

SB 4 A STAFF MEASURE SUMMARY**Carrier:** Rep. Sollman**House Committee On Education****Action Date:** 05/22/17**Action:** Do Pass the A-Eng bill.**Vote:** 7-0-2-0**Yeas:** 7 - Doherty, Hernandez, McLain, Parrish, Sollman, Sprenger, Vial**Exc:** 2 - Evans, Wilson**Fiscal:** No fiscal impact**Revenue:** No revenue impact**Prepared By:** Alethia Miller, LPRO Analyst**WHAT THE MEASURE DOES:**

Requires sixth graders who attend kindergarten through sixth grade schools to take physical education for 150 minutes each week. Requires sixth graders who attend sixth through eighth grade schools to take physical education for 225 minutes each week.

Requires the Oregon State Board of Education adopt rules to prorate time requirements. Allows school districts to prorate time requirements for school closures, unscheduled school closures, out-of-school activities during usual school hours, part-time school programs and irregular class schedules.

Exempts school districts and charter schools from time requirements in which the total amount appropriated to the State School Fund and available for distribution to school districts is less than the amount determined to be needed for districts in the budget prepared by the Oregon Department of Administrative Services. Allows up to 45 minutes of activities each week to satisfy the time requirement if those activities meet academic content standards for physical education and are provided by teachers licensed for physical education. Allows elementary teachers with multiple subject endorsement to instruct students in physical education activities if the activities are reviewed by a teacher with a physical education endorsement.

Requires the Oregon Department of Education (ODE) to review and approve activities developed by nonprofit organizations and make a list of approved activities available to school districts and public charter schools. Requires ODE to collect data on the number of minutes of physical education offered to students. Requires ODE to provide technical assistance and develop recommendations for implementation.

Allows school districts and public charter schools to provide activities developed by nonprofit organizations even if those activities are not on the approved list. Establishes transition period for the 2019-2020 through 2021-2022 school years allowing for students to participate in physical education for 80 percent of the minutes required by current law. Allows school districts to not be penalized for failing to comply with requirements prior to 2022-2023 school year.

Phases in physical education requirements in ORS 329.496. Phases in requirements as follows:

- Requires students (identified in ORS 392.496(2)(a)) participate in 120 minutes of physical education each school week during 2019-2020 academic year.
- Requires students (identified in ORS 392.496(2)(a)) participate in 150 minutes of physical education each school week during 2020-2021 school year.
- Requires students (identified in ORS 392.496(2)(b)) participate in 180 minutes of physical education each school week during 2021-2022 school year.

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- Requires students (identified in ORS 392.496(2)(b)) participate in 225 minutes of physical education each school week during 2022-2023 school year.

Allows moneys to be withheld from school districts if failure to comply with physical education laws. Repeals transition periods and timelines on July 1, 2022. Declares emergency, effective July 1, 2017.

ISSUES DISCUSSED:

- Impact of requirement going into effect this upcoming academic year
- Workgroup to discuss physical education and results of workgroup
- Children run more in recess than they run during physical education classes
- Importance of physical education for children

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

House Bill 3141 (2007) required elementary schools to provide 150 minutes and middle schools provide 225 minutes of physical education each week. The bill required instruction to be part of a sequential, developmentally appropriate curriculum designed, implemented and evaluated to help students develop the knowledge and motor skills to maintain physical education. The bill required at least 50 percent of the physical education class time to be actual physical activity with as much time as possible spent in moderate physical activity. It also required adaptive physical education for those with chronic health problems. In Oregon, the average student in kindergarten through eighth grade did not meet the physical education minutes per week in the 2015-2016 school year, as required by HB 3141.

Senate Bill 4-A phases in physical education requirements established in ORS 329.496. The bill establishes a transition period for the 2019-2020 through 2021-2022 school years allowing for students to participate in physical education for 80 percent of the minutes required by current law. It allows school districts to not be penalized for failing to comply with requirements prior to 2022-2023 school year.