

1       **AN ACT** *to amend* 121.02 (1) (j) of the statutes; **relating to:** physical education  
 2           teachers.

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

**JOINT LEGISLATIVE COUNCIL PREFATORY NOTE:** This draft was prepared for the Joint Legislative Council’s Special Committee on Performance–Based Disease Management for Large Populations.

Current law directs school boards to ensure that instruction in elementary and high schools in health, physical education, art and music is provided by qualified teachers. [s. 121.02 (1) (j), stats.] The current Department of Public Instruction administrative rule implementing this provision requires that physical education instruction in grades kindergarten through 6 be conducted by or under the direction of a licensed physical education teacher. The administrative rule also requires that all pupils in grades 7 through 12 (or six to twelve if a middle school has a grade 6) participate in an 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. [s. PI 8.01 (2) (j) 2., Wis. adm. code.]

This draft directs school boards to ensure that physical education instruction in elementary and high schools is provided by a licensed physical education teacher. The effect of the draft would be to require that physical education class in grades kindergarten through 6 is conducted by a licensed physical education teacher, instead of allowing schools the option of providing physical education instruction by or under the direction of a licensed physical education teacher.

3           **SECTION 1.** 121.02 (1) (j) of the statutes is amended to read:

4           121.02 (1) (j) 1. Ensure that instruction in elementary and high schools in health,  
 5           ~~physical education,~~ art and music is provided by qualified teachers.

6           2. Ensure that instruction in elementary and high schools in physical education is  
 7           provided by licensed physical education teachers.

**NOTE:** This draft directs school boards to ensure that physical education instruction in elementary and high schools is provided by a licensed physical education teacher. The effect of the draft would be to require that physical education class in grades kindergarten through 6 is conducted by a licensed physical education teacher, instead of allowing schools the option of providing physical education instruction by or under the direction of a licensed physical education teacher.

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(END)