

Liberty Union High School District

Board Policy

Classification: Instruction

Policy No. BP 6142.7

Page 1 of 6

Effective 5/26/93

Subject: Physical Education and Activity

Revised 1/15/25

The Governing Board recognizes the positive benefits of physical activity on student health, well-being, and academic achievement. The district shall provide all students the opportunity to be physically active on a regular basis through high-quality physical education instruction and may provide additional opportunities for physical activity throughout the school day. The district's physical education and activity programs shall support the district's coordinated student wellness program and encourage students' lifelong fitness.

Physical education classes shall be conducted in the coeducational, inclusive manner prescribed by law. The district shall provide instruction in physical education that provides equal access and equal opportunities for participation for all students in grades 9-12 regardless of gender, gender expression, sexual orientation, and mental or physical disability. (Education Code 220, 221.5, 33352; 5 CCR 4900, 4930, 4931, 4940, 4960; 34 CFR 106.33, 106.34, 300.108)

The district's physical education program shall provide a developmentally appropriate sequence of instruction aligned with the state's model content standards and curriculum framework.

The district's physical education program shall engage students in age-appropriate moderate to vigorous physical activity, as defined in the accompanying administrative regulation, including aerobic, muscle-strengthening, and bone-strengthening activities. The Superintendent or designee shall develop strategies to monitor the amount of moderate to vigorous physical activity that takes place in the physical education instructional program.

According to the state curriculum framework, it is the obligation of the Governing Board to determine whether to grant physical education credit for a particular course, including, but not limited to, junior ROTC, marching band, cheerleading, or drill team. In making this determination, the Board must determine how the particular course supports an overall course of study for grades 9-12 that includes the eight content areas specified in Education Code 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 areas across grades 9-12. CDE's Physical Education FAQs add that any course for which physical education credit is granted must also meet requirements in Education Code 33352 pertaining to minimum instructional minutes, various reporting requirements, and the assignment of an appropriately credentialed teacher.

For grades 9-12, the overall course of study shall include the effects of physical activity upon dynamic health, the mechanics of body movement, aquatics, gymnastics and tumbling, individual and dual sports, rhythms and dance, team sports, and combative's. (Education Code 33352; 5 CCR 10060)

The Board shall approve the courses in grades 9-12 for which physical education credit may be granted.

Students with disabilities shall be provided instruction in physical education in accordance with their individualized education program or Section 504 accommodation plan.

During air pollution episodes, extreme weather, or other inclement conditions, physical education staff shall make appropriate adjustments to the program or shall seek alternative indoor space to enable students to participate in active physical education.

Liberty Union High School District

Board Policy

Classification: Instruction

Policy No. BP 6142.7

Page 2 of 6

Effective 5/26/93

Subject: Physical Education and Activity

Revised 1/15/25

Staffing

Physical education instruction shall be delivered by appropriately credentialed teachers who may be assisted by instructional aides, paraprofessionals, and/or volunteers.

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 Fitness Testing

The Superintendent or designee shall annually administer the physical fitness test designated by the State Board of Education (FITNESSGRAM) to students in grade 9. (Education Code 60800; 5 CCR 1041)

Temporary Exemptions

The Superintendent or designee may grant a student a temporary exemption from physical education under either of the following conditions: (Education Code 51241)

1. The student is ill or injured and a modified program to meet the student's needs cannot be provided.
2. The student is enrolled for one-half time or less.

Two-Year Exemptions

With the student's consent, the Superintendent or designee may exempt a student from physical education courses for any two years during grades 10-12 provided that the student has satisfactorily met at least five of the six standards of the FITNESSGRAM in grade 9. (Education Code 51241)

Upon request by students and/or their parents/guardians, the Superintendent or designee may administer the FITNESSGRAM 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.

Students in grades 10-12 who have been granted a two-year exemption shall be offered a variety of elective physical education courses of not less than 400 minutes each 10 school days. (Education Code 33352, 51222)

Such students shall not be permitted to attend fewer total hours of courses and classes than they would have attended if enrolled in a physical education course. (Education Code 51241)

Permanent Exemptions

The Superintendent or designee may grant a student a permanent exemption from physical education under any of the following conditions: (Education Code 51241)

1. The student is age 16 years or older and has been enrolled in grade 10 for one or more academic years. However, such a student shall not be permitted to attend fewer total hours of courses and classes than the student would have attended if enrolled in a physical education course.

Liberty Union High School District

Board Policy

Classification: Instruction

Policy No. BP 6142.7

Page 3 of 6

Effective 5/26/93

Subject: Physical Education and Activity

Revised 1/15/25

2. The student is enrolled as a postgraduate student.
3. The student is enrolled in a juvenile home, ranch, camp, or forestry camp school with scheduled recreation and exercise.

Students who have been granted a permanent exemption shall be offered a variety of elective physical education courses of not less than 400 minutes each 10 school days. (Education Code 33352)

Other Exemptions

The Superintendent or designee may grant a student an exemption from physical education under the following special circumstances:

1. When the student is in any of grades 10-12 and is excused for up to 24 clock hours in order to participate in automobile driver training. However, any such student shall attend a minimum of 7,000 minutes of physical education instruction during the school year. (Education Code 51222)
 2. When the student is in any of grades 10-12, attends a regional occupational center or program, and, because of the travel time involved, would experience hardship to attend physical education courses. Any such student shall have a minimum school day of 180 minutes. (Education Code 52316)
 3. When the student is in high school and is engaged in a regular school-sponsored interscholastic athletic program carried on wholly or partially after regular school hours. (Education Code 51242)
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Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

<u>State</u>	<u>Description</u>
5 CCR 10060	Criteria for high school physical education programs
5 CCR 1040-1044	Physical performance test
5 CCR 1047-1048	Testing variations and accommodations
5 CCR 3051.5	Adapted physical education for individuals with exceptional needs
5 CCR 4600-4670	Uniform complaint procedures
5 CCR 4900-4965	Nondiscrimination in elementary and secondary educational programs receiving state or federal financial assistance
5 CCR 80020	Additional assignment authorizations for specific credentials
5 CCR 80037	Designated subjects teaching credential; special teaching authorization in physical education
5 CCR 80046.1	Added authorization to teach adapted physical education
Ed. Code 220	Prohibition of discrimination
Ed. Code 221.5	Equal opportunity
Ed. Code 33126	School accountability report card
Ed. Code 33350-33354	CDE responsibilities re: physical education
Ed. Code 35256	School Accountability Report Card
Ed. Code 44250-44277	Credentials and assignment of teachers

Liberty Union High School District

Board Policy

Classification: Instruction

Policy No. BP 6142.7

Page 4 of 6

Effective 5/26/93

Subject: Physical Education and Activity

Revised 1/15/25

Ed. Code 49066	Grades; change of grade; physical education grade
Ed. Code 51210	Course of study for grades 1-6
Ed. Code 51220	Course of study for grades 7-12
Ed. Code 51222	Physical education; instructional minutes
Ed. Code 51223	Physical education; elementary schools
Ed. Code 51241	Temporary two-year or permanent exemption from physical education
Ed. Code 51242	Exemption from physical education for athletic program participants
Ed. Code 52316	Excuse from attending physical education classes; regional occupational center/program
Ed. Code 60800	Physical performance test
Federal	Description
29 USC 794	Rehabilitation Act of 1973; Section 504
34 CFR 106.33	Nondiscrimination on the basis of sex; comparable facilities
34 CFR 106.34	Nondiscrimination on the basis of sex; access to classes and schools
34 CFR 300.108	Assistance to states for the education of children with disabilities; physical education
42 USC 1758b	Local wellness policy

Management Resources

Description

Attorney General Opinion	53 Ops.Cal.Atty.Gen. 230 (1970)
California Department of Education Publication	Physical Education Framework for California Public Schools, Kindergarten Through Grade 12, 2009
California Department of Education Publication	Physical Education Model Content Standards for California Public Schools, Kindergarten Through Grade 12, January 2005
CDC Publication	School Health Index (SHI): A Self-Assessment and Planning Guide, Middle/High School, 2017
CDC Publication	School Health Index (SHI): A Self-Assessment and Planning Guide, Elementary School, 2017
Commission on Teacher Credentialing Publication	The Administrator's Assignment Manual, 2019
Court Decision	Cal200 et al. v. Oakland Unified School District et al. (San Francisco Superior Court, Case No. CPF-14-513959)
Court Decision	Cal200 et al. v. San Francisco Unified School District et al. (2013), San Francisco Superior Court, Case No. CGC-13-534975
Court Decision	Doe v. Albany Unified School District (2010) 190 Cal.App.4th 668
CSBA Publication	Active Bodies, Active Minds: Physical Activity and Academic Achievement, Fact Sheet, February 2010
CSBA Publication	Maximizing Opportunities for Physical Activity During the School Day, Fact Sheet, November 2009
CSBA Publication	Maximizing Opportunities for Physical Activity Through Joint Use of Facilities, Policy Brief, February 2010
CSBA Publication	Moderate to Vigorous Physical Activity in Physical Education to Improve Health and Academic Outcomes, Fact Sheet, November 2009
CSBA Publication	Monitoring for Success: A Guide for Assessing and Strengthening Student Wellness Policies, rev. 2012
CSBA Publication	Physical Education and California Schools, Policy Brief, October 2007
CSBA Publication	Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, 2012
U.S. Dept. of Health & Human Services Publication	Physical Activity Guidelines for Americans, 2nd Edition, October 2018
Website	CSBA District and County Office of Education Legal Services

Liberty Union High School District

Board Policy

Classification: Instruction

Policy No. BP 6142.7

Page 5 of 6

Effective 5/26/93

Subject: Physical Education and Activity

Revised 1/15/25

Website	California Project LEAN (Leaders Encouraging Activity and Nutrition)
Website	Healthy People 2010
Website	President's Council on Sports, Fitness and Nutrition
Website	U.S. Department of Health and Human Services
Website	National Association for Sport and Physical Education
Website	Commission on Teacher Credentialing
Website	CSBA
Website	Centers for Disease Control and Prevention
Website	California Healthy Kids Resource Center
Website	California Department of Education

Cross References

<u>Code</u>	<u>Description</u>
0410	Nondiscrimination In District Programs And Activities
0500	Accountability
0510	School Accountability Report Card
0510	School Accountability Report Card
1240	Volunteer Assistance
1240	Volunteer Assistance
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3-E(1)	Uniform Complaint Procedures
1312.3-E(2)	Uniform Complaint Procedures
1330.1	Joint Use Agreements
1700	Relations Between Private Industry And The Schools
3514	Environmental Safety
3514	Environmental Safety
3552	Summer Meal Program
3552	Summer Meal Program
4112.2	Certification
4112.2	Certification
4112.21	Interns
4112.21	Interns
4113	Assignment
4113	Assignment
4115	Evaluation/Supervision
4115	Evaluation/Supervision
4127	Temporary Athletic Team Coaches
4127	Temporary Athletic Team Coaches
4131	Staff Development
4222	Teacher Aides/Paraprofessionals
4222	Teacher Aides/Paraprofessionals
4227	Temporary Athletic Team Coaches
4227	Temporary Athletic Team Coaches
4231	Staff Development
4327	Temporary Athletic Team Coaches
4327	Temporary Athletic Team Coaches
5030	Student Wellness
5121	Grades/Evaluation Of Student Achievement
5121	Grades/Evaluation Of Student Achievement
5125	Student Records
5125	Student Records
5141.23	Asthma Management
5141.23	Asthma Management
5141.4	Child Abuse Prevention And Reporting
5141.4	Child Abuse Prevention And Reporting

Liberty Union High School District

Board Policy

Classification: Instruction

Policy No. BP 6142.7

Page 6 of 6

Effective 5/26/93

Subject: Physical Education and Activity

Revised 1/15/25

5141.7	Sun Safety
5142.2	Safe Routes To School Program
5142.2	Safe Routes To School Program
5148	Child Care And Development
5148	Child Care And Development
5148.2	Before/After School Programs
5148.2	Before/After School Programs
6011	Academic Standards
6112	School Day
6112	School Day
6141	Curriculum Development And Evaluation
6141	Curriculum Development And Evaluation
6142.4	Service Learning/Community Service Classes
6142.8	Comprehensive Health Education
6142.8	Comprehensive Health Education
6143	Courses Of Study
6143	Courses Of Study
6145	Extracurricular And Cocurricular Activities
6145	Extracurricular And Cocurricular Activities
6145.2	Athletic Competition
6145.2	Athletic Competition
6145.5	Student Organizations And Equal Access
6145.5	Student Organizations And Equal Access
6146.1	High School Graduation Requirements
6146.11	Alternative Credits Toward Graduation
6146.11	Alternative Credits Toward Graduation
6159	Individualized Education Program
6159	Individualized Education Program
6162.5	Student Assessment
6164.6	Identification And Education Under Section 504
6164.6	Identification And Education Under Section 504
6172	Gifted And Talented Student Program
6172	Gifted And Talented Student Program
6177	Summer Learning Programs
6178.2	Regional Occupational Center/Program
6179	Supplemental Instruction
6190	Evaluation Of The Instructional Program
7110	Facilities Master Plan

(2/10, 3/16, 7/20, 5/21)