation in physical education and physical activity will jeopardize the student's health and well-being; or

(ii) (a) The parent and student must show that attending physical education classes will violate the student's religious beliefs and would not be merely a matter of personal objection.

(b) The parent or student must be members of a recognized religious faith that objects to physical education as part of its official doctrine or creed.

(c) The local school district board of directors shall encourage a student granted a waiver under subdivision (b)(4) of this section to take, as an alternative to physical education, appropriate instruction in health education or other instruction in lifestyle modification if an exemption is granted pursuant to this section.

(d) Each school shall develop a physical education program that fits effectively and efficiently into the school's existing organization while incorporating the goals of this section.

(e) Nothing in this section shall be construed to require any school or school district to hire personnel licensed in physical education.

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

HISTORY: Acts 2001, No. 1748, §§ 1, 2; 2003, No. 1729, § 1; 2007, No. 317, §§ 1, 2; 2007, No. 1573, § 54; 2013, No. 1138, § 26.