Physical Education & Activity

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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.

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:

1. For students in grades 1-6, 200 minutes each 10 school days, exclusive of recess and the lunch period

2. For students in grades 7-8 attending an elementary school, 200 minutes each 10 school days, exclusive of recess and the lunch period

3. For students in grades 7-8 attending a middle school or junior high school, 400 minutes each 10 school days

4. 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 6-12, if the following conditions are met:

1. For students in grade 6 to receive no less than 400 minutes of instruction each 10 school days for a semester of not fewer than 18 weeks during the regular school year, for a total of 3,600 instructional minutes for the school year

2. For students in grades 7-12 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

3. 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

4. The physical education program complies with the course of study requirements of high school physical education programs, as applicable

5. Students are prepared for, and participate in, the physical performance testing as specified in Education Code 60800

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 Board Rule 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.

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 grades 5, 7, and 9 shall be administered the physical fitness test designated by the State Board of Education (FITNESSGRAM).

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.

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:

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

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.

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.

Testing Variations
All students may be administered the FITNESSGRAM with the following test variations:

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:

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.

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

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 used in the classroom:

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. Training recess, lunch, and before- and after-school supervisors on methods to engage students in moderate to vigorous physical activity

2. Encouraging teachers to incorporate physical activity into the classroom

3. Establishing extracurricular activities that promote physical activity, such as school clubs, intramural athletic programs, dance performances, community service, special events, and competitions

4. Incorporating opportunities for physical activity into before- or after-school programs and/or child care and development programs

5. 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

6. Developing business partnerships to maximize resources for physical activity equipment and programs

7. Developing programs to encourage and facilitate walking, bicycling, or other active transport to and from school

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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.

Legal References:

STATE

CALIFORNIA CODE OF REGULATIONS

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
EDUCATION CODE
220 Prohibition of discrimination
221.5 Equal opportunity
33126 School accountability report card
33350-33355 CDE responsibilities regarding physical education
35256 School Accountability Report Card
44250-44277 Credentials and assignment of teachers
49062 Student records
49066 Grades; change of grade; physical education grade
51210 Course of study for grades 1-6
51220 Course of study for grades 7-12
51222 Physical education; instructional minutes
51223 Physical education; elementary schools
51225.3 High school graduation requirements
51240.5 Physical education; accommodation for religious fasting
51241 Temporary two-year or permanent exemption from physical education
51242 Exemption from physical education for athletic program participants
52316 Excuse from attending physical education classes; regional occupational center/program
60800 Physical performance test

FEDERAL

UNITED STATES CODE
29 USC 794 Rehabilitation Act of 1973; Section 504
CODE OF FEDERAL REGULATIONS
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
UNITED STATES CODE
42 USC 1758b Local wellness policy

MANAGEMENT RESOURCES

ATTORNEY GENERAL OPINION
53 Ops.Cal.Atty.Gen. 230 (1970)
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Physical Education Framework for California Public Schools, Kindergarten Through Grade 12, 2009
Physical Education Model Content Standards for California Public Schools, Kindergarten Through Grade 12, January 2005
CDC PUBLICATIONS
School Health Index (SHI): A Self-Assessment and Planning Guide, Middle/High School, 2017
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 PUBLICATIONS
Active Bodies, Active Minds: Physical Activity and Academic Achievement, Fact Sheet, February 2010
Maximizing Opportunities for Physical Activity During the School Day, Fact Sheet, November 2009
Maximizing Opportunities for Physical Activity Through Joint Use of Facilities, Policy Brief, February 2010
Moderate to Vigorous Physical Activity in Physical Education to Improve Health and Academic Outcomes, Fact Sheet, November 2009
Monitoring for Success: A Guide for Assessing and Strengthening Student Wellness Policies, rev. 2012
Physical Education and California Schools, Policy Brief, October 2007
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

WEBSITES

CSBA District and County Office of Education Legal Services https://legalservices.csba.org/#
California Project LEAN (Leaders Encouraging Activity and Nutrition) http://www.californiaprojectlean.org/
Healthy People 2010 http://www.healthypeople.gov/
President's Council on Sports, Fitness and Nutrition http://www.fitness.gov/
U.S. Department of Health and Human Services https://www.usa.gov/federal-agencies/u-s-department-of-health-and-human-services
National Association for Sport and Physical Education https://www.pgpedia.com/n/national-association-sport-and-physical-education
Commission on Teacher Credentialing http://www.ctc.ca.gov/
CSBA http://www.csba.org/
Centers for Disease Control and Prevention http://www.cdc.gov/
California Healthy Kids Resource Center http://www.ccrcca.org/resources/family-resource-directory/item/california-healthy-kids-resource-center
California Department of Education http://www.cde.ca.gov/

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