

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Cheryl A. Coakley-Rivera

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act to improve quality physical education .

PETITION OF:

NAME:

Cheryl A. Coakley-Rivera

DISTRICT/ADDRESS:

10th Hampden

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT TO IMPROVE QUALITY PHYSICAL EDUCATION .

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 **Section 1.** There is hereby established the Massachusetts Physical Education Pilot Program, in order to
2 provide matching grants to not less than six public elementary, middle, and/or high schools across the
3 Commonwealth for the purpose of determining the potential for statewide expansion and enhancement
4 of physical education in all public schools.

5

6 The Department of Elementary and Secondary Education shall oversee the administration of this grant,
7 provided, that in awarding pilot grants, participating elementary schools that currently provide less than
8 60 minutes of physical education be required to provide not less than 120minutes;

9 Provided further, that participating elementary schools that currently provide less than 120 minutes of
10 physical education be required to provide not less than 150 minutes.

11 Provided further, that participating middle and high schools that currently provide less than 60 minutes
12 of physical education be required to provide not less than 120 minutes.

13 Provided further, that participating middle and high schools that currently provide more than 120
14 minutes will be required to provide not less than 150 minutes, with the goal of reaching not less than
15 225 minutes in 3 years.

16 Provided further, that pilot grantees shall not be penalized in any manner if a reasonable attempt has
17 been made to provide the program to each student.

18

19 **Section 2.** Each potential pilot school shall be required to provide a proposed plan to the Department of
20 Elementary and Secondary education outlining how the school shall meet said requirements over a
21 three year period; provided further, that grant applications shall include the delineation of any unmet
22 funding needs including, but not limited to, additional program and personnel costs deemed necessary
23 in order to conduct requirements of the pilot program. To the extent funds are available, the grant shall
24 provide for such unmet funding needs,

25

26 **Section 3.** A Physical Education Advisory Commission will be established to advise the Commissioner of
27 Elementary and Secondary education on all eligible applicants, and shall work in conjunction with the
28 Department of elementary and Secondary education to review the pilot program.

29 The commission shall consist of the Commissioners of Elementary and Secondary Education and Public
30 Health or their designees, 3 persons to be appointed by the Governor, 1 person to be appointed by the
31 Senate President, 1 person to be appointed by the Speaker of the House, 1 of whom shall be a
32 representative of the Massachusetts Physical Education, Health, Recreation and Dance Association
33 (MAPHERD), 1 of whom shall be a representative of the American Heart Association, and 1 of who shall
34 be a representative of the American Diabetes Association.

35 The Department of Elementary and Secondary Education shall administer grants for the physical
36 education picot program and will work with the advisory committee in order to find marching funds
37 from outside sources to support schools financial requests.

38 The department, working in conjunction with the Physical Education Pilot Advisory Commission shall
39 evaluate the pilot program and report its preliminary findings by July 1, 2010 to the General Court, and
40 shall present a final report to the General Court by July 31, 2012.