

# HOUSE BILL REPORT

## HB 1235

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

**Title:** An act relating to assessing physical education practices in public schools.

**Brief Description:** Assessing physical education practices in public schools.

**Sponsors:** Representatives Riccelli, Harris, Stonier, Bergquist, Caldier, Robinson, Nealey, Stokesbary, Jinkins, McBride, Goodman, Ryu, Frame, Gregerson, Dolan and Ormsby.

**Brief History:**

**Committee Activity:**

Education: 2/2/17, 2/9/17 [DPS].

**Brief Summary of Substitute Bill**

- Requires all school districts, beginning in the 2018-19 school year, to conduct an annual review of their physical education (PE) programs.
- Specifies numerous provisions the review must address, including: (1) the number of individual students completing a PE class during the school year; (2) the average number of minutes per week of PE received by students in grades 1 through 8; and (3) the number of students granted waivers from PE requirements.
- Requires school districts to submit the results of the review to the Office of the Superintendent of Public Instruction (OSPI) for analysis and posting on the OSPI's website.

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### HOUSE COMMITTEE ON EDUCATION

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 15 members: Representatives Santos, Chair; Dolan, Vice Chair; Stonier, Vice Chair; Harris, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Bergquist, Caldier, Hargrove, Johnson, Lovick, Ortiz-Self, Senn, Slatter, Steele and Stokesbary.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Minority Report:** Without recommendation. Signed by 4 members: Representatives Kilduff, McCaslin, Springer and Volz.

**Staff:** Ethan Moreno (786-7386).

**Background:**

Every public school student in grades 1 through 8 must receive instruction in physical education (PE) as prescribed by rule of the Superintendent of Public Instruction (SPI). Students may be excused from PE course requirements on account of physical disability, religious belief, or participation in directed athletics.

All high schools of the state must emphasize the work of PE, and carry into effect all PE requirements established by the SPI's rules. Individual students may be excused from participating in PE otherwise required because of physical disability, employment, or religious belief, or because of participation in directed athletics or military science and tactics, or for other good cause.

In 2016 the Office of the Superintendent of Public Instruction (OSPI) adopted revised K-12 learning standards for health and PE that describe what students should know and be able to do as they progress through school. Although the PE K-12 learning standards that the OSPI adopted are the National Standards adopted by SHAPE (Society for Health and Physical Educators) America, curriculum decisions, in accordance with a district's overall approach to teaching and learning, are made by the local school district.

Administrative rules adopted by the OSPI for grades 1 through 8 specify that, unless a waiver applies, students must, on average, have at least 100 instructional minutes of PE per week per year. For grades 9 through 12, one credit course or its equivalent must be offered in PE for each grade in the high school program.

The K-12 Data Governance Group (Data Governance Group) in the OSPI was established by the Legislature to assist in the design and implementation of the K-12 data system for financial, student, and educator data. The Data Governance Group includes representatives of the Education Data Center, the OSPI, the Legislative Evaluation and Accountability Program Committee, the Professional Educator Standards Board, the State Board of Education, and school district staff.

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**Summary of Substitute Bill:**

Beginning in the 2018-19 school year, all school districts must conduct an annual review of their PE programs. The review must consist of numerous provisions, including:

- the number of individual students completing a PE class during the school year;
- the average number of minutes per week of PE received by students in grades 1 through 8, expressed in appropriate reporting ranges;
- the number of students granted waivers from PE requirements;

- an indication of whether all PE classes are taught by instructors who possess a valid health and fitness endorsement;
- the PE class sizes, expressed in appropriate reporting ranges;
- an indication of whether, as a matter of policy or procedure, the district routinely modifies and adapts its PE curriculum for students with disabilities; and
- an indication of whether the district routinely excludes students from PE classes for disciplinary reasons.

School districts are to submit the results of the review to the district's wellness committee and the OSPI. Upon receipt of the data, the OSPI must aggregate and analyze the data, summarize the information provided by each district, and post the summarized information, by district, on its website.

The Data Governance Group, in meeting the requirements of the review, must develop the data protocols and guidance for school districts in the collection of data to provide a clearer understanding of PE instructional minutes and certification.

### **Substitute Bill Compared to Original Bill:**

The substitute bill removes all provisions of the underlying bill, but maintains the general requirement in that, beginning in the 2018-19 school year, all school districts conduct an annual review of their PE programs. The substitute bill includes revised review requirements that must be met by districts, eliminates the requirement that districts post the annual review results on their website, and modifies obligations of the OSPI after it receives the district data. The substitute bill also establishes new requirements related to the annual review that must be met by the Data Governance Group.

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**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date of Substitute Bill:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

### **Staff Summary of Public Testimony:**

(In support) The United States has an obesity and diabetes epidemic. State law requires 100 minutes of PE instruction per week, but children are not getting the healthy activity they need. There are numerous benefits from PE, including good health and brain activity. There will be significant health care costs in the future if this issue is not addressed. Information is needed about the PE activities that are occurring in the schools.

Children who receive 30 minutes a day of quality PE learn more effectively and achieve more academically. Physical education classes teach life-long healthy habits with less risk of chronic illness. Children and teenagers are having difficulty growing up at a healthy weight, and these kids have increased burdens of illnesses and miss more school. Physical education

must be consistently and equally provided to all kids in all grades. This bill will give a window into the quality and quantity of PE offered throughout the state.

Pediatricians support the bill. Physical education in school provides a foundation for good health, and the classroom benefits carry over into adult life. Regular PE in youth also helps to promote psycho-social well-being, including reduced anxiety and improved self-esteem. About one in four youth engage in the recommended amount of PE, while about one in three youths suffer from being overweight or depressed. Because children and adolescents spend a majority of their waking hours in school, quality PE is essential: it plays a crucial role in mental and physical health while reducing chronic disease for the next generation of adults.

Students participate in PE programs and learn to be confident, competent movers who understand concepts, principles, and strategies for planning for and maintaining a healthy, enhanced level of fitness. The level of compliance with PE requirements is unknown as there are no reporting requirements. The quality and quantity of PE instruction varies, and this bill will increase accountability for schools by requiring that they provide related data, to ensure that students graduate as physically educated students.

There is value in collecting data to see how laws governing PE are implemented, as well as to identify how to provide additional technical assistance to educators. The number of data elements and collection provisions in the bill are concerning, as they might be a burden to some districts. Work is underway to create a more feasible approach to district data collection. The number of total questions should be reduced, ranges should be used instead of averages, yes or no questions should be used as much as possible, and data elements should be collected every other year.

(Opposed) None.

(Other) It is important to take actions to promote health and physical fitness, as they are good for our youth and the country. Many people are disqualified from military service because of obesity and issues related to obesity, but these disqualifications could be reduced by improving the levels of physical fitness in our youth. Fitness equates to higher self-esteem, self-confidence, and patterns of success. Our society and military would benefit from having healthier citizens, and the concepts of the bill should be supported.

**Persons Testifying:** (In support) Representative Riccelli, prime sponsor; Vic Colman, Childhood Obesity Prevention Coalition; Matthew Park, American Heart Association; Anisha Srinivasan, Washington Chapter of the American Academy of Pediatrics; Toni Bader, Society of Health and Physical Educators; and Ken Turner, Office of the Superintendent of Public Instruction.

(Other) Doug Palmer, Washington National Guard.

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