

This document was drafted by [The City Project](#) as a resource for school districts.
Template School Board Resolution on Physical Education

Whereas, The U.S. Surgeon General, Centers for Disease Control, National Institute for Health, Government Accountability Office, Institute of Medicine, and National Association for Sport and Physical Education all identify increasing physical activity, through quality physical education programs, as one of the most critical things to fight the childhood obesity epidemic;

Whereas, A John Hopkins University study showed that for every weekday an adolescent participated in physical education classes the odds of becoming an overweight adult decreased by five percent and participating in physical education classes everyday decreased the odds of becoming an overweight adult by 28 percent;

Whereas, Evidence-based research published by the Institute of Medicine, the California Endowment, and others documents the importance of quality physical education teachers and programs to improve student health, youth development, and academic performance;

Whereas, the Institute of Medicine and The City Project recommend teachers receive training and ongoing professional development in physical education;

Whereas, A study by the California State Board of Education found that children engaged in daily physical activity outperformed other students on exams, exhibited superior academic performance and attitudes toward school, improved scores on short-term memory tests and reaction times and increased creativity;

Whereas, In a pilot program at three elementary schools (Marvin, Allesandro and Norwood Elementary Schools in Los Angeles County) with increased physical activity minutes and quality physical education, students' API scores increased (40, 22 and 17 points respectively) as did their fitness levels;

Whereas, A recent report from The California Endowment found a direct correlation between smaller physical education class sizes and students' level of engagement in more moderate-to vigorous physical activity;

Whereas, Evidence-based research by The City Project and Samuels & Associates found that secondary school teachers provided more moderate-to vigorous physical activity than elementary teachers, potentially attributable to the fact that secondary school teachers are predominantly ones with specialized training and credentials in physical education;

Whereas, A major report by the Institute of Medicine on physical education and physical activity in school, recommends that at least half of physical education class-time be spent engaged in moderate-to vigorous physical activity;

Whereas, Evidence-based research published by the Institute of Medicine documents health disparities based on race, color, national origin, gender, and socioeconomic status;

Whereas, A major report by the Institute of Medicine recommends that physical activity be considered in all school policy decisions to improve academic performance, health, and development for all children; and that physical education and activity be monitored in school;

Whereas, The Los Angeles Unified School District Policy Bulletin 2528.1 on physical education has been called "a best practice example for districts across the state to provide a quality education for the children

of California,” according to Dr. Robert Ross, President of the California Endowment;

Whereas, The California State Legislature has found and declared that “the physical fitness and motor development of children in the public elementary schools is of equal importance to that of other elements of the curriculum” (Cal. Educ. Code § 51210.2(a));

Whereas, California voters are in “nearly unanimous agreement” (97%) that it is important for schools to encourage more physical activity during the school day; more Californians favor physical education in schools than any other obesity prevention policy, across most party and socioeconomic lines; and 89% support requiring physical education classes for four years in high school, according to 2012 and 2011 Field Polls commissioned by The California Endowment; and

Whereas, The California Court of Appeal has held that districts can be sued for failure to comply with the California Education Code minutes requirement and that parents and students have standing to sue when a school district fails to comply; now, therefore, be it

Resolved, That the Governing Board of the District directs the Superintendent to ensure all schools are compliant with the California Education Code regarding physical education including:

- a) Elementary students receive physical education for a minimum of 200 minutes each 10 school days and secondary students receive 400 minutes each 10 days all year long (EC §51210, 51223, 51222), including 50% moderate-to-vigorous physical activity;
- b) All students have physical education every year in grades 1-12 with students in grades 10-12 allowed to exempt themselves from two years, only after meeting 5 of 6 on the state mandated physical performance test (EC §51225.3);
- c) Each student in grades 9 and 10 receive the 8 content areas described in the California Code of Regulations Title 5 and the California Model Content Standards; Aquatics, Dance and Rhythms, Individual and Dual, Combatives, Team Activities and Gymnastics and Tumbling, Effects of Movement on Dynamic Health and the Mechanics of Movement (CCR Title 5 Education, Chapter 10, Course of Study, Article 3.1 Physical Education Program 10060 Criteria for Physical Education Programs and the California Physical Education Framework);
- d) Each Senior High School provides a variety (3 to 4) of gender-neutral elective physical education courses (EC §51222 (b));
- e) Each physical education class is taught by a credentialed physical education teacher (EC §44256) (EC §45340-45367);
- f) All students in 5th, 7th, and 9th grades are properly prepared for and tested in the California Physical Performance Test, and each school’s scores are posted on each school’s accountability report card (EC 60800) (EC35256);

Resolved, That the Superintendent ensure that the physical education program engages students in moderate to vigorous physical activity (MVPA) for at least 50% of class or session time;

Resolved, That the Superintendent provide classroom and physical education teachers with continuing professional development to keep students engaged and active and to enhance the quality of physical education instruction and assessment;

Resolved, That the Superintendent create transparency by ensuring that the information the District publishes in the District and School Accountability Report Cards includes physical education teacher vacancies, misassignments or lack of subject matter competency and credentials;

Resolved, That the Superintendent ensure that all physical education classes are compliant with Title IX of the Education Amendments of 1972 to the Civil Rights Act of 1964 and its regulations; Title VI of the Civil Rights Act of 1964 and its regulations; and Government Code Section 11135 and its regulations;

Resolved, That the Superintendent should, wherever possible, limit the size of classes in physical education to an average of 45 students and a maximum cap of 55 students per instructor, or in parity with academic class sizes, consistent with the state physical education standards;

Resolved, That the Superintendent adopt and implement district-wide the California Department of Education's *Physical Education Model Content Standards for California Public Schools K-12*;

Resolved, That the Superintendent ensure that the physical education facilities are designed developed, and constructed according to the *California Department of Education Guide to School Site Analysis and Development*;

Resolved, That the Superintendent develop strategies to supplement physical education instruction with additional opportunities for students to be physically active before, during, and after the school day;

Resolved, That the Superintendent ensure that all District physical education bulletins are reviewed, updated, and disseminated to ensure compliance with state and federal education codes;

Resolved, That the Superintendent deliver to the Board within 3 months a policy and an implementation plan for achieving compliance with the relevant codes and regulations and this resolution;

Resolved, That the Superintendent develop strategies to monitor and evaluate its progress towards achieving within two years and maintaining on an ongoing basis full compliance, including tools for educating teachers, parents, and students on monitoring and reporting compliance;

Resolved, That the Superintendent develop or utilize the uniform complaint process for receiving, investigating, and resolving complaints regarding physical education compliance;

Resolved, That the Superintendent deliver to the Board an annual report on compliance with this motion and resolutions for any corrective actions needed; and be it finally

Resolved, That the Superintendent and the Office of Legislation and Governmental Affairs work with Legislators to increase funding for physical education.