

Liberty Union High School District

Board Policy

Classification: Instruction

Policy No. BP 6142.7

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Effective 5/26/93

Revised 5/13/26

Subject: Physical Education and Activity

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 a coeducational, inclusive manner in accordance with 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, or any other protected status in accordance with Board Policy/Administrative Regulation 5145.3 - Nondiscrimination/Harassment. (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 combatives. (Education Code 33352; 5 CCR 10060)

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

The Superintendent or designee shall develop strategies to supplement physical education instruction with additional opportunities for students to be physically active before, during, and after the school day.

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

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Upon written notification from a student's parent/guardian, or from the student if age 18 years of age or older, stating that the student is participating in religious fasting, the principal or designee shall grant a student an accommodation in connection with any physical activity component of a physical education course during the period of religious fasting. The student shall be provided alternative assignments or activities for the period the student is granted an accommodation. (Education Code 51240.5)

The Superintendent or designee shall develop, adopt, and implement weather protocols that incorporate the standardized guidelines compiled by the California Department of Education and that include specific measures to be taken during extreme weather conditions. The adopted weather protocols shall be annually reviewed, evaluated, and if necessary, updated in accordance with law. (Education Code 33355)

During air pollution episodes, extreme weather, or other inclement conditions, physical education staff shall make appropriate adjustments to the program in accordance with the district's extreme weather protocols and/ or shall seek alternative indoor space to enable students to participate in active physical education.

The Superintendent or designee may offer an alternate term schedule for grades 6-12 physical education courses in accordance with Education Code 51222 as specified in the accompanying administrative regulation.

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

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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.

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)

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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)

Program Evaluation

The Superintendent or designee shall annually report to the Board each school's FITNESSGRAM results for each applicable grade level. Additionally, the Superintendent or designee shall report 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, and any other data agreed upon by the Board and the Superintendent or designee to evaluate program quality and the effectiveness of the district's program in meeting goals for physical activity and student well-being.

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 1040-1043.10	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 33350-33355	CDE responsibilities regarding physical education
Ed. Code 35256	School Accountability Report Card
Ed. Code 44250-44277	Credentials and assignment of teachers
Ed. Code 44250-49062	Student records
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 51225.3	High school graduation requirements
Ed. Code 51240.5	Physical education; accommodation for religious fasting
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

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Federal

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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	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
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

Code

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0510	School Accountability Report Card
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1240	Volunteer Assistance
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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
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3552	Summer Meal Program
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5030	Student Wellness
5121	Grades/Evaluation Of Student Achievement
5121	Grades/Evaluation Of Student Achievement
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5141.23	Asthma Management
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(2/10, 3/16, 7/20, 5/21, 1/25)