S T A T E O F N E W Y O R K

3880

2015-2016 Regular Sessions

I N A S S E M B L Y

January 28, 2015

Introduced by M. of A. NOLAN, FAHY -- read once and referred to the Committee on Education

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

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

Section 1. a. The commissioner of education shall survey, examine and report about school district compliance with physical education instruction requirements as required by laws and regulations in elementary grades in all public schools. Such report shall include but not be limited to the following information for each school district:

(i) how many and which schools do not have a facility, multi-purpose room, non-classroom designated area, or other designated spaces that are adequate for physical education instruction as required by laws and regulations;

(ii) how many and which schools have a facility or other space listed in paragraph (i) of this subdivision for physical education instruction do not or cannot use such space for physical education instruction and the reason or reasons why such space is not used for physical education;

(iii) the maximum number of students who can receive physical education instruction at each school facility or area designated for physical education and how many students currently receive physical education instruction at each facility or designated area;

(iv) how many and which elementary schools do not (A) employ a teacher or teachers certified in physical education for physical education instruction or (B) designate a teacher or teachers for physical education instruction;

(v) how many and which schools do not provide the class time for physical education instruction as required by law and statute and the reason

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

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or reasons why the schools do not provide appropriate time for such instruction; and

(vi) how many and which schools are not in compliance with physical education instruction requirements established in laws and regulations or are in violation of any physical education related laws or regulations.

b. On or before July 1, 2016, the commissioner of education shall report to the governor, the temporary president of the senate, the speaker of the assembly, and the chairs of the senate and assembly committees on education the findings required pursuant to subdivision a of this section including an analysis and explanation of the data and information provided in the report, and shall identify steps that the education department is taking to ensure that all public schools are in compliance with physical education instruction requirements in elementary and secondary grades.

S 2. This act shall take effect immediately.