

HOUSE BILL 413

F3, J1
HB 196/19 – W&M

0lr2783

By: **Delegate Walker**

Introduced and read first time: January 23, 2020

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George’s County – Elementary School Students – Daily Physical Activity**
3 **(Student Health and Fitness Act)**

4 FOR the purpose of requiring that a public school student in a Prince George’s County
5 elementary school be provided a certain daily program of physical activity each week
6 totaling a minimum number of minutes; requiring the program of physical activity
7 for a certain category of student to be consistent with a certain program for the
8 student, if applicable; requiring a Prince George’s County public elementary school
9 to designate a certain group to plan and coordinate certain activities; requiring the
10 Prince George’s County Board of Education to adopt certain regulations; requiring a
11 certain elementary school to provide a certain notice to the county board on or before
12 a certain date; authorizing a public elementary school to apply to the county board
13 for a certain extension; establishing the termination date of a certain extension; and
14 generally relating to elementary school student health and fitness in Prince George’s
15 County.

16 BY adding to
17 Article – Education
18 Section 7–409.1
19 Annotated Code of Maryland
20 (2018 Replacement Volume and 2019 Supplement)

21 Preamble

22 WHEREAS, Obesity leads to at least 300,000 deaths among adults in the United
23 States each year due in part to physical inactivity and a poor diet; and

24 WHEREAS, Inadequate participation in physical activity is a significant contributor
25 to the “epidemic of obesity” that has plagued the nation’s young people during the past 2
26 decades; and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 WHEREAS, Physical activity offers young people many health benefits, including
2 improving aerobic endurance and muscular strength, helping to control weight, building
3 lean muscle and reducing fat, and helping to build greater bone mass, all of which thwart
4 the development of osteoporosis in adulthood and prevent or reduce high blood pressure;
5 and

6 WHEREAS, A growing body of evidence suggests that providing students with more
7 physical education and physical activity opportunities helps reduce the cost schools incur
8 by reducing absenteeism, improving student health, and reducing staff time spent
9 addressing academic performance; and

10 WHEREAS, A growing body of evidence also suggests that improvement in test
11 scores and overall academic achievement can be linked to increased time in physical
12 education; and

13 WHEREAS, The National PTA considers “Early Physical Education” a “Parent
14 Priority” and urges its members to promote physical education in the schools; now,
15 therefore,

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
17 That the Laws of Maryland read as follows:

18 **Article – Education**

19 **7-409.1.**

20 **(A) THIS SECTION APPLIES ONLY IN PRINCE GEORGE’S COUNTY.**

21 **(B) (1) (I) A STUDENT IN PUBLIC ELEMENTARY SCHOOL IN PRINCE**
22 **GEORGE’S COUNTY SHALL BE PROVIDED A DAILY PROGRAM OF PHYSICAL ACTIVITY**
23 **TOTALING 150 MINUTES EACH WEEK, INCLUDING A MINIMUM OF 90 MINUTES OF**
24 **PHYSICAL EDUCATION.**

25 **(II) ANY MINUTES NOT CONSISTING OF PHYSICAL EDUCATION**
26 **SHALL CONSIST OF DEVELOPMENTALLY APPROPRIATE, MODERATE-TO-VIGOROUS**
27 **ACTIVITY, INCLUDING RECESS.**

28 **(2) A STUDENT’S PROGRAM OF PHYSICAL ACTIVITY SHALL BE**
29 **CONSISTENT WITH THE STUDENT’S INDIVIDUALIZED EDUCATION PROGRAM, IF**
30 **APPLICABLE.**

31 **(3) EACH PUBLIC ELEMENTARY SCHOOL IN PRINCE GEORGE’S**
32 **COUNTY SHALL DESIGNATE A PHYSICAL ACTIVITY LEADERSHIP TEAM TO PLAN AND**
33 **COORDINATE OPPORTUNITIES FOR ACTIVITIES THAT MEET THE REQUIREMENTS OF**
34 **PARAGRAPH (1)(II) OF THIS SUBSECTION.**

1 **(4) THE PRINCE GEORGE’S COUNTY BOARD OF EDUCATION SHALL**
2 **ADOPT REGULATIONS TO IMPLEMENT THIS SUBSECTION.**

3 **(c) (1) A PUBLIC ELEMENTARY SCHOOL THAT DOES NOT MEET THE**
4 **REQUIREMENTS OF THIS SECTION SHALL NOTIFY THE PRINCE GEORGE’S COUNTY**
5 **BOARD OF EDUCATION ON OR BEFORE OCTOBER 1, 2020.**

6 **(2) A PUBLIC ELEMENTARY SCHOOL MAY APPLY TO THE PRINCE**
7 **GEORGE’S COUNTY BOARD OF EDUCATION FOR AN EXTENSION OF TIME FOR THE**
8 **PUBLIC ELEMENTARY SCHOOL TO ESTABLISH A PLAN TO ENSURE FULL COMPLIANCE**
9 **WITH THE REQUIREMENTS OF THIS SECTION BY JULY 1, 2023.**

10 **(3) IF GRANTED, AN EXTENSION SHALL TERMINATE AT THE END OF**
11 **JULY 1, 2023.**

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
13 1, 2020.