

# HOUSE BILL REPORT

## HJM 4002

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**As Reported by House Committee On:**  
Education

**Brief Description:** Requesting reauthorization of the No Child Left Behind Act to include health and fitness.

**Sponsors:** Representatives Sullivan, Simpson and Kenney.

**Brief History:**

**Committee Activity:**

Education: 2/3/09, 2/13/09 [DP].

**Brief Summary of Bill**

- Requests that reauthorization of the federal No Child Left Behind Act include health and fitness, including physical education, as a core academic subject to be taught by highly qualified teachers.

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### HOUSE COMMITTEE ON EDUCATION

**Majority Report:** Do pass. Signed by 13 members: Representatives Quall, Chair; Probst, Vice Chair; Priest, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Cox, Dammeier, Hunt, Johnson, Lias, Maxwell, Orwall, Santos and Sullivan.

**Staff:** Cece Clynch (786-7195)

**Background:**

The federal No Child Left Behind Act (NCLB) requires all teachers of core academic subjects to meet a federal definition of "highly-qualified" to teach in that subject. The core academic subjects are language arts, reading, English, science, mathematics, history, government, geography, economics, arts, civics, and designated world languages. The definition of highly qualified requires at least a bachelor's degree, full state teacher certification, and demonstrated subject area and teaching competencies. The competencies can be met in a number of ways.

Schools that receive Title I funds must notify parents if a student has been taught for more

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than a month by a teacher who is not considered highly qualified. States are required to report annually on the number of teachers in the state not considered highly qualified.

In Washington, physical education (PE) requirements are set by rule by the Office of the Superintendent of Public Instruction. In grades 1 through 8, students must receive an average of 100 instructional minutes of PE per week. The rules specify that a one credit course or its equivalent shall be offered in PE for each grade in the high school program. Two of the 19 credits for graduation must be health and fitness credits that align with current essential academic learning requirements (EALRs) at grade 10 or above.

Pursuant to statute, by the end of the 2008-09 school year, school districts must have assessments in place in elementary, middle, and high schools to assure that students have an opportunity to learn the EALRs in health and fitness. A subsequent statute enacted in 2007 set as a goal, not a mandate, that by 2010: (1) all students in grades 1 through 8 have at least 150 minutes of quality PE every week; and (2) all student health and fitness instruction be conducted by appropriately certified instructors.

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**Summary of Bill:**

It is requested that in the reauthorization of the NCLB, health and fitness, including PE, be identified as a core academic subject area to be taught by highly qualified teachers.

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**Appropriation:** None.

**Fiscal Note:** Not requested.

**Staff Summary of Public Testimony:**

(In support) Many in the population, including many children, are obese or in poor health and health care costs are very high. The state and the nation have not put the emphasis on PE that there should be. Students should be taught by teachers trained to teach PE and PE should be identified in the NCLB as a core academic subject area. Students in PE learn valuable health skills that they can use for the rest of their lives. Physical education is not just sports but also applied science. Participation in team sports or band or other activities should not substitute for PE.

(Opposed) None.

**Persons Testifying:** Representative Sullivan, prime sponsor; and Greg Bert, Lisa Summers, and Kristen Nagel, Tumwater School District.

**Persons Signed In To Testify But Not Testifying:** None.