

[First Reprint]

**ASSEMBLY, No. 3873**

**STATE OF NEW JERSEY**  
**221st LEGISLATURE**

INTRODUCED FEBRUARY 27, 2024

**Sponsored by:**

**Assemblywoman CARMEN THERESA MORALES**

**District 34 (Essex)**

**Assemblyman MICHAEL VENEZIA**

**District 34 (Essex)**

**Assemblyman BENJIE E. WIMBERLY**

**District 35 (Bergen and Passaic)**

**Co-Sponsored by:**

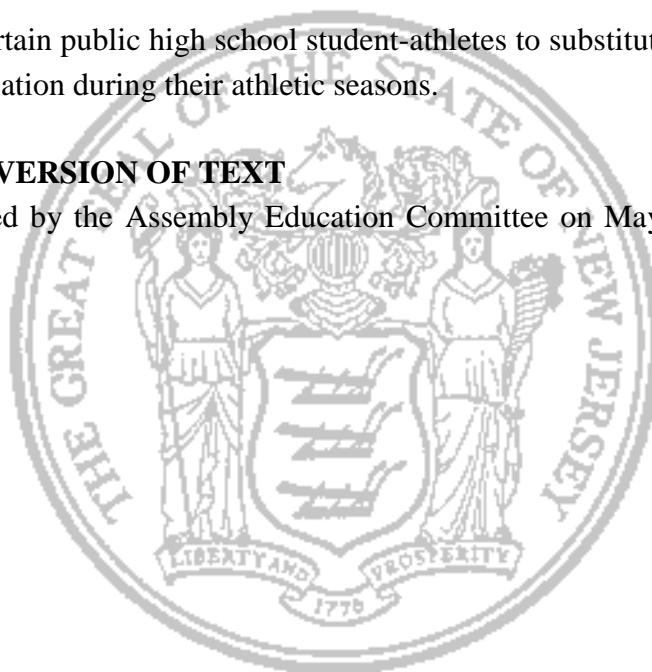
**Assemblyman Sampson, Assemblywoman Bagolie, Assemblymen Rodriguez, Marengo, Assemblywoman Drulis, Assemblymen Bergen, Simonsen, Assemblywomen Katz, Speight, Assemblymen Stanley, DiMaio and Assemblywoman Matsikoudis**

**SYNOPSIS**

Allows certain public high school student-athletes to substitute study hall for physical education during their athletic seasons.

**CURRENT VERSION OF TEXT**

As reported by the Assembly Education Committee on May 6, 2024, with amendments.



**(Sponsorship Updated As Of: 9/12/2024)**

1 AN ACT concerning physical education instruction in public high  
2 schools and supplementing chapter 35 of Title 18A of the New  
3 Jersey Statutes.

4  
5 **BE IT ENACTED** by the Senate and General Assembly of the State  
6 of New Jersey:

7  
8 1. a. <sup>1</sup>(1)<sup>1</sup> Notwithstanding the provisions of N.J.S.18A:35-7,  
9 N.J.S.18A:35-8, or any other law to the contrary, a public high school  
10 student in tenth, eleventh, or twelfth grade who <sup>1</sup>meets the criteria  
11 enumerated in paragraph (2) of this subsection,<sup>1</sup> participates in a  
12 school-sponsored sport<sup>1,1</sup> and is scheduled to attend a physical  
13 education course during the athletic season of that sport may elect to  
14 substitute the physical education course with a study hall during that  
15 athletic season. The student's participation in the sport shall count  
16 towards the student's physical education requirement for graduation,  
17 and the student shall receive the number of high school graduation  
18 credits equal to the number received for completion of the physical  
19 education course. <sup>1</sup>Each school district shall develop a policy to allow  
20 eligible students to substitute a physical education course with a study  
21 hall in accordance with this section.

22 (2) A public high school student may only elect to substitute a  
23 physical education course with a study hall pursuant to this subsection  
24 if the student is: enrolled in at least one advanced placement course, a  
25 dual enrollment program, or other college-level course; or in need of  
26 additional academic support due to low academic performance  
27 indicators, as determined by the school district.<sup>1</sup>

28 b. (1) The parent or guardian of a student seeking to substitute a  
29 physical education course with a study hall pursuant to subsection a. of  
30 this section shall provide the school district with written approval for  
31 the substitution.

32 (2) The coach of the school-sponsored sport shall certify to the  
33 school district the student's participation in the sport.

34 <sup>1</sup>(3) The student's school counselor shall certify to the school  
35 district that the student is eligible to substitute a physical education  
36 course with a study hall pursuant to this section and that the counselor  
37 approves of the substitution.<sup>1</sup>

38 c. The school district shall determine for purposes of this <sup>1</sup>**[act]**  
39 section<sup>1</sup> which school athletic activities constitute a school-sponsored  
40 sport.

41  
42 2. This act shall take effect immediately and shall first apply to  
43 the 2024-2025 school year.

**EXPLANATION** – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Assembly AED committee amendments adopted May 6, 2024.