

2013 DRAFTING REQUEST

Bill

Received: **8/30/2013** Received By: **tkuczens**
Wanted: **As time permits** Same as LRB:
For: **Chad Weininger (608) 266-5840** By/Representing: **Kirsten Reader**
May Contact: Drafter: **tkuczens**
Subject: **Education - school boards** Addl. Drafters:
Extra Copies: **pg**
FFK

Submit via email: **YES**
Requester's email: **Rep.Weininger@legis.wisconsin.gov**
Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Physical education

Instructions:

Modify requirement for pupils in grades K-8 to require that instruction be provided by or under the direction of licensed PE teacher

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	tkuczens 8/30/2013	scalvin 8/30/2013	jmurphy 8/30/2013	_____			
/P1	tkuczens 10/14/2013	scalvin 10/14/2013	rschluet 10/14/2013	_____	srose 8/30/2013		Local
/P2	tkuczens	scalvin		_____	srose		Local

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	12/5/2013	12/5/2013			10/14/2013		
			jmurphy 12/5/2013		lparisi 12/5/2013	mbarman 12/6/2013	Local

FE Sent For:

→ At Intro.

<END>

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		1 sac 12/5/2013	1 sac 12/05/2013	_____			

Jan 12/5

Vers. Drafted

Reviewed

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10/14/2013

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/?	tkuczens	Pl sac 08/30/2013		_____			

FE Sent For:

<END>

Kuczenski, Tracy

From: Reader, Kirsten
Sent: Wednesday, August 28, 2013 9:35 AM
To: Kuczenski, Tracy
Subject: FW: physical education

Kirsten Reader
Research Assistant
Office of Representative Chad Weininger
125 West, State Capitol
608-266-5840 / Kirsten.Reader@legis.wisconsin.gov

From: Weininger, Chad
Sent: Tuesday, August 27, 2013 9:33 AM
To: Reader, Kirsten
Subject: FW: physical education

From: Grant, Peter
Sent: Monday, August 26, 2013 4:13 PM
To: Weininger, Chad
Subject: physical education

Representative Weininger,

Kirsten called this morning regarding LRB-1087, with a question about physical education. Below is a copy of DPI's rules on physical education, which you might find helpful. I couldn't find a definition of the term in the statutes or in DPI's rules.

PI 8.01(2)(j)2.

Physical education instruction shall be provided in accordance with a developmental, sequential, comprehensive physical education curriculum and program of instruction for all pupils. Instruction in grades kindergarten through 6 shall be provided at least 3 times weekly, except that days on which special activities are conducted may be exempt; and shall be conducted by or under the direction of a licensed physical education teacher. Pupils in grade 6 may be scheduled in accordance with the criteria for scheduling grades 7 through 12 if the pupils are attending a school that includes any of those grades. All pupils in grades 7 through 12 shall participate in the instructional program of physical education taught by a licensed physical education teacher, except that in senior high schools one year or the equivalent may be optional to pupils.

Peter

Peter Grant, Managing Attorney



State of Wisconsin
2013 - 2014 LEGISLATURE

3040/P1



LRB-108771

PC: eevrs

TKK sac RANIR

2013 BILL

LPS: please make change on request sheet in instructors

8/30/13

no 9
The bill specifies that instruction must be provided by or under the direction of a licensed physical education teacher.

- gen cert

1 AN ACT to create 118.018 of the statutes; relating to: physical education in
2 public schools.

Analysis by the Legislative Reference Bureau

This bill requires that every school district operating grades kindergarten to 5 ensure that pupils in those grades participate in physical education for at least 30 minutes each day on which school is held, and that every school district operating grades 6 to 8 ensure that pupils in those grades participate in physical education at least 45 minutes each day on which school is held.

For further information see the **local** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 SECTION 1. 118.018 of the statutes is created to read:

4 **118.018 Physical education.** (1) (a) A school board of a school district operating
5 grades kindergarten to 5 shall ensure that pupils in those grades participate in
6 physical education for at least 30 minutes each day on which school is held.

(B) instruction

and receive instruction

BILL

b
(b)

1

(2) A school board of a school district operating grades 6 to 8 shall ensure that
and receive instruction

2

pupils in those grades participate in physical education for at least 45 minutes each

3

day on which school is held.

4

*Each school board subject to the requirements under sub. (1)
shall ensure that (END)*

(2)

*physical education instruction is conducted by or
under the direction of a licensed physical education
teacher.*

Kuczenski, Tracy

From: Reader, Kirsten
Sent: Friday, September 27, 2013 2:46 PM
To: Kuczenski, Tracy
Subject: LRB - 3040/P1

Hi, Tracy:

Rep. Weininger would like to make the following changes to LRB-3040/P1:

- The legislation would only be for those in K-5, so 30 minutes of physical education if in K-5.
- We would also like DPI to formalize (promulgate rules) on the training non-physical education teachers need to direct a physical education class. So if it should be a part of teachers continuing education or they need an orientation. I believe this would work with what DPI currently has in rules for K-5, which allows a non-PE teacher to teach a PE class under the direction of a PE teacher.

We'd like to keep this a preliminary draft.

Thanks,

Kirsten Reader
Research Assistant
Office of Representative Chad Weininger
125 West, State Capitol
608-266-5840 / Kirsten.Reader@legis.wisconsin.gov

Kuczenski, Tracy

From: Reader, Kirsten
Sent: Monday, October 14, 2013 12:51 PM
To: Kuczenski, Tracy
Subject: RE: LRB - 3040/P1

Hi, Tracy:

I think we're actually going to change direction on this bill – if we could please eliminate page 2 of LRB – 3040/P1, so we'd only have the language on K-5 schools. Please keep this as a preliminary.

Let me know if there are questions,

Kirsten Reader
Research Assistant
Office of Representative Chad Weininger
125 West, State Capitol
608-266-5840 / Kirsten.Reader@legis.wisconsin.gov

From: Kuczenski, Tracy
Sent: Monday, October 14, 2013 10:13 AM
To: Reader, Kirsten
Subject: RE: LRB - 3040/P1

Hi Kirsten –

I'm working on this draft and have a couple of questions related to rule-making requirement.

I'm a bit confused about what you are looking for in additional rules. In part my confusion stems from the fact that I'm not clear how the current rules are applied with respect to teachers who are not PE teachers. Currently the rules require instruction to be "conducted by or under the direction of a licensed physical education teacher." Does DPI require a licensed PE teacher to be in the room, so to speak, with a teacher who is not a licensed PE teacher if that non-licensed PE teacher is teaching PE?

Regardless of the answer to that question, are you looking to require teachers who are ***not licensed to teach PE*** but who teach PE under the direction of a licensed PE teacher to obtain instruction to become ***licensed*** PE teachers? (See Wis. Admin. Code DPI s. 34.30 (2) (k) for a description of the type of instructional program a person must complete to obtain a license to teach PE). If so, I would simply incorporate into the statues a requirement that all teachers who teach PE complete an instructional program like that described under the rules, rather than require DPI to promulgate rules.

Let me know your thoughts.

Thanks,
Tracy

Tracy K. Kuczenski
Senior Legislative Attorney
Wisconsin Legislative Reference Bureau
tracy.kuczenski@legis.wisconsin.gov
(608) 266-9867

From: Reader, Kirsten
Sent: Friday, September 27, 2013 2:46 PM
To: Kuczenski, Tracy
Subject: LRB - 3040/P1

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We'd like to keep this a preliminary draft.

Thanks,

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Research Assistant
Office of Representative Chad Weininger
125 West, State Capitol
608-266-5840 / Kirsten.Reader@legis.wisconsin.gov



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-3040/PT P2
TKK:sac:im
RMIR

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

10/14/13

by 10/15/13

-gen cat

1 AN ACT *to create* 118.018 of the statutes; **relating to:** physical education in
2 public schools.

Analysis by the Legislative Reference Bureau

This bill requires that every school district operating grades kindergarten to 5 ensure that pupils in those grades participate in physical education for at least 30 minutes each day on which school is held, and that every school district operating grades 6 to 8 ensure that pupils in those grades participate in physical education at least 45 minutes each day on which school is held. The bill specifies that instruction must be provided by or under the direction of a licensed physical education teacher.

For further information see the **local** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 SECTION 1. 118.018 of the statutes is created to read:

4 **118.018 Physical education instruction.** (1) (a) A school board of a school
5 district operating grades kindergarten to 5 shall ensure that pupils in those grades
6 participate and receive instruction in physical education for at least 30 minutes each
7 day on which school is held.

1 (b) A school board of a school district operating grades 6 to 8 shall ensure that
2 pupils in those grades participate and receive instruction in physical education for
3 at least 45 minutes each day on which school is held.

4 (2) Each school board subject to the requirements under sub. (1) shall ensure
5 that physical education instruction is conducted by or under the direction of a
6 licensed physical education teacher.

7

(END)

Kuczenski, Tracy

From: Zikmund, Alison
Sent: Thursday, December 05, 2013 10:38 AM
To: Kuczenski, Tracy
Subject: RE: Draft review: LRB -3040/P2 Topic: Physical education

Tracy,

Would you please create a finalized LRB version of this bill that would be ready for introduction? Rep. Weininger is satisfied with the P-draft and would like to move forward with this legislation.

Thanks.

Alison Zikmund
Office of Rep. Chad Weininger
(608) 266-1184

From: LRB.Legal
Sent: Monday, October 14, 2013 2:14 PM
To: Rep.Weininger
Subject: Draft review: LRB -3040/P2 Topic: Physical education

Following is the PDF version of draft LRB -3040/P2.



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-3040/P2
TKK:sac: [signature]

RW 12

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

12/5/13
Today

Gen Act

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6 participate and receive instruction in physical education for at least 30 minutes each
7 day on which school is held.

8 (END)

Barman, Mike

From: Zikmund, Alison
Sent: Friday, December 06, 2013 11:43 AM
To: LRB.Legal
Subject: Draft Review: LRB -3040/1 Topic: Physical education

Please Jacket LRB -3040/1 for the ASSEMBLY.