

**HOUSE . . . . . No. 3430**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**Cheryl A. Coakley-Rivera**

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*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 passage of the accompanying bill:

**An Act to improve quality physical education .**

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Cheryl A. Coakley-Rivera	10th Hampden
Timothy J. Toomey, Jr.	26th Middlesex

# The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

## 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:*

1 **Section 1.** There is hereby established the Massachusetts Physical Education Pilot Program, in order to  
2 provide matching grants to not less than six public elementary, middle, and/or high schools across the  
3 Commonwealth for the purpose of determining the potential for statewide expansion and enhancement of  
4 physical education in all public schools.

5 The Department of Elementary and Secondary Education shall oversee the administration of this grant,  
6 provided, that in awarding pilot grants, participating elementary schools that currently provide less than  
7 60 minutes of physical education be required to provide not less than 120minutes;

8 Provided further, that participating elementary schools that currently provide less than 120 minutes of  
9 physical education be required to provide not less than 150 minutes.

10 Provided further, that participating middle and high schools that currently provide less than 60 minutes of  
11 physical education be required to provide not less than 120 minutes.

12 Provided further, that participating middle and high schools that currently provide more than 120 minutes  
13 will be required to provide not less than 150 minutes, with the goal of reaching not less than 225 minutes  
14 in 3 years.

15 Provided further, that pilot grantees shall not be penalized in any manner if a reasonable attempt has been  
16 made to provide the program to each student.

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

23 **Section 3.** A Physical Education Advisory Commission will be established to advise the Commissioner  
24 of Elementary and Secondary education on all eligible applicants, and shall work in conjunction with the  
25 Department of elementary and Secondary education to review the pilot program.

26 The commission shall consist of the Commissioners of Elementary and Secondary Education and Public  
27 Health or their designees, 3 persons to be appointed by the Governor, 1 person to be appointed by the  
28 Senate President, 1 person to be appointed by the Speaker of the House, 1 of whom shall be a  
29 representative of the Massachusetts Physical Education, Health, Recreation and Dance Association  
30 (MAPHERD), 1 of whom shall be a representative of the American Heart Association, and 1 of who shall  
31 be a representative of the American Diabetes Association.

32 The Department of Elementary and Secondary Education shall administer grants for the physical  
33 education picot program and will work with the advisory committee in order to find marching funds from  
34 outside sources to support schools financial requests.

35 The department, working in conjunction with the Physical Education Pilot Advisory Commission shall  
36 evaluate the pilot program and report its preliminary findings by July 1, 2010 to the General Court, and  
37 shall present a final report to the General Court by July 31, 2012.