

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2748
103RD GENERAL ASSEMBLY

3931H.04C

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal section 167.720, RSMo, and to enact in lieu thereof one new section relating to physical education in schools, with an emergency clause.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 167.720, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 167.720, to read as follows:

167.720. 1. As used in this section, the following terms shall mean:

(1) "Moderate physical activity", low- to medium-impact physical exertion designed to increase an individual's heart rate to rise to at least seventy-five percent of his or her maximum heart rate. Activities in this category may include, but are not limited to, running, calisthenics, aerobic exercise, etc.;

(2) "Physical education", instruction in healthy active living by a teacher certificated to teach physical education structured in such a way that it is a regularly scheduled class for students;

(3) "Recess", a structured play environment outside of regular classroom instructional activities, where students are allowed to engage in supervised safe active free play;

(4) "**Vigorous physical activity**", **high-intensity physical exertion designed to increase an individual's heart rate to at least ninety percent of his or her maximum heart rate.**

2. Beginning with the **2026-27** school year [~~2010-11~~]:

(1) (a) School districts shall ensure that **all** students [~~in elementary schools~~] participate in **supervised moderate physical activity to vigorous physical activity** for the entire school year, including students in alternative education programs.

EXPLANATION — Matter enclosed in bold-faced brackets ~~thus~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 **(b)** Students in ~~[the elementary schools]~~ **kindergarten through grade five** shall
19 participate in ~~[moderate]~~ physical activity for ~~[an average of one hundred fifty minutes per~~
20 ~~five day school week, or an average of]~~ **thirty consecutive minutes [per day] during the**
21 **morning session, if feasible, of each school day, as that term is defined in section 160.041.**
22 **Such physical activity shall include moderate physical activity to vigorous physical**
23 **activity, as measured by a standard heart rate monitor, for no less than twenty minutes.**

24 **(c)** Students in grades six through twelve shall participate in physical activity for
25 **sixty consecutive minutes during the morning session, if feasible, of each school day, as**
26 **that term is defined in section 160.041. Such physical activity shall include moderate**
27 **physical activity to vigorous physical activity, as measured by a standard heart rate**
28 **monitor, for no less than thirty minutes.**

29 **(d)** Students with disabilities shall participate in moderate physical activity to the
30 extent appropriate as determined by the provisions of the Individuals with Disabilities
31 Education Act, or Section 504 of the Rehabilitation Act;

32 (2) Each year the commissioner of education shall select for recognition students,
33 schools, and school districts that are considered to have achieved improvement in fitness; **and**

34 (3) ~~[Students in middle schools may at the school's discretion participate in at least~~
35 ~~two hundred twenty five minutes of physical activity per school week;~~

36 ~~(4)]~~ A minimum of one recess period of twenty minutes per day shall be provided for
37 children in elementary schools, which may be incorporated into the lunch period.

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39 ~~[Any requirement of this section above the state minimum physical education requirement~~
40 ~~may be met by additional physical education instruction, or by other activities approved by~~
41 ~~the individual school district under the direction of any certificated teacher or administrator or~~
42 ~~other school employee under the supervision of a certificated teacher or administrator.]~~

43 **3. For the purpose of determining whether a student has satisfactorily completed**
44 **a full course of study each academic year, a school district may elect to designate up to**
45 **ten minutes of the moderate to vigorous physical activity required in paragraphs (b) and**
46 **(c) of subdivision (1) of subsection 2 of this section toward the completion of the**
47 **student's school term, as that term is defined in section 160.011.**

48 **4. The department of elementary and secondary education shall allow a variance**
49 **for block scheduling.**

Section B. Because immediate action is necessary to increase the physical activity of
2 children to protect their health, section A of this act is deemed necessary for the immediate
3 preservation of the public health, welfare, peace, and safety, and is hereby declared to be an

4 emergency act within the meaning of the constitution, and section A of this act shall be in full
5 force and effect upon its passage and approval.

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