

# HB0337



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

HB0337

Introduced 1/27/2009, by Rep. Robert W. Pritchard

#### SYNOPSIS AS INTRODUCED:

105 ILCS 5/27-6

from Ch. 122, par. 27-6

Amends the School Code. Allows a school board to excuse pupils enrolled in grades 11 and 12 from engaging in physical education courses for ongoing participation in a marching band program (instead of allowing pupils in grades 9 through 12 enrolled in a marching band program for credit to be excused).

LRB096 03844 NHT 13877 b

A BILL FOR

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The School Code is amended by changing Section  
5 27-6 as follows:

6 (105 ILCS 5/27-6) (from Ch. 122, par. 27-6)

7 Sec. 27-6. Courses in physical education required; special  
8 activities.

9 (a) Pupils enrolled in the public schools and State  
10 universities engaged in preparing teachers shall be required to  
11 engage daily during the school day, except on block scheduled  
12 days for those public schools engaged in block scheduling, in  
13 courses of physical education for such periods as are  
14 compatible with the optimum growth and developmental needs of  
15 individuals at the various age levels except when appropriate  
16 excuses are submitted to the school by a pupil's parent or  
17 guardian or by a person licensed under the Medical Practice Act  
18 of 1987 and except as provided in subsection (b) of this  
19 Section.

20 Special activities in physical education shall be provided  
21 for pupils whose physical or emotional condition, as determined  
22 by a person licensed under the Medical Practice Act of 1987,  
23 prevents their participation in the courses provided for normal

1 children.

2 (b) A school board is authorized to excuse pupils enrolled  
3 in grades 11 and 12 from engaging in physical education courses  
4 if those pupils request to be excused for any of the following  
5 reasons: (1) for ongoing participation in an interscholastic  
6 athletic program or a marching band program; (2) to enroll in  
7 academic classes which are required for admission to an  
8 institution of higher learning, provided that failure to take  
9 such classes will result in the pupil being denied admission to  
10 the institution of his or her choice; or (3) to enroll in  
11 academic classes which are required for graduation from high  
12 school, provided that failure to take such classes will result  
13 in the pupil being unable to graduate. ~~A school board may also~~  
14 ~~excuse pupils in grades 9 through 12 enrolled in a marching~~  
15 ~~band program for credit from engaging in physical education~~  
16 ~~courses if those pupils request to be excused for ongoing~~  
17 ~~participation in such marching band program.~~ In addition, a  
18 pupil in any of grades 3 through 12 who is eligible for special  
19 education may be excused if the pupil's parent or guardian  
20 agrees that the pupil must utilize the time set aside for  
21 physical education to receive special education support and  
22 services or, if there is no agreement, the individualized  
23 education program team for the pupil determines that the pupil  
24 must utilize the time set aside for physical education to  
25 receive special education support and services, which  
26 agreement or determination must be made a part of the

1 individualized education program. However, a pupil requiring  
2 adapted physical education must receive that service in  
3 accordance with the individualized education program developed  
4 for the pupil. A school board may also excuse pupils in grades  
5 9 through 12 enrolled in a Reserve Officer's Training Corps  
6 (ROTC) program sponsored by the school district from engaging  
7 in physical education courses. School boards which choose to  
8 exercise this authority shall establish a policy to excuse  
9 pupils on an individual basis.

10 (c) The provisions of this Section are subject to the  
11 provisions of Section 27-22.05.

12 (Source: P.A. 94-189, eff. 7-12-05; 94-198, eff. 1-1-06;  
13 94-200, eff. 7-12-05; 94-1098, eff. 2-2-07; 95-331, eff.  
14 8-21-07.)