HOUSE DOCKET, NO. 1336 FILED ON: 1/16/2013

HOUSE . . . . . No. 364

The Commonwealth of Massachusetts

PRESENTED BY:

Cheryl A. Coakley-Rivera

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to improve quality physical education.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Cheryl A. Coakley-Rivera	*10th Hampden*
Tom Sannicandro	*7th Middlesex*

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By Ms. Coakley-Rivera of Springfield, a petition (accompanied by bill, House, No. 364) of Cheryl A. Coakley-Rivera and Tom Sannicandro for legislation to establish a physical education pilot program. Education.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. *2709* OF 2011-2012.]

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act to improve quality physical education.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. There is hereby established the Massachusetts Physical Education Pilot Program, in order to provide matching grants to not less than 6 public elementary, middle, or high schools across the commonwealth for the purpose of determining the potential for statewide expansion and enhancement of physical education in all public schools.

The department of elementary and secondary education shall oversee the administration of this grant, provided, that in awarding pilot grants, participating elementary schools that currently provide less than 60 minutes of physical education per week be required to provide not less than 120 minutes per week; provided further, that participating elementary schools that currently provide less than 120 minutes of physical education per week be required to provide not less than 150 minutes per week; provided further, that participating middle and high schools that currently provide less than 60 minutes of physical education per week be required to provide not less than 120 minutes per week; provided further, that participating middle and high schools that currently provide more than 120 minutes of physical education per week will be required to provide not less than 150 minutes per week, with the goal of reaching not less than 225 minutes per week in 3 years; provided further, that pilot grantees shall not be penalized in any manner if a reasonable attempt has been made to provide the program to each student.

17 SECTION 2. Each potential pilot school shall be required to provide a proposed plan to
18 the department of elementary and secondary education outlining how the school shall meet said
19 requirements over a 3 year period; provided further, that grant applications shall include the
20 delineation of any unmet funding needs including, but not limited to, additional program and
21 personnel costs deemed necessary in order to conduct requirements of the pilot program. To the
22 extent funds are available, the grant shall provide for such unmet funding needs.

23 SECTION 3. A Physical Education Advisory Commission shall be established to advise
24 the commissioner of elementary and secondary education on all eligible applicants, and shall
25 work in conjunction with the department of elementary and secondary education to review the
26 pilot program.

27 The commission shall consist of the commissioners of elementary and secondary
28 education and public health or each of their designees, 1 person to be appointed by the Senate
29 President, 1 person to be appointed by the Speaker of the House and 3 persons to be appointed
30 by the Governor, 1 of whom shall be a representative of the Massachusetts Physical Education,
31 Health, Recreation and Dance Association (MAPHERD), 1 of whom shall be a representative of
32 the American Heart Association, and 1 of whom shall be a representative of the American
33 Diabetes Association.

34 The department of elementary and secondary education shall administer grants for the
35 physical education pilot program and will work with the advisory committee in order to find
36 matching funds from outside sources to support schools financial requests.

37 The department, working in conjunction with the Physical Education Pilot Advisory
38 Commission shall evaluate the pilot program and report its preliminary findings by July 1, 2014
39 to the General Court, and shall present a final report to the General Court by July 31, 2016.