

## SENATE BILL No. 281

By Senator Steineger

2-5

---

9 AN ACT concerning school districts; relating to physical education; es-  
10 tablishing the physical education incentive grant program; relating to  
11 the powers and duties of the state board of education and local boards  
12 of education.  
13

14 *Be it enacted by the Legislature of the State of Kansas:*

15 Section 1. (a) It is the policy of the state of Kansas to promote a  
16 healthier school environment and a higher level of physical fitness in  
17 Kansas children. In order to accomplish such policy, each child enrolled  
18 in an accredited school shall participate in the appropriate amount of  
19 physical education and physical activity each year.

20 (b) The state board of education shall collaborate with the Kansas  
21 department of health and environment to develop a curriculum, materials  
22 and guidelines that local boards of education and governing authorities  
23 of accredited nonpublic schools may use in complying with the provisions  
24 of this act.

25 (c) (1) Each school year, each pupil enrolled in kindergarten and any  
26 of the grades one through six shall participate in physical activity for a  
27 total period of time of not less than 200 minutes each 10 schooldays.

28 (2) Each school year, each pupil enrolled in any of the grades seven  
29 through 12 shall participate in physical activity for a total period of time  
30 of not less than 400 minutes each 10 schooldays.

31 (3) Physical activity courses shall be provided by teachers who are  
32 fully endorsed as physical education teachers. Such courses shall offer  
33 instruction in physical education that is conducive to the health and vigor  
34 of body and mind. Such courses shall provide equal opportunities for  
35 participation by all students regardless of gender.

36 (d) Each school year, each child enrolled in grades 4, 7, 9 and 12 in  
37 an accredited school shall complete a physical fitness test. A physical  
38 fitness test shall include the measurement of the height and weight of  
39 each child and a calculation of the body mass index (BMI) of each child.  
40 Information collected pursuant to this section shall include the age and  
41 sex of the child. The information collected pursuant to this section shall  
42 be reported to the Kansas department of education in the manner and  
43 form required by the department. Information submitted to the depart-

1 ment of education pursuant to this section shall be provided to the Kansas  
2 department of health and environment. Information submitted pursuant  
3 to this section shall be reported in a manner that does not reveal the  
4 identity of any child.

5 (e) The state board of education shall collaborate with the Kansas  
6 department of health and environment to develop standards and objec-  
7 tives for physical fitness tests and physical education programs for all  
8 grade levels. It is the goal of the state of Kansas that each school district  
9 provide physical education programs and opportunities for physical activ-  
10 ity necessary to meet the standards and objectives for physical fitness  
11 established by the state board of education and the Kansas department  
12 of health and environment.

13 Sec. 2. The board of education of each school district shall report  
14 the number of teachers employed by the district who are endorsed to  
15 teach physical education and the number of school minutes or school  
16 hours each such teacher teaches physical education. The data collected  
17 pursuant to this section shall be reported to the Kansas department of  
18 education in the manner and form required by the department. Infor-  
19 mation submitted to the department of education pursuant to this section  
20 shall be provided to the Kansas department of health and environment.

21 Sec. 3. (a) As used in this section:

22 (1) "State Board" means the state board of education.

23 (2) "Program" means the physical education incentive grant program  
24 established by this section.

25 (3) "Direct costs" means the costs of books, fees, tuition or other  
26 charges for courses necessary to attain full endorsement as a physical  
27 teacher.

28 (b) There is hereby established the physical education incentive grant  
29 program. The program shall be administered by the state board.

30 (c) The board of education of any school district may reimburse any  
31 teacher employed by the school district for the direct costs incurred by  
32 such teacher in attaining full endorsement as a physical education teacher.

33 (d) Subject to the limitations of appropriations therefor, each school  
34 year any school district which has reimbursed teachers as authorized by  
35 subsection (c) is eligible to receive a grant of state moneys in an amount  
36 to be determined by the state board.

37 (e) In order to be eligible for a grant under this section, the board of  
38 education of the school district shall submit to the state board an appli-  
39 cation for a grant and shall certify the amount expended on such reim-  
40 bursements. The application and certification shall be prepared in such  
41 form and manner as required by the state board and shall be submitted  
42 at a time to be determined and specified by the state board.

43 (f) Each school district which is awarded a grant under this section

1 shall make such periodic and special reports to the state board as it may  
2 request.

3 (g) All moneys received by a school district under authority of this  
4 section shall be deposited in the general fund of the school district and  
5 shall be considered reimbursement of the district for the purpose of the  
6 school district finance and quality performance act. To the extent that  
7 grant moneys have been awarded to the district, the board of education  
8 of any district which has been awarded a grant pursuant to this section  
9 shall reimburse teachers employed by the school district for the direct  
10 costs incurred by such teacher in attaining full endorsement as a physical  
11 education teacher.

12 (h) The state board shall establish standards and criteria for review-  
13 ing, evaluating and approving applications for grants submitted pursuant  
14 to this section. All grants shall be awarded by the state board in accord-  
15 ance with the standards and criteria established by the state board. The  
16 state board shall approve applications of school districts for grants, de-  
17 termine the amount of grants and be responsible for payment of grants  
18 to school districts. When awarding grants pursuant to this section, the  
19 state board shall give priority to those districts with the greatest need for  
20 teachers with a physical education endorsement. If the amount of approp-  
21 riations for the payment of grants under this section is insufficient to  
22 pay in full the amount each school district is determined to be eligible to  
23 receive for the school year, the state board shall prorate the amount ap-  
24 propriated among all school districts which are eligible to receive grants  
25 of state moneys in proportion to the amount each school district is de-  
26 termined to be eligible to receive.

27 (i) Nothing in this section shall be construed as prohibiting districts  
28 from reimbursing teachers for the direct costs of attaining full endorse-  
29 ment as a physical education teacher from other moneys of the district.

30 Sec. 4. This act shall take effect and be in force from and after its  
31 publication in the statute book.