



## 98TH GENERAL ASSEMBLY

### State of Illinois

2013 and 2014

HB0161

Introduced 1/16/2013, by Rep. JoAnn D. Osmond

#### SYNOPSIS AS INTRODUCED:

105 ILCS 5/27-6

from Ch. 122, par. 27-6

105 ILCS 5/27-7

from Ch. 122, par. 27-7

Amends the School Code. Provides that pupils enrolled in New Tech High at Zion-Benton East in Zion-Benton Township High School District 126 shall be required to engage in courses of physical education 3 days a week (instead of daily) during the school day, within the school's modified block schedule. Provides that the school's pupils shall be required to document with their physical education course instructor an additional 120 minutes of physical activity per week outside of the classroom, with the types of physical activity that qualify being determined by the school. Makes related changes. Effective July 1, 2013.

LRB098 03817 NHT 33833 b

FISCAL NOTE ACT  
MAY APPLY

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 Sections  
5 27-6 and 27-7 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, other than New  
10 Tech High at Zion-Benton East in Zion-Benton Township High  
11 School District 126, and State universities engaged in  
12 preparing teachers shall be required to engage daily during the  
13 school day, except on block scheduled days for those public  
14 schools engaged in block scheduling, in courses of physical  
15 education for such periods as are compatible with the optimum  
16 growth and developmental needs of individuals at the various  
17 age levels except when appropriate excuses are submitted to the  
18 school by a pupil's parent or guardian or by a person licensed  
19 under the Medical Practice Act of 1987 and except as provided  
20 in subsection (b) of this Section.

21 (a-5) Pupils enrolled in New Tech High at Zion-Benton East  
22 in Zion-Benton Township High School District 126 shall be  
23 required to engage in courses of physical education 3 days a

1 week during the school day, within the school's modified block  
2 schedule, for such periods as are compatible with the optimum  
3 growth and developmental needs of individuals at the various  
4 age levels, except when appropriate excuses are submitted to  
5 the school by a pupil's parent or guardian or by a person  
6 licensed under the Medical Practice Act of 1987 and except as  
7 provided in subsection (b) of this Section. The school's pupils  
8 shall be required to document with their physical education  
9 course instructor 120 minutes of additional physical activity  
10 per week outside of the classroom, with the types of physical  
11 activity that qualify being determined by the school, except  
12 when appropriate excuses are submitted to the school by a  
13 pupil's parent or guardian or by a person licensed under the  
14 Medical Practice Act of 1987.

15 (a-10) Special activities in physical education shall be  
16 provided for pupils whose physical or emotional condition, as  
17 determined by a person licensed under the Medical Practice Act  
18 of 1987, prevents their participation in the courses provided  
19 for normal children.

20 (b) A school board is authorized to excuse pupils enrolled  
21 in grades 11 and 12 from engaging in physical education courses  
22 if those pupils request to be excused for any of the following  
23 reasons: (1) for ongoing participation in an interscholastic  
24 athletic program; (2) to enroll in academic classes which are  
25 required for admission to an institution of higher learning,  
26 provided that failure to take such classes will result in the

1 pupil being denied admission to the institution of his or her  
2 choice; or (3) to enroll in academic classes which are required  
3 for graduation from high school, provided that failure to take  
4 such classes will result in the pupil being unable to graduate.  
5 A school board may also excuse pupils in grades 9 through 12  
6 enrolled in a marching band program for credit from engaging in  
7 physical education courses if those pupils request to be  
8 excused for ongoing participation in such marching band  
9 program. In addition, a pupil in any of grades 3 through 12 who  
10 is eligible for special education may be excused if the pupil's  
11 parent or guardian agrees that the pupil must utilize the time  
12 set aside for physical education to receive special education  
13 support and services or, if there is no agreement, the  
14 individualized education program team for the pupil determines  
15 that the pupil must utilize the time set aside for physical  
16 education to receive special education support and services,  
17 which agreement or determination must be made a part of the  
18 individualized education program. However, a pupil requiring  
19 adapted physical education must receive that service in  
20 accordance with the individualized education program developed  
21 for the pupil. A school board may also excuse pupils in grades  
22 9 through 12 enrolled in a Reserve Officer's Training Corps  
23 (ROTC) program sponsored by the school district from engaging  
24 in physical education courses. School boards which choose to  
25 exercise this authority shall establish a policy to excuse  
26 pupils on an individual basis.

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

3 (Source: P.A. 94-189, eff. 7-12-05; 94-198, eff. 1-1-06;  
4 94-200, eff. 7-12-05; 94-1098, eff. 2-2-07; 95-331, eff.  
5 8-21-07.)

6 (105 ILCS 5/27-7) (from Ch. 122, par. 27-7)

7 Sec. 27-7. Physical education course of study. A physical  
8 education course of study shall include a developmentally  
9 planned and sequential curriculum that fosters the development  
10 of movement skills, enhances health-related fitness, increases  
11 students' knowledge, offers direct opportunities to learn how  
12 to work cooperatively in a group setting, and encourages  
13 healthy habits and attitudes for a healthy lifestyle. A  
14 physical education course of study shall provide students with  
15 an opportunity for an appropriate amount of daily physical  
16 activity. A physical education course of study must be part of  
17 the regular school curriculum and not extra-curricular in  
18 nature or organization.

19 The State Board of Education shall prepare and make  
20 available guidelines for the various grades and types of  
21 schools in order to make effective the purposes set forth in  
22 this section and the requirements provided in Section 27-6, and  
23 shall see that the general provisions and intent of Sections  
24 27-5 to 27-9, inclusive, are enforced.

25 With respect to New Tech High at Zion-Benton East in

1 Zion-Benton Township High School District 126, this Section is  
2 subject to subsection (a-5) of Section 27-6 of this Code.

3 (Source: P.A. 94-189, eff. 7-12-05; 94-200, eff. 7-12-05.)

4 Section 99. Effective date. This Act takes effect July 1,  
5 2013.