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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH
SESSION

HOUSE FILE No. **3115**

February 22, 2010

Authored by Norton, Dettmer, Garofalo, Tillberry, Zellers and others

The bill was read for the first time and referred to the Committee on K-12 Education Policy and Oversight

1.1 A bill for an act
1.2 relating to education; requiring statewide physical education standards; requiring
1.3 a report; establishing a healthy kids awards program; amending Minnesota
1.4 Statutes 2008, section 120B.021, subdivision 1; proposing coding for new law
1.5 in Minnesota Statutes, chapter 121A.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2008, section 120B.021, subdivision 1, is amended to
1.8 read:

1.9 Subdivision 1. **Required academic standards.** The following subject areas are
1.10 required for statewide accountability:

1.11 (1) language arts;

1.12 (2) mathematics;

1.13 (3) science;

1.14 (4) social studies, including history, geography, economics, and government and
1.15 citizenship;

1.16 (5) physical education;

1.17 ~~(6) health and physical education~~, for which locally developed academic standards
1.18 apply; and

1.19 ~~(6)~~ (7) the arts, for which statewide or locally developed academic standards apply,
1.20 as determined by the school district. Public elementary and middle schools must offer at
1.21 least three and require at least two of the following four arts areas: dance; music; theater;
1.22 and visual arts. Public high schools must offer at least three and require at least one of the
1.23 following five arts areas: media arts; dance; music; theater; and visual arts.

1.24 The commissioner must submit proposed standards in science and social studies to
1.25 the legislature by February 1, 2004.

For purposes of applicable federal law, the academic standards for language arts, mathematics, and science apply to all public school students, except the very few students with extreme cognitive or physical impairments for whom an individualized education plan team has determined that the required academic standards are inappropriate.

An individualized education plan team that makes this determination must establish alternative standards.

A school district, no later than the 2007-2008 school year, must adopt graduation requirements that meet or exceed state graduation requirements established in law or rule. A school district that incorporates these state graduation requirements before the 2007-2008 school year must provide students who enter the 9th grade in or before the 2003-2004 school year the opportunity to earn a diploma based on existing locally established graduation requirements in effect when the students entered the 9th grade. District efforts to develop, implement, or improve instruction or curriculum as a result of the provisions of this section must be consistent with sections 120B.10, 120B.11, and 120B.20.

The commissioner must include the contributions of Minnesota American Indian tribes and communities as they relate to the academic standards during the review and revision of the required academic standards.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to all students beginning in the 2012-2013 school year.

Sec. 2. **[121A.215] LOCAL SCHOOL DISTRICT WELLNESS POLICIES; WEB SITE.**

When available, a school district must post its current local school wellness policy on its Web site.

EFFECTIVE DATE. This section is effective August 1, 2010.

Sec. 3. **DEPARTMENT OF EDUCATION.**

Subdivision 1. Recess guidelines. The department is encouraged to develop guidelines that school districts can adopt that promote quality recess practices and behaviors that engage all students, increase their activity levels, build social skills, and decrease behavioral issues.

Subd. 2. Common course catalogue. The department is encouraged to include all physical education classes districts offer as part of the Minnesota common course catalogue.

3.1 Subd. 3. **Report.** The department shall report to the legislative committees having
3.2 jurisdiction over education policy and finance by December 15, 2011, on the physical
3.3 education standards and graduation requirements required by districts.

3.4 Subd. 4. **Standards adoption.** Notwithstanding Minnesota Statutes, section
3.5 120B.021, subdivision 2, paragraph (b), clause (1), and any additional statutory criteria
3.6 required when reviewing or revising standards and benchmarks, the commissioner
3.7 of education shall adopt statewide physical education standards using the expedited
3.8 rulemaking process in Minnesota Statutes, section 14.389. The standards adopted must be
3.9 identical to the standards developed by the National Association for Sports and Physical
3.10 Education. The department must adopt the standards by July 1, 2010. The revisor may
3.11 make grammatical or other technical changes to conform the standards to the form in
3.12 Minnesota Rule.

3.13 **EFFECTIVE DATE.** This section is effective the day following final enactment.

3.14 Sec. 4. **HEALTHY KIDS AWARDS PROGRAM.**

3.15 Subdivision 1. **Establishment.** The healthy kids awards program is established to
3.16 motivate kindergarten through grade 12 students to become active by rewarding them for
3.17 their nutritional well-being and physical activity. The program is an effort to integrate
3.18 physical activity into nonphysical education classes, recess, and extracurricular activities
3.19 throughout the day in addition to the physical and nutritional education received in
3.20 physical education classes. Schools joining the program must commit to participate from
3.21 October through May of each school year.

3.22 Subd. 2. **Commissioner of education.** The commissioner of education shall
3.23 oversee the healthy kids awards program. The commissioner shall solicit letters of intent
3.24 to participate in the healthy kids awards program from schools by September 15 of each
3.25 school year. The commissioner shall award schools each month that have at least 75
3.26 percent of students reaching the goal of being physically active for 60 minutes each day.
3.27 Any time spent in physical education classes counts toward the time requirements of
3.28 this program.

3.29 Subd. 3. **Incentives.** The commissioner shall seek outside sources of funding in
3.30 order to create a monetary or other incentive to those schools being awarded.

3.31 **EFFECTIVE DATE.** This section is effective the day following final enactment
3.32 and applies beginning in the 2010-2011 school year and later.