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I N   S E N A T E

June 2, 2014

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Introduced by Sen. LANZA -- read twice and ordered printed, and when printed to be committed to the Committee on Education

AN ACT relating to requiring the commissioner of education to survey, examine and report about school district compliance with physical education instruction requirements in elementary and secondary grades in public schools

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     Section 1. a. The commissioner of education shall survey, examine and  
2     report about school district compliance with physical education instruc-  
3     tion requirements as required by laws and regulations in elementary and  
4     secondary grades in all public schools. Such report shall include but  
5     not be limited to the following information for each school district:  
6        (i) how many and which schools do not have a facility, multi-purpose  
7     room, non-classroom designated area, or other designated spaces that are  
8     adequate for physical education instruction as required by laws and  
9     regulations;  
10      (ii) how many and which schools have a facility or other space listed  
11     in paragraph (i) of this subdivision for physical education instruction  
12     do not or cannot use such space for physical education instruction and  
13     the reason or reasons why such space is not used for physical education;  
14      (iii) the maximum number of students who can receive physical educa-  
15     tion instruction at each school facility or area designated for physical  
16     education and how many students currently receive physical education  
17     instruction at each facility or designated area;  
18      (iv) how many and which elementary schools do not (A) employ a teacher  
19     or teachers certified in physical education for physical education  
20     instruction or (B) designate a teacher or teachers for physical educa-  
21     tion instruction;  
22      (v) how many and which secondary schools do not employ a certified  
23     physical education teacher for physical education instruction;  
24      (vi) how many and which schools do not provide the class time for  
25     physical education instruction as required by law and statute and the

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

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1 reason or reasons why the schools do not provide appropriate time for  
2 such instruction; and  
3 (vii) how many and which schools are not in compliance with physical  
4 education instruction requirements established in laws and regulations  
5 or are in violation of any physical education related laws or regu-  
6 lations.  
7 b. On or before July 1, 2015, the commissioner of education shall  
8 report to the governor, the temporary president of the senate, the  
9 speaker of the assembly, and the chairs of the senate and assembly  
10 committees on education the findings required pursuant to subdivision a  
11 of this section including an analysis and explanation of the data and  
12 information provided in the report, and shall identify steps that the  
13 education department is taking to ensure that all public schools are in  
14 compliance with physical education instruction requirements in elementa-  
15 ry and secondary grades.  
16 S 2. This act shall take effect immediately.