

1-1 By: Nelson S.B. No. 891
1-2 (In the Senate - Filed February 17, 2009; March 9, 2009,
1-3 read first time and referred to Committee on Education;
1-4 March 31, 2009, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 7, Nays 0; March 31, 2009,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 891 By: Patrick

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the public school physical education curriculum.
1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-12 SECTION 1. Section 28.002, Education Code, is amended by
1-13 adding Subsection (d) to read as follows:
1-14 (d) The physical education curriculum required under
1-15 Subsection (a)(2)(C) must be sequential, developmentally
1-16 appropriate, and designed, implemented, and evaluated to enable
1-17 students to develop the motor, self-management, and other skills,
1-18 knowledge, attitudes, and confidence necessary to participate in
1-19 physical activity throughout life. Each school district shall
1-20 establish specific objectives and goals the district intends to
1-21 accomplish through the physical education curriculum. In
1-22 identifying the essential knowledge and skills of physical
1-23 education, the State Board of Education shall ensure that the
1-24 curriculum:
1-25 (1) emphasizes the knowledge and skills capable of
1-26 being used during a lifetime of regular physical activity;
1-27 (2) is consistent with national physical education
1-28 standards for:
1-29 (A) the information that students should learn
1-30 about physical activity; and
1-31 (B) the physical activities that students should
1-32 be able to perform;
1-33 (3) requires that, on a weekly basis, at least 50
1-34 percent of the physical education class be used for actual student
1-35 physical activity and that the activity be, to the extent
1-36 practicable, at a moderate or vigorous level;
1-37 (4) offers students an opportunity to choose among
1-38 many types of physical activity in which to participate;
1-39 (5) offers students both cooperative and competitive
1-40 games;
1-41 (6) meets the needs of students of all physical
1-42 ability levels, including students who have a disability, chronic
1-43 health problem, or other special need that precludes the student
1-44 from participating in regular physical education instruction but
1-45 who might be able to participate in physical education that is
1-46 suitably adapted and, if applicable, included in the student's
1-47 individualized education program;
1-48 (7) takes into account the effect that gender and
1-49 cultural differences might have on the degree of student interest
1-50 in physical activity or on the types of physical activity in which a
1-51 student is interested;
1-52 (8) teaches self-management and movement skills;
1-53 (9) teaches cooperation, fair play, and responsible
1-54 participation in physical activity;
1-55 (10) promotes student participation in physical
1-56 activity outside of school; and
1-57 (11) allows physical education classes to be an
1-58 enjoyable experience for students.
1-59 SECTION 2. Subchapter D, Chapter 25, Education Code, is
1-60 amended by adding Section 25.114 to read as follows:
1-61 Sec. 25.114. STUDENT/TEACHER RATIOS IN PHYSICAL EDUCATION
1-62 CLASSES. In implementing the curriculum for physical education
1-63 under Section 28.002(a)(2)(C), each school district shall

2-1 establish specific objectives and goals the district intends to
2-2 accomplish through the curriculum, including, to the extent
2-3 practicable, student/teacher ratios that are small enough to enable
2-4 the district to:

2-5 (1) carry out the purposes of and requirements for the
2-6 physical education curriculum as provided under Section 28.002(d);
2-7 and

2-8 (2) ensure the safety of students participating in
2-9 physical education.

2-10 SECTION 3. This Act takes effect immediately if it receives
2-11 a vote of two-thirds of all the members elected to each house, as
2-12 provided by Section 39, Article III, Texas Constitution. If this
2-13 Act does not receive the vote necessary for immediate effect, this
2-14 Act takes effect September 1, 2009.

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