

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 1276

To amend section 1111 of the Elementary and Secondary Education Act of 1965 regarding challenging academic content standards for physical education.

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IN THE SENATE OF THE UNITED STATES

JUNE 21, 2005

Mr. CORNYN introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To amend section 1111 of the Elementary and Secondary Education Act of 1965 regarding challenging academic content standards for physical education.

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. FINDINGS.**

4 Congress makes the following findings:

5 (1) Obesity-related diseases cost the United  
6 States economy more than \$100,000,000,000 every  
7 year.

8 (2) Almost half of young people aged 12  
9 through 21, and more than a third of high school

1 students, do not participate in vigorous physical ac-  
2 tivity on a regular basis.

3 **SEC. 2. PHYSICAL EDUCATION.**

4 Section 1111(b) of the Elementary and Secondary  
5 Education Act of 1965 (20 U.S.C. 6311(b)) is amended—

6 (1) in paragraph (1)(C)—

7 (A) by striking “arts, and” and inserting  
8 “arts,”; and

9 (B) by striking “science,” and inserting  
10 “science and (beginning in the 2006–2007  
11 school year) physical education,”; and

12 (2) in paragraph (3)—

13 (A) in subparagraph (A)—

14 (i) by striking “and science” and in-  
15 serting “science, and physical education”;  
16 and

17 (ii) by inserting before the period  
18 “and no State shall be required to meet  
19 the requirements of this part relating to  
20 physical education assessments until the  
21 beginning of the 2008–2009 school year”;  
22 and

23 (B) in subparagraph (C)(v)—

24 (i) in subclause (II)(cc), by inserting  
25 “and” after the semicolon; and

1 (ii) by adding at the end the fol-  
2 lowing:

3 “(III) beginning not later than  
4 school year 2008–2009, measure the  
5 proficiency of all students in physical  
6 education and be administered not  
7 less than 1 time during—

8 “(aa) grades 3 through 5;

9 “(bb) grades 6 through 9;

10 and

11 “(cc) grades 10 through  
12 12;”.

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