

**SENATE**  
**STATE OF MINNESOTA**  
**NINETY-FIRST SESSION**

**S.F. No. 3742**

(SENATE AUTHORS: LITTLE)

DATE	D-PG	OFFICIAL STATUS
02/27/2020	5036	Introduction and first reading Referred to E-12 Finance and Policy

1.1 A bill for an act

1.2 relating to education; allowing participation in high school show choir, marching

1.3 band, or competition bands to satisfy a physical education standard; amending

1.4 Minnesota Statutes 2018, section 120B.026.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2018, section 120B.026, is amended to read:

1.7 **120B.026 PHYSICAL EDUCATION; EXCLUSION FROM CLASS; RECESS.**

1.8 **Subdivision 1. Exclusion from class.** A student may be excused from a physical

1.9 education class if the student submits written information signed by a physician stating that

1.10 physical activity will jeopardize the student's health. A student may be excused from a

1.11 physical education class if being excused meets the child's unique and individualized needs

1.12 according to the child's individualized education program, federal 504 plan, or individualized

1.13 health plan. A student may be excused if a parent or guardian requests an exemption on

1.14 religious grounds. A student with a disability must be provided with modifications or

1.15 adaptations that allow physical education class to meet their needs.

1.16 **Subd. 2. Recess.** Schools are strongly encouraged not to exclude students in kindergarten

1.17 through grade 5 from recess due to punishment or disciplinary action.

1.18 **Subd. 3. Show choir, marching band, and competition band.** A high school student

1.19 who participates in show choir, marching band, or competition band during the school year

1.20 satisfies the physical education standard and is not required to complete additional physical

1.21 education academic standards and benchmarks for that school year.