

# HB3053



## 98TH GENERAL ASSEMBLY

### State of Illinois

2013 and 2014

HB3053

by Rep. Emily McAsey

#### SYNOPSIS AS INTRODUCED:

105 ILCS 5/27-6

from Ch. 122, par. 27-6

Amends the School Code. Provides that, if requested, a school board is authorized to excuse a pupil from engaging in a physical education course if the pupil is a child with a disability, is participating in an athletic program outside of the school setting that is equivalent to a varsity athletic program at his or her school, and documents such participation in a manner determined by the school board. Effective July 1, 2013.

LRB098 09843 NHT 39999 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; (2) to enroll in academic classes which are  
7 required for admission to an institution of higher learning,  
8 provided that failure to take such classes will result in the  
9 pupil being denied admission to the institution of his or her  
10 choice; or (3) to enroll in academic classes which are required  
11 for graduation from high school, provided that failure to take  
12 such classes will result in the pupil being unable to graduate.  
13 A school board may also excuse pupils in grades 9 through 12  
14 enrolled in a marching band program for credit from engaging in  
15 physical education courses if those pupils request to be  
16 excused for ongoing participation in such marching band  
17 program. In addition, a pupil in any of grades 3 through 12 who  
18 is eligible for special education may be excused if the pupil's  
19 parent or guardian agrees that the pupil must utilize the time  
20 set aside for physical education to receive special education  
21 support and services or, if there is no agreement, the  
22 individualized education program team for the pupil determines  
23 that the pupil must utilize the time set aside for physical  
24 education to receive special education support and services,  
25 which agreement or determination must be made a part of the  
26 individualized education program. However, a pupil requiring

1 adapted physical education must receive that service in  
2 accordance with the individualized education program developed  
3 for the pupil. If requested, a school board is authorized to  
4 excuse a pupil from engaging in a physical education course if  
5 the pupil is a child with a disability as defined in Article 14  
6 of this Code, is participating in an athletic program outside  
7 of the school setting that is equivalent to a varsity athletic  
8 program at his or her school, and documents such participation  
9 in a manner determined by the school board. A school board may  
10 also excuse pupils in grades 9 through 12 enrolled in a Reserve  
11 Officer's Training Corps (ROTC) program sponsored by the school  
12 district from engaging in physical education courses. School  
13 boards which choose to exercise this authority shall establish  
14 a policy to excuse pupils on an individual basis.

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

17 (Source: P.A. 94-189, eff. 7-12-05; 94-198, eff. 1-1-06;  
18 94-200, eff. 7-12-05; 94-1098, eff. 2-2-07; 95-331, eff.  
19 8-21-07.)

20 Section 99. Effective date. This Act takes effect July 1,  
21 2013.