

106TH CONGRESS
1ST SESSION

S. 1159

To provide grants and contracts to local educational agencies to initiate, expand, and improve physical education programs for all kindergarten through 12th grade students.

IN THE SENATE OF THE UNITED STATES

MAY 27, 1999

Mr. STEVENS (for himself, Mr. COCHRAN, Mr. INOUE, Mr. HAGEL, Mr. BINGAMAN, Mr. SHELBY, Mr. LEVIN, Mr. DODD, and Mr. THURMOND) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To provide grants and contracts to local educational agencies to initiate, expand, and improve physical education programs for all kindergarten through 12th grade students.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. PHYSICAL EDUCATION FOR PROGRESS.**

4 Title X of the Elementary and Secondary Education
5 Act of 1965 (20 U.S.C. 8001 et seq.) is amended by add-
6 ing at the end the following:

1 **“PART M—PHYSICAL EDUCATION FOR PROGRESS**

2 **“SEC. 10999A. SHORT TITLE.**

3 “This part may be cited as the ‘Physical Education
4 for Progress Act’.

5 **“SEC. 10999B. PURPOSE.**

6 “The purpose of this part is to provide grants and
7 contracts to local educational agencies to enable the local
8 educational agencies to initiate, expand and improve phys-
9 ical education programs for all kindergarten through 12th
10 grade students.

11 **“SEC. 10999C. FINDINGS.**

12 “Congress makes the following findings:

13 “(1) Physical education is essential to the devel-
14 opment of growing children.

15 “(2) Physical education helps improve the over-
16 all health of children by improving their cardio-
17 vascular endurance, muscular strength and power,
18 and flexibility, and by enhancing weight regulation,
19 bone development, posture, skillful moving, active
20 lifestyle habits, and constructive use of leisure time.

21 “(3) Physical education helps improve the self
22 esteem, interpersonal relationships, responsible be-
23 havior, and independence of children.

24 “(4) Children who participate in high quality
25 daily physical education programs tend to be more
26 healthy and physically fit.

1 “(5) The percentage of young people who are
2 overweight has more than doubled in the 30 years
3 preceding 1999.

4 “(6) Low levels of activity contribute to the
5 high prevalence of obesity among children in the
6 United States.

7 “(7) Obesity related diseases cost the United
8 States economy more than \$100,000,000,000 every
9 year.

10 “(8) Inactivity and poor diet cause at least
11 300,000 deaths a year in the United States.

12 “(9) Physically fit adults have significantly re-
13 duced risk factors for heart attacks and stroke.

14 “(10) Children are not as active as they should
15 be and fewer than 1 in 4 children get 20 minutes
16 of vigorous activity every day of the week.

17 “(11) The Surgeon General’s 1996 Report on
18 Physical Activity and Health, and the Centers for
19 Disease Control and Prevention, recommend daily
20 physical education for all students in kindergarten
21 through grade 12.

22 “(12) Twelve years after Congress passed
23 House Concurrent Resolution 97, 100th Congress,
24 agreed to December 11, 1987, encouraging State
25 and local governments and local educational agencies

1 to provide high quality daily physical education pro-
2 grams for all children in kindergarten through grade
3 12, little progress has been made.

4 “(13) Every student in our Nation’s schools,
5 from kindergarten through grade 12, should have
6 the opportunity to participate in quality physical
7 education. It is the unique role of quality physical
8 education programs to develop the health-related fit-
9 ness, physical competence, and cognitive under-
10 standing about physical activity for all students so
11 that the students can adopt healthy and physically
12 active lifestyles.

13 **“SEC. 10999D. PROGRAM AUTHORIZED.**

14 “The Secretary is authorized to award grants to, and
15 enter into contracts with, local educational agencies to pay
16 the Federal share of the costs of initiating, expanding, and
17 improving physical education programs for kindergarten
18 through grade 12 students by—

19 “(1) providing equipment and support to enable
20 students to actively participate in physical education
21 activities;

22 “(2) developing or enhancing physical education
23 curricula to meet national goals for physical edu-
24 cation developed by the Secretary in consultation

1 with the National Association for Sport and Physical
2 Education; and

3 “(3) providing funds for staff and teacher
4 training and education.

5 **“SEC. 10999E. APPLICATIONS; PROGRAM REQUIREMENTS.**

6 “(a) APPLICATIONS.—Each local educational agency
7 desiring a grant under this part shall submit to the Sec-
8 retary an application that contains a plan to initiate, ex-
9 pand, or improve physical education programs in the
10 schools served by the agency to meet the minimum pro-
11 gram requirements described in subsection (b).

12 “(b) PROGRAM REQUIREMENTS.—The program re-
13 quirements referred to in subsection (a) are as follows:

14 “(1) Physical education programs shall facili-
15 tate achievement of the goals for physical education,
16 and the curriculum of the programs shall provide—

17 “(A) elementary school, middle school, and
18 secondary school students with not less than
19 150 minutes per week of instructional physical
20 education and, if practicable, daily instructional
21 physical education;

22 “(B) fitness education and assessment to
23 help children understand, improve, or maintain
24 their physical well-being;

1 “(C) instruction in a variety of motor skills
2 designed to enhance the physical, mental, and
3 social or emotional development of every child;

4 “(D) development of cognitive concepts
5 about motor skill and physical fitness that sup-
6 port a lifelong healthy lifestyle;

7 “(E) opportunities to develop social and
8 cooperative skills and gain a multicultural per-
9 spective through physical activity participation;

10 “(F) involvement for all children in activi-
11 ties that provide appropriate amounts and
12 kinds of physical activity; and

13 “(G) instruction in healthy eating habits
14 and good nutrition.

15 “(2) Teachers of physical education shall have
16 baccalaureate degrees qualifying the teachers as
17 physical education specialists.

18 “(3) Teachers of physical education shall be af-
19 forded the opportunity for professional development
20 to stay abreast of the latest research, issues, and
21 trends in the field of physical education.

22 “(c) SPECIAL RULE.—For the purpose of this part,
23 extracurricular activities such as team sports and Reserve
24 Officers’ Training Corps (ROTC) program activities shall

1 not be considered as part of the curriculum of a physical
2 education program assisted under this part.

3 **“SEC. 10999F. PROPORTIONALITY.**

4 “The Secretary shall ensure that grants awarded and
5 contracts entered into under this part shall be equitably
6 distributed between local educational agencies serving
7 urban and rural areas, and between local educational
8 agencies serving large and small numbers of students.

9 **“SEC. 10999G. PRIVATE SCHOOL STUDENTS AND HOME-**
10 **SCHOOLED STUDENTS.**

11 “An application for funds under this part, consistent
12 with the number of home-schooled children or children en-
13 rolled in private elementary schools, middle schools, and
14 secondary schools located in the school district of a local
15 educational agency, may provide for the participation of
16 such children and their teachers in the activities assisted
17 under this part.

18 **“SEC. 10999H. REPORT REQUIRED FOR CONTINUED FUND-**
19 **ING.**

20 “As a condition to continue to receive grant or con-
21 tract funding after the first year of a multiyear grant or
22 contract under this part, the administrator of the grant
23 or contract for the local educational agency shall submit
24 to the Secretary an annual report that describes the activi-
25 ties conducted during the preceding year and dem-

1 onstrates that progress has been made toward achieving
2 program requirements described in section 10999E(b).

3 **“SEC. 10999I. REPORT TO CONGRESS.**

4 “The Secretary shall submit a report to Congress not
5 later than June 1, 2003, that describes the programs as-
6 sisted under this part, documents the success of such pro-
7 grams in improving physical fitness, and makes such rec-
8 ommendations as the Secretary determines appropriate for
9 the continuation and improvement of the programs as-
10 sisted under this part.

11 **“SEC. 10999J. ADMINISTRATIVE COSTS.**

12 “Not more than 7 percent of the grant or contract
13 funds made available to a local educational agency under
14 this part for any fiscal year may be used for administra-
15 tive costs.

16 **“SEC. 10999K. FEDERAL SHARE; SUPPLEMENT NOT SUP-
17 PLANT.**

18 “(a) FEDERAL SHARE.—The Federal share under
19 this part may not exceed—

20 “(1) 90 percent of the total cost of a project for
21 the first year for which the project receives assist-
22 ance under this part; and

23 “(2) 75 percent of such cost for the second and
24 each subsequent such year.

1 “(b) SUPPLEMENT NOT SUPPLANT.—Funds made
2 available under this part shall be used to supplement and
3 not supplant other Federal, State and local funds available
4 for physical education activities.

5 **“SEC. 10999L. AUTHORIZATION OF APPROPRIATIONS.**

6 “There are authorized to be appropriated
7 \$30,000,000 for fiscal year 2000, \$70,000,000 for fiscal
8 year 2001, and \$100,000,000 for each of the fiscal years
9 2002 through 2004, to carry out this part. Such funds
10 shall remain available until expended.”.

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