

BOARD OF EDUCATION
SAN DIEGO UNIFIED SCHOOL DISTRICT
SAN DIEGO, CALIFORNIA

Resolution to Continue to Grant)
Physical Education/Graduation Credits)
for High School Students Taking)
Marching Band and Junior Reserve)
Officers' Training Corps (JROTC))

WHEREAS, California Education Code section 35160 states that the Board may initiate and carry on any program, activity, or may otherwise act in any manner which is not in conflict with or inconsistent with, or preempted by, any law and which is not in conflict with the purposes for which school districts are established; and

WHEREAS, California Education Code section 35160.1 constitutes a legislative finding that school districts have diverse needs unique to their individual communities and programs, that school districts should have the flexibility to create their own unique solutions, that in enacting Education Code section 35160 the Legislature intended to give school districts broad authority, and that Education Code section 35160 should be liberally construed to effect this objective; and

WHEREAS, California Education Code section 51225.3(b) states that school district governing boards, with the active involvement of parents, administrators, teachers, and pupils, shall adopt alternative means for pupils to complete the prescribed course of study which may include practical demonstration of skills and competencies, supervised work experience or other outside school experience, career technical education classes offered in high schools, courses offered by regional occupational centers or programs, interdisciplinary study, independent study, and credit earned at a postsecondary institution; and

WHEREAS, Marcela Obregon Enriquez, Administrator of the Curriculum Leadership Office at the California Department of Education has recently confirmed in writing (attached as Exhibit 1) that school district governing boards have the authority, under Education Code section 35160 and 51225.3(b), to grant physical education credit for courses such as Marching Band and JROTC; and

WHEREAS, that San Diego Unified School District has obtained information and feedback, through the active involvement of parents, administrators, teachers, and pupils, regarding the question of whether Marching Band and/or JROTC are an appropriate alternative means for pupils to complete physical education requirements; and

WHEREAS, the Governing Board believes that it is in the best interests of the District and the students that it serves to continue to grant physical education credit for students physical education/graduation credit for high school students taking and passing Marching Band and/or JROTC.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby confirms, pursuant to its authority and obligations under the California Education Code, that the District will continue to grant physical education/graduation credit for high school students taking and passing Marching Band and/or Junior Reserve Officer Training Corps (JROTC).

BE IT FURTHER RESOLVED that this Resolution is not intended to exempt students from physical education requirements, as provided in Education Code sections 51241 and 51242, but constitutes an alternative means of meeting the physical education requirement.

PASSED AND ADOPTED by the Board of Education of the San Diego Unified School District, San Diego, California, at a public meeting thereof duly called and held this 10th day of February, 2009, by the following vote:

AYES:
NAYS:
ABSENT:
ABSTAIN:

oOo

STATE OF CALIFORNIA)
) SS:
COUNTY OF SAN DIEGO)

I, Cheryl Ward, Board Action Officer, Board of Education, San Diego Unified School District, do hereby certify that the foregoing is a full, true and correct copy of a resolution adopted by said board at a meeting thereof held on the day and by the vote above stated, which resolution is on file with the minutes of said meeting.

Board Action Officer, Board of Education
San Diego Unified School District