

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

The District recognizes the positive benefits of physical education on student health and academic achievement, and shall provide all students quality physical education instruction and additional opportunities for physical activity throughout the school day. The District's physical education program shall support the District's coordinated wellness program and encourage students' lifelong fitness.

This policy is intended to provide administrators and school staffs with the information regarding the requirements for implementing physical education programs at elementary, middle and high schools, as well as graduation requirements, to ensure that all schools are compliant with the California Education Code (EC) regarding physical education and fully implement the California Department of Education's *Physical Education Model Content Standards for California Public Schools K – 12*.

1. Physical Education Course Requirements (Cf. LAUSD Bulletin 2528.1, pp. 3, 8)
 - a. Grades 1–9 – Students shall have physical education every year in grades 1-9, with one additional year required in high school for graduation (EC §51225.3).
 - b. High Schools – An equivalent of two years of physical education is required for high school graduation, unless the pupil has been exempted. In addition to EC §51225.3, high schools must also provide opportunities for students to participate in elective physical education classes each year.
 - i. Alternative Means to Complete Physical Education (Cf. LAUSD Bulletin p. 11)– The District's Board of Education, with the active involvement of all stakeholder groups, shall adopt alternative means for students to complete the prescribed course of study that may include independent study, and credit earned at a post-secondary institution that is equivalent in scope and time to the District's regular physical education program.
2. Minute Time Requirements (Cf. LAUSD Bulletin pp. 2-3)
 - a. Elementary. Students in grades 1-6 shall have 200 minutes of physical education each 10 school days, exclusive of lunchtime and recess (EC §51210).
 - b. Span. Span schools with grades 1 through 8 shall have 200 minutes of physical education each 10 school days, exclusive of lunchtime and recess (EC §51223).
 - c. Secondary. Students in grades 7-12 shall have 400 minutes of physical education each 10 school days (EC §51222). If a middle school includes 6th grade students it is recommended that all students receive the secondary requirement of 400 minutes of physical education each 10 school days.
 - d. Secondary School Waivers for Block Scheduling. At the secondary level, when a school operates with an alternative bell schedule that does not provide for daily physical education instruction or meet the 400 minimum minutes of instruction every 10 school days, the school and District must apply for a waiver from the state. To be granted the waiver, the school must meet all of the following waiver criteria:
 - i. Students are in physical education a minimum of 18 weeks in 70-90 minute daily periods during the regular school year.
 - ii. The District describes a method by which the school will monitor students' maintenance of a personal exercise program during the weeks the student is not participating in a physical education course.
 - iii. The District provides evidence that alternate day scheduling for physical education rather than alternate term scheduling has been thoroughly investigated. Reasons why alternate day scheduling will not work must be clearly explained.

- iv. The District provides information that shows the physical education program is aligned with the Physical Education Framework (provides a sequential, articulated, age-appropriate program).
 - v. The District provides information that shows the physical education program (in a senior or four-year high school) is in compliance with 5 CCR §10060.
 - vi. Students are prepared for and participate in the physical performance testing as specified in EC §60800.
3. Moderate to Vigorous Physical Activity – The District’s physical education program shall engage students in moderate to vigorous physical activity (MVPA) for at least 50% of class or session time. The District shall develop strategies to monitor the amount of moderate to vigorous physical activity that takes place in the physical education instructional program.
4. Teacher Credentialing (Cf. LAUSD Bulletin pp. 3-4) – Physical education instruction shall be delivered by appropriately credentialed teachers who may be assisted by instructional aides, paraprofessionals, volunteers, as described below.
- a. Elementary – To ensure that students have access to qualified teachers, only teachers with a Single Subject Credential in Physical Education or a Multiple Subject Credential may plan the physical education instructional program, deliver instruction, evaluate students, and assign grades in physical education.
 - i. When the regular elementary classroom teacher provides physical education instruction for only his or her individual class, the teacher is qualified to teach physical education if he or she possesses a Multiple Subject Teaching Credential (EC §44256).
 - ii. When one teacher provides physical education instruction to more than one class of students throughout the school day, the subject becomes departmentalized. When this occurs, the teacher must possess a Single-Subject Credential authorizing physical education instruction.
 - iii. Instructional aides, paraprofessionals, and volunteers may not be used to provide physical education instruction or decrease the student/teacher ratio for physical education instruction (EC §45340-§43567).
 - iv. Each elementary school must provide to their local district a school wide physical education class schedule approved by the principal and turned into their local district school services director.
 - b. Secondary – To ensure that students have access to qualified teachers, only teachers with a Single Subject or Standard Secondary Credential in Physical Education may plan the physical education instructional program, deliver instruction, evaluate students, and assign grades in physical education (EC §44256).
 - i. Instructional aides, paraprofessionals, volunteers, and walk-on coaches may not be used to provide physical education instruction or decrease the student/teacher ratio in physical education (EC §45340-§43567).
 - ii. Special Skills Area Authorization. EC §44258.7(c) allows a teacher who has special skills and preparation outside of his or her credential authorization, and with his or her consent, to be assigned to teach an elective course in the area of the special skills or preparation. This is contingent upon the assignment being first approved by a Committee on Assignments appointed by the District. An “elective course” is a course other than English, mathematics, science, or social studies. Assignments approved by the Committee on Assignments shall be for a maximum of one school year, but may be extended by action of the Committee upon application by the school site administrator and the affected teacher. All initial assignments or extensions are to be approved prior to the assignment or extension.
 - iii. One Period Physical Education Teacher. EC §44258.7(b) allows a full-time teacher who holds a credential in a subject other than physical education to *coach a recognized*

competitive sport for which the students receive physical education credit for one period a day, if that teacher has completed a minimum of 20 clock hours of first aid instruction appropriate to the specific sport.

5. Professional Development – The District shall provide physical education teachers with continuing professional development, including classroom management and instructional strategies designed to keep students engaged and active and to enhance the quality of physical education instruction and assessment. Physical Education Teacher Incentive Program (PETIP) funds shall be used only for their intended purpose – physical education.
6. Equal Protection (Race, Color, National Origin) (Cf. LAUSD Bulletin pp. 5-6) – Title VI of the Civil Rights Act of 1964 and California Government Code Section 11135 prohibit intentional discrimination based on race, color or national origin and prohibit (unintentional) unjustified discriminatory impacts on minority students that attend schools that receive federal or state financial assistance. Students can be “unintentionally” discriminated against if they do not receive quality physical education instruction.
 - a. A 2012 study documents that students of color and low income students are disproportionately denied physical education in California public schools. Emma Sanchez et. al., *Physical Education Policy Compliance and Children’s Physical Fitness*, 42(5) Am. J. Prev. Med. 452-59 (2012). According to the California Health Interview Survey 2003 and the Shape of the Nation Report-Status of Physical Education in the USA, research indicates that physical education quantity and quality are particularly deficient for less affluent students and, those in racial and ethnic groups who are at high risk for being overweight and/or obese. Many students are not passing the state-required fitness test, and there are large disparities by race and ethnicity.
 - b. Physical education classes need to meet these guidelines by assuring that properly credentialed teachers are instructing physical education classes, assuring that schools are meeting the physical education minute requirement, maintain reasonable class size averages, and provide quality facilities for physical education.
7. Gender Equity (Cf. LAUSD Bulletin pp. 4-5) – Title IX of the Education Amendments of 1972 that prohibits sex-based discrimination in education programs or activities receiving federal financial assistance. Specifically, it states: “*No person in the United States shall, on the basis of sex, be excluded from participating, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance...*”
 - a. All physical education classes, with the exception of interscholastic athletics, must be co-educational.
 - b. Participation in a particular physical education activity or sport, if required of students of one sex, shall be available to students of each sex.
 - c. Instruction and testing in all physical education classes are to be co-educational.
 - d. Student grouping by ability is allowed. However, any grouping of students during physical education activities should be on-going, flexible, and modified per unit or activity and may not have a discriminatory impact.
 - e. Students are to be assessed by objective standards of individual performance without regard to sex.
8. Physical Fitness Testing (Cf. LAUSD Bulletin p. 6) – During the months of February, March, April, or May, the District shall administer to each pupil in grades 5, 7, and 9 the physical performance test designated by the State Board of Education. The *Fitnessgram*© developed by the Cooper Institute is the selected physical performance test for the state of California. Each physically disabled pupil and each student who is physically unable to take the entire physical performance test shall be given as much of the test as his or her condition will permit (EC §60800.a).

- a. Each school district shall submit to the California State Department of Education, at least once every two years, the results of its physical performance testing.
 - b. In addition to the results of the physical performance testing being mailed home to the pupil and parent, informal test results may be provided orally as the pupil completes testing. A copy of the student's test results shall be placed into the student's cumulative record.
 - c. School Accountability Report Cards - The District shall report the aggregate results of its physical performance testing administered pursuant to *California Education Code* §60800 in their annual school accountability report card required by EC §33126 and EC §35256.
9. Class Size (*Cf.* LAUSD Bulletin pp. 6-7)
- a. To provide a sound instructional program, maximize student safety, and account for the factors of the nature of the activity, the availability and adequacy of facilities, and individual student differences, District schools should, wherever possible, limit the size of classes in physical education as follows:
 - i. Team sports, such as football and soccer: maximum of 55 students, or parity with academic class size.
 - ii. All others: maximum of 45 students, or parity with academic class size.
 - b. Principals, assistant principals, and physical education department chairpersons should work together toward reaching these goals.
 - c. Exceptions include, but are not limited to, such unique classes as Adapted Physical Education, Interscholastic Athletic Teams, and Drill Teams, which are governed by other guidelines.
10. California Model Content Standards (*Cf.* LAUSD Bulletin p. 7) – The District's program shall provide a developmentally appropriate sequence of instruction aligned with the state's model content standards and curriculum framework. The overall course of study must expose students to the following eight core content areas that will provide them with a foundation of skills to experience several lifetime sports and physical activities they may be involved in for the rest of their lives: (1) effects of physical activity upon dynamic health; (2) mechanics of body movement; (3) aquatics; (4) gymnastics and tumbling; (5) individual and dual sports; (6) rhythms and dance; (7) team sports; and (8) combatives. EC §33352; 5CCR 10060; *Physical Education Model Content Standards for California Public Schools*. Students must experience instruction, opportunities for appropriate practice, and time in each of these eight content areas.
- a. HS Credit for Marching Dynamics, JROTC, etc. (*Cf.* LAUSD Bulletin pp. 9-11) – The District shall determine whether to grant physical education for a particular course including, but not limited to, JROTC, marching dynamics, etc. In making this determination, the District must determine how the particular course supports an overall course of study for grades 9-12 that includes the eight content areas specified in EC §33352 and 5 CCR 10060 for physical education programs. While it is not necessary that each individual course include all eight content areas, the course offerings must be structured so that all students receive opportunities for instruction in each of the eight content areas across grades 9-12. These courses must also meet the requirements in EC §33352 pertaining to minimum instructional minutes, various reporting requirements, and the assignment of appropriately credentialed teachers.
11. Curriculum & Grading (*Cf.* LAUSD Bulletin p. 7) – Each student must be fairly evaluated on his or her progress toward being competent or proficient in each of the eight state content standards for their grade level. Students also need to be afforded the opportunity of enough time and quality of instructional experience in these core areas to develop competent or proficient skills in these content areas.
12. Temporary Exemptions (*Cf.* LAUSD Bulletin pp. 11) – Temporary exemption from participating in a physical education course may be granted (EC §51241) to a pupil if either:

- a. The pupil is ill or injured, and a modified program to meet the needs of the student cannot be provided.
 - b. The student is enrolled half-time or less.
13. Permanent Exemptions (Cf. LAUSD Bulletin pp. 11-12) – Permanent exemptions from participation in a physical education course may be granted if the pupil complies with any one of the following:
- a. Is 16 years of age or older and has been enrolled in the 10th grade for one academic year or longer. This exemption is to be used on a pupil-by-pupil basis only for students who come from an out-of-state or a private school that does not have a physical education requirement equivalent to California and cannot complete the two-year physical education requirement before graduating. Student is not required to take the *Fitnessgram*© physical test.
 - b. Is enrolled as a postgraduate pupil.
 - c. Is enrolled in a juvenile home, ranch, camp, or forestry camp school where pupils are scheduled for recreation and exercise. This pertains to the time the student is enrolled in these programs.
14. Two-year Exemptions (Cf. LAUSD Bulletin pp. 8-9)
- a. With the student’s consent, the District may exempt a student from physical education courses for any two years during grades 10-12 provided that the student has satisfactorily met (i.e., is in the “healthy fitness zone” for) at least five of the six standards on Fitnessgram©, the state's physical fitness test, in grade 9. (Education Code §51241)
 - b. Upon request by students and/or their parents/guardians, the District may administer the physical fitness test to students in grades 10-12 who need to pass the test in order to qualify for a two-year exemption from physical education courses.
 - c. Electives (Cf. LAUSD Bulletin p. 9) – District high schools are to offer for those exempted students a variety of physical education elective courses (EC §51222(b)). These courses are offered to provide students with the opportunity to specialize in activities of their own choosing. Following a specific regimen and honing their skills, students are then able to develop a personalized plan to ensure a lifetime of fitness and physical activity. To ensure that students have access to qualified teachers, only instructors with a Single Subject or Standard Secondary Credential in Physical Education may plan the physical education instructional program, deliver instruction, evaluate students, and assign grades in physical education elective courses (EC §44256).
15. Other Exemptions – The District may grant an exemption from physical education under the following special circumstances:
- a. Driver Training – A student in grades 10-12 may be excused for up to 24 clock hours in order to participate in automobile driver training (EC §51222).
 - b. Occupational Center Travel Hardship – A student in grades 10-12 who attends a regional occupational center or program where attendance in physical education courses results in a hardship due to the travel time may be excused (EC §52316).
 - c. Interscholastic Athletics (Cf. LAUSD Bulletin p. 12) – Any senior high school pupil engaged in a regular school-sponsored interscholastic athletic program carried on wholly or partially after regular school hours (EC §51242). During the off-season, athletes are to be enrolled in an advanced conditioning course for athletics that can and should include conditioning and training for the sport as well as the other content areas described in the *California Education Code* that are not included in their sport. The conditioning course is provided for pupils who have been enrolled on an athletic team and who are actively engaged in competition. A credentialed physical education teacher must instruct this off-season physical education course. This off-season conditioning physical education course offered in conjunction with the athletic program during

the school day satisfies the physical education course credit requirement for high school graduation.

16. Content Area Exemption (Cf. LAUSD Bulletin pp. 12-13)

- a. Physical education is required to be offered to all students except those provided with temporary or permanent exemptions as identified above. (EC §51210, EC §51220, EC §51222). However, on occasion, a secondary school will have a student who possesses exceptional talent or ability far beyond that of his or her peers. The talent or ability is being extended or perfected in an off-campus, non-school related environment under supervision of an authority competent to assist the student towards maximum achievement.
- b. In an unusual circumstance, a principal may permit a student to be exempted from a physical education content area within a physical education course due to a student possessing exceptional talent or ability and who engages in a vigorous training regimen outside of the regular school day. However, a student may not be exempted from an entire physical education course because of an off-campus training program.
- c. To be considered for a partial course exemption:
 - i. The student must possess an exceptional talent or ability far beyond that possessed by his or her peers.
 - ii. The talent or ability is being perfected or extended in an off-campus activity under the supervision of an authority competent to assist in the development of the talent or ability to the maximum.
 - iii. The talent or ability shows evidence when perfected or extended of being categorized as noteworthy or singularly identified by the greater community.

17. Adapted and Related Physical Education Programs (Cf. LAUSD Bulletin pp. 14-16)

- a. All children, unless specifically excused or exempt, are required to participate in a physical education program (EC §51222 and EC §51241). The *Individuals with Disabilities Education Improvement Act of 2004* (IDEA), and federal regulations define “special education” as specially designed instruction to meet the unique needs of a child with a disability, including instruction in the classroom *and instruction in physical education* (20 U.S.C. §1401[29]; 34 C.F.R. §300.26). Like all special education, physical education should be provided in such a manner that promotes maximum interaction between children with disabilities and their non-disabled peers. In addition, all students in Adapted Physical Education Programs are required to be tested in the *Fitnessgram*© physical test, unless stated otherwise in their Individualized Education Plan (IEP).
- b. California Code of Regulations, Title 5, section 3051.5, provides: “Adapted physical education is for individuals with exceptional needs who require developmental or corrective instruction and who are precluded from participation in the activities of the general physical education program, modified general physical education program, or in a specially designed physical education program in a special class. Consultative services may be provided to pupils, parents, teachers, or other school personnel for the purpose of identifying supplementary aids and services or modifications necessary for successful participation in the regular physical education program or specially designed physical education programs.”
- c. *The Physical Education Framework For California Public Schools*, 1994 (pg 77-90) identifies the types of available physical education programs, the service delivery options available in physical education, the identification procedure for adapted physical education services, the criteria to consider for adapted physical education, the referral process, the assessment process, and teacher credentialing authorizing the teaching of adapted physical education.

18. Wellness Policy and Physical Education (Cf. LAUSD Bulletin pp. 16-17) – The District recognizes the connection between health and academic achievement. To that end, the District has developed a comprehensive wellness policy that also address physical education as follows:

- a. All students in all grades should experience quality physical education, in a sequential and comprehensive, enjoyable, safe, and secure learning environment.
 - b. To provide adequate space to maximize practice opportunities for each child.
 - c. To provide adequate equipment for students to be actively engaged individually, with partners, or in small groups to maximize practice opportunities.
 - d. To ensure physical education class sizes are comparable to class sizes in other subject areas where possible.
 - e. To provide Physical Education Instructional Guides that support a written comprehensive and sequential standards-based physical education curriculum provided for all teachers of physical education for use in their classes.
 - f. To ensure all students in Grade 9 are enrolled in a Physical Education course to participate in the required *Fitnessgram* test (EC §51241).
 - g. Be able to offer extracurricular physical activity programs for elementary, middle, and high school students before and after school with physical activity clubs or intramural programs, in a variety of supervised activities.
19. Additional Opportunities for Physical Activity – The District shall develop strategies to supplement physical education instruction with additional opportunities for students to be physically active before, during, and after the school day. Such strategies include, but are not limited to, joint use of schools and recreation facilities, safe routes to schools programs, before and after school programs, extracurricular and cocurricular activities, student organizations and clubs, longer lunch periods, and recess.
 20. Timeline for Implementation (*Cf.* LAUSD Bulletin pp. 17-18) – The District is to be in full compliance with the provision of the Education Code, applicable regulations, and this policy within two years of the adoption of this policy. The District shall within 3 months of the adoption of this policy develop a timeline for ensuring implementation.
 21. Ongoing Monitoring & Evaluation – The District shall monitor and evaluate its progress towards achieving and maintaining full compliance in each of the above categories on an ongoing basis.
 22. Tools for Ongoing Monitoring & Reporting by Teachers, Parents and Students – The District shall develop and make available any tools for educating teachers, parents, and students on monitoring and reporting compliance with this policy and the Education Code.
 23. Complaint Process – The District shall develop its own or utilize the uniform complaint process for receiving, investigating, and resolving complaints regarding physical education compliance.
 24. Annual Reporting to the Board on Compliance – The District shall report annually to the Board regarding the number of instructional minutes offered in physical education for each grade level, the number of two-year and permanent exemptions granted pursuant to Education Code 51241, any complaints received, and any other data agreed upon by the Board and the District to evaluate program quality, compliance, and the effectiveness of the District's program in meeting the above goals for physical education. The District shall also report annually to the Board the physical fitness testing results for each school and applicable grade level.