

**LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS**

Bill Number: HB 132

50th Legislature, 1st Session, 2011

Tracking Number: .183644.1

Short Title: ROTC as Physical Education Requirement

Sponsor(s): Representatives David Doyle and William "Bill" R. Rehm and Others

Analyst: James Ball

Date: March 1, 2011

Bill Summary:

HB 132 amends the *Public School Code* to provide that students who entered the ninth grade in school year 2009-2010 and students in succeeding high school classes may satisfy the physical education graduation requirement by participating in the Reserve Officers Training Corps (ROTC) program.

Fiscal Impact:

HB 132 does not contain an appropriation.

Technical Issues:

HB 132 provides that simple participation in an ROTC program may be used to satisfy the one unit requirement in physical education.

It is unclear what the extent of the ROTC participation must be in order to be comparable to a full unit in physical education.

Substantive Issues:

The Public Education Department (PED) analysis of HB 132 indicates that a process in PED rule already allows a school district or charter school to pursue PED approval for the substitution of an elective course for a specified graduation requirement.

According to PED, physical education:

- provides students with the knowledge and skills necessary to: (1) perform a variety of physical activities; (2) maintain physical fitness; and (3) value as well as enjoy physical activity as an ongoing part of a healthy lifestyle;
- includes curriculum, instruction, and assessment that is sequential from kindergarten through high school and meets the standards outlined in the *New Mexico Physical Education Content Standards with Benchmarks*; and
- instruction requires a teacher to hold a PED license with an endorsement in physical education.

The department also notes that:

- ROTC is a set of elective courses that follow military guidelines;
- by rule, ROTC instructors are not required to hold any PED license; and
- the local superintendent is the person ultimately responsible for the conduct and performance of the ROTC instructor.

Finally, a December 2010, article in *USA Today* notes that:

- there is a growing trend nationally for states to allow students to substitute other physical activity experiences for physical education graduation requirements; and
- typically, students may be excused from physical education units if they enroll in interscholastic sports, marching band, cheerleading, or other activities, including ROTC.

Background:

PED also points out that, according to the National Association for Sport and Physical Education, it is the role of physical education programs to develop the health-related fitness, physical competence, and cognitive understanding about physical activity for all students so that they can adopt healthy and physically active lifestyles.

Related Bills:

None as of March 1, 2011.