

Liberty Union High School District

Administrative Regulation

Classification: Instruction

Policy No. AR 6142.7

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Effective 12/8/2010

Revised 5/13/26

Subject: Physical Education and Activity

Definitions

Extreme weather conditions are occurrences of unusually severe weather conditions, including, but not limited to, periods of extreme heat, excessive precipitation, and floods, that may pose significant harm to students. (Education Code 33355)

Moderate physical activity is any activity which generally requires sustained, rhythmic movements and refers to a level of effort a healthy individual might expend while, for example, walking briskly, dancing, swimming, or bicycling on level terrain. A person should feel some exertion but should be able to carry on a conversation comfortably during the activity.

Physical activity is bodily movement that is produced by the contraction of skeletal muscle and that substantially increases energy expenditure, including exercise, sport, dance, and other movement forms.

Physical education is a sequential educational program that teaches students to understand and participate in regular physical activity that assists in developing and maintaining physical fitness throughout their lifetime, understand and improve their motor skills, enjoy using their skills and knowledge to establish a healthy lifestyle, and understand how their bodies work.

Vigorous physical activity is any activity which generally requires sustained, rhythmic movements and refers to a level of effort a healthy individual might expend while, for example, jogging, participating in high-impact aerobic dancing, swimming continuous laps, or bicycling uphill. Vigorous physical activity may be intense enough to result in a significant increase in heart and respiration rate.

Instructional Time

Instruction in physical education shall be provided for at least the following minimum period of time. (Education Code 51210, 51222, 51223)

- For students in grades 9-12, 400 minutes each 10 school days

An alternate term schedule may be provided for physical education courses in grades 9-12, if the following conditions are met: (Education Code 51222)

1. For students in grades 9-12 to receive no less than 800 minutes of instruction every 10 school days for a semester of not fewer than 18 weeks during the regular school year, for a total of 7,200 instructional minutes for the school year
2. The physical education program is aligned with the physical education framework adopted by the State Board of Education (SBE) in that it provides a sequential, articulated, age-appropriate program
3. The physical education program complies with the course of study requirements of high school physical education programs, as applicable
4. Students are prepared for, and participate in, the physical performance testing as specified in Education Code 60800

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If the instructional minute requirement cannot be met during any 10-day period due to inclement weather, a school assembly, field trip, student assessment, or other circumstance, the school shall make up those minutes on another day in order to satisfy the instructional minute requirement.

The Superintendent or designee shall determine a method to document compliance with the required number of instructional minutes. Such documentation may include, but not be limited to, a master schedule, bell schedule, weekly schedule for each teacher providing physical education instruction, district calendar, teacher roster, or log for staff or students to record the number of physical education minutes completed.

Any complaint alleging noncompliance with the instructional minute requirement may be filed in accordance with the district's procedures in Administrative Regulation 1312.3 - Uniform Complaint Procedures. A complainant not satisfied with the district's decision may appeal the decision to the California Department of Education (CDE). If the district or CDE finds merit in a complaint, the district shall provide a remedy to all affected students and parents/guardians. (Education Code 51210, 51222, 51223; 5 CCR 4600-4670)

Monitoring Moderate to Vigorous Physical Activity

To monitor the amount of time students are engaged in moderate to vigorous physical activity, the Superintendent or designee may:

1. Develop methods to estimate the amount of time students spend in moderate to vigorous physical activity and the amount of time students are inactive during physical education classes
2. Provide physical education teachers with staff development, self-monitoring tools, stopwatches, and/or heart rate monitors to assist them in planning and assessing the level of activity in their classes

Physical Fitness Testing

During the annual assessment window between the months of February through May, students in grade 9 shall be administered the physical fitness test designated by the State Board of Education (SBE) (FITNESSGRAM). (Education Code 60800; 5 CCR 1041)

The Superintendent or designee may provide a make-up date for students who are unable to take the test based on absence or temporary physical restriction or limitations, such as students recovering from illness or injury. (5 CCR 1043)

On or before November 1 of each school year, the Superintendent may designate an employee to serve as the district's physical fitness test coordinator and so notify the test contractor. The test coordinator shall serve as the liaison between the district and CDE for all matters related to the physical fitness test. The duties of the test coordinator shall include, but are not limited to. (5 CCR 1043.4)

1. Responding to correspondence and inquiries from the contractor in a timely manner and as provided in the contractor's instructions
2. Determining district and school site test and test material needs

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3. Overseeing the administration of the physical fitness test to students
4. Ensuring that all test data are received from school test sites in sufficient time to satisfy the reporting requirements

Students shall be provided with their individual results after completing the FITNESSGRAM. The test results may be provided in writing or orally as the student completes the testing and shall be included in the student's cumulative record. (Education Code 49062, 60800; 5 CCR 1043.10)

Each student's test results shall also be provided to the student's parents/guardians.

The Superintendent or designee shall report the aggregate results of the FITNESSGRAM in the annual school accountability report card required by Education Code 33126 and 35256. (Education Code 60800)

Testing Variations

All students may be administered the FITNESSGRAM with the following test variations: (5 CCR 1047)

1. Extra time within a testing day
2. Test directions that are simplified or clarified

All students may have the following test variations if they are regularly used in the classroom: (5 CCR 1047)

1. Audio amplification equipment
2. Separate testing for individual students provided that the student(s) are directly supervised by the test examiner
3. Manually Coded English or American Sign Language to present directions for test administration

Students with a physical disability and students who are physically unable to take all of the test shall undergo as much of the test as their physical condition will permit. (Education Code 60800; 5 CCR 1047)

Students with disabilities may be provided the following accommodations if specified in their individualized education program (IEP) or Section 504 plan: (5 CCR 1047)

1. Administration of the test at the most beneficial time of day to the student after consultation with the test contractor
2. Administration of the test by a test examiner to the student at home or in the hospital
3. Any other accommodation specified in the student's IEP or Section 504 plan for the physical fitness test

Identified English learners may be allowed the following additional test variations if regularly

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used in the classroom: (5 CCR 1048)

1. Separate testing with other English learners, provided that the student(s) are directly supervised by the test examiner
2. Test directions translated into their primary language, and the opportunity to ask clarifying questions about the test directions in their primary language

Additional Opportunities for Physical Activity

The Superintendent or designee may implement strategies for increasing opportunities for physical activity outside the physical education program, which may include, but not be limited to:

1. Encouraging teachers to incorporate physical activity into the classroom
2. Establishing extracurricular activities that promote physical activity, such as school clubs, intramural athletic programs, dance performances, community service, special events, and competitions
3. Incorporating opportunities for physical activity into before- or after-school programs and/or child care and development programs
4. Exploring opportunities for joint use of facilities or grounds in order to provide adequate space for students and community members to engage in recreational activities
5. Developing business partnerships to maximize resources for physical activity equipment and programs
6. Developing programs to encourage and facilitate walking, bicycling, or other active transport to and from school

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

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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

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	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,

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CSBA Publication	October 2007
U.S. Dept. of Health & Human Services Publication	Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, 2012
Website	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

<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
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5141.23	Asthma Management
5141.23	Asthma Management
5141.4	Child Abuse Prevention And Reporting
5141.4	Child Abuse Prevention And Reporting
5141.7	Sun Safety
5142.2	Safe Routes To School Program
5142.2	Safe Routes To School Program
5145.3	Nondiscrimination/Harassment
5145.3	Nondiscrimination/Harassment
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
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6143	Courses Of Study
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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, 1/25)