

SECOND REGULAR SESSION

[PERFECTED]

HOUSE COMMITTEE SUBSTITUTE FOR

# HOUSE BILL NO. 2748

103RD GENERAL ASSEMBLY

3931H.04P

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.

---

*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Section A. Section 167.720, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 167.720, to read as follows: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) **"Bilateral coordination", the coordinated use of both sides of the human body, including, but not limited to, crossing the mid-line, and symmetrical, asymmetrical, reciprocal, and sequential movements;**

(2) **"Bone-strengthening activity", physical activity that is primarily designed to increase the strength of specific sites in bones that make up the skeletal system. Bone-strengthening activity produces an impact or tension force on the bones that promotes bone growth and strength;**

(3) **"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.;**

(4) **"Muscle-strengthening activity", physical activity and exercise that increases skeletal muscle strength, power, endurance, and mass;**

~~(2)~~ (5) **"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;**

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        ~~[(3)]~~ **(6)** "Recess", a structured play environment outside of regular classroom  
19 instructional activities, where students are allowed to engage in supervised safe active free  
20 play;

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

24        2. Beginning with the **2027-28** school year ~~[2010-11]~~:

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

28        **(b)** Students in ~~[the elementary schools]~~ **kindergarten through grade five** shall  
29 participate in ~~[moderate]~~ physical activity for ~~[an average of one hundred fifty minutes per~~  
30 ~~five day school week, or an average of thirty]~~ **forty consecutive minutes** ~~[per day]~~ **during the**  
31 **morning session, if feasible, of each school day, as that term is defined in section 160.041.**  
32 **Such physical activity shall include moderate physical activity to vigorous physical**  
33 **activity, as measured by a standard heart rate monitor, for no less than twenty minutes.**  
34 **Such physical activity shall include muscle-strengthening and bone-strengthening**  
35 **activity for no less than an average of eighty minutes per school week for each activity.**  
36 **Such physical activity shall include bilateral coordination, which prioritizes core,**  
37 **balance, and mobility, to the greatest extent possible and shall be conducted on no less**  
38 **than a weekly basis.**

39        **(c)** Students in grades six through twelve shall participate in physical activity for  
40 **sixty consecutive minutes during the morning session, if feasible, of each school day, as**  
41 **that term is defined in section 160.041. Such physical activity shall include moderate**  
42 **physical activity to vigorous physical activity, as measured by a standard heart rate**  
43 **monitor, for no less than thirty minutes. Such physical activity shall include muscle-**  
44 **strengthening and bone-strengthening activity for no less than an average of one**  
45 **hundred twenty minutes per school week for each activity. Such physical activity shall**  
46 **include bilateral coordination, which prioritizes core, balance, and mobility, to the**  
47 **greatest extent possible and shall be conducted on no less than a weekly basis.**

48        **(d)** Students with disabilities shall participate in ~~[moderate]~~ physical activity **as**  
49 **prescribed in this subdivision** to the extent appropriate as determined by the provisions of  
50 the Individuals with Disabilities Education Act, or Section 504 of the Rehabilitation Act;

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

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

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

57

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

62           **3. For the purpose of determining whether a student has satisfactorily completed**  
63 **a full course of study each academic year, a school district may elect to designate the**  
64 **time required for physical activity per day, as prescribed in paragraphs (b) and (c) of**  
65 **subdivision (1) of subsection 2 of this section, not to exceed ten minutes per day for any**  
66 **one course, subject, or class, toward the completion of the student's school term, as that**  
67 **term is defined in section 160.011.**

68           **4. Each school district and charter school governing board shall adopt a written**  
69 **policy for daily physical activity of students. Such policy shall, at a minimum, include**  
70 **the requirements in subdivision (1) of subsection 2 of this section.**

✓