

PHYSICAL EDUCATION AND ACTIVITY**Definitions**

Physical education is a sequential educational program that teaches students to understand and participate in regular physical activity for 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.

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.

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.

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.

Physical Education Course Content

The Course of Study, TK-12, includes descriptions of physical education courses and the text and teaching materials to be used. Physical education will promote daily physical activity where 50% of the time students are engaged in moderate to vigorous physical activity and where students develop the appropriate skills to maintain a physically active and healthy lifestyle. Physical education course syllabi must be posted and must be consistent with the district's curriculum and Course of Study, TK-12.

Gender Equity and Equal Education Access

All physical education courses are to be conducted in a coeducational, inclusive manner. Students must not be separated in physical education classes on the basis of gender. All students must have equal access to courses, facilities and equipment.

Instructional Time

The CDE's Federal Program Monitoring (FPM) process reviews district compliance with legal requirements pertaining to minimum instructional minutes of physical education. In addition, a number of recent legal actions (e.g., Doe v. Albany Unified School District, Cal200 v. San Francisco Unified School District, Cal200 v. Oakland Unified School District) have examined district's compliance with instructional time requirements.

PHYSICAL EDUCATION AND ACTIVITY (continued)

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

1. For elementary schools with Grades K-6, 200 minutes each 10 school days, exclusive of recesses and the lunch period.
2. For secondary schools, 400 minutes each 10 school days for students in grades 7-12.
3. Pursuant to Education Code 51223, an elementary school maintaining Grades 1-8 must provide instruction in physical education for students in Grades 7-8 that matches the requirement for Grades 1-6 of not less than 200 minutes each 10 school days, exclusive of recesses and the lunch period.

School schedules reflecting instruction time in physical education must be submitted to the Physical Education, Health and Athletics Department by October 15 each year.

Schools that skip minutes of physical education instruction for any reason are required to make up those minutes on another day so that the instructional minutes requirements is satisfied.

Before implementing a schedule that would result in noncompliance with instructional minute requirement, a waiver must be submitted to and approved by the State Board of Education. (Education Code 33050-33053)

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, 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 for elementary schools may be filed in accordance with the district's procedures in AR 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 the CDE finds merit in a complaint, the district shall provide a remedy to all affected students and parents/guardians. (Education Code 51210, 51223; 5 CCR 4600-4687)

(cf. 1312.3 - Uniform Complaint Procedures)

Monitoring Moderate to Vigorous Physical Activity

To monitor whether students are engaged in moderate to vigorous physical activity for at least 50 percent of physical education class or session time, the Superintendent or designee may:

PHYSICAL EDUCATION AND ACTIVITY (continued)

1. Develop methods to estimate the amount of time students spend in moderate to vigorous physical activity or the number of students who 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.

(cf. 4115 - Evaluation/Supervision)

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). (Education Code 60800; 5 CCR 1041)

(cf. 6162.5 - Student Assessment)

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 California Department of Education for all matters related to the physical fitness test. His/her duties shall be those specified in 5 CCR 1043.4, including, but not limited to, overseeing the administration of the test and the collection and return of all test data to the test contractor. (5 CCR 1043.4)

All students are required to participate whether or not they are enrolled in a physical education class at the time of the test, including students in marching band, JROTC, color guard, show choir and cheerleading. All public schools, including charter, atypical and alternative schools, maintaining Grades 5, 7, and 9 must administer the test. (Education Code 60800)

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 his/her cumulative record. (Education Code 60800; 5 CCR 1043.10, 1044)

(cf. 5125 - Student Records)

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

PHYSICAL EDUCATION AND ACTIVITY (continued)

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)

(cf. 0510 - School Accountability Report Card)

Testing Variations

Performance on the state fitness test (FITNESSGRAM) for Grades 5, 7, and 9 is evaluated by the State of California in accordance with the gender reported in PowerSchool, even when the student identifies as transgender. In that event, the physical education teacher shall make every effort to maintain confidentiality of student information.

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 they 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

PHYSICAL EDUCATION AND ACTIVITY (continued)

3. Any other accommodation specified in the student's IEP or Section 504 plan for the physical fitness test

(cf. 6159 - Individualized Education Program)

(cf. 6164.6 - Identification and Education Under Section 504)

Identified English Learners may be allowed the following additional test variations if regularly used in the classroom: (5 CCR 1048)

1. Separate testing with other English Learners, provided that they 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

High schools must provide opportunities for students to participate in elective physical education classes each year in addition to the required physical education classes.

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

1. Training recess and lunch supervisors on methods to engage students in moderate to vigorous physical activity

(cf. 1240 - Volunteer Assistance)

(cf. 4231 - Staff Development)

(cf. 5030 - Student Wellness)

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, special events, and competitions

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.5 - Student Organizations and Equal Access)

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

(cf. 5148 - Child Care and Development Program)

(cf. 5148.2 - Before/After School Programs)

PHYSICAL EDUCATION AND ACTIVITY (continued)

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

(cf. 1330.1 - Joint Use Agreements)

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

(cf. 1700 - Relations Between Private Industry and the Schools)

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

(cf. 5142.2 - Safe Routes to School Program)

Required Teaching Credentials

To ensure students have access to qualified teachers, only teachers with a Single Subject Credential in Physical Education or a Multiple Subject Credential may plan the physical education program, evaluate students in the program, and assign grades in physical education.

1. Required Elementary School Credential

- a. When the regular elementary classroom teacher provides physical education instruction for only his or her individual class, the teacher is qualified to teach physical education if he or she possesses a Multiple Subject Credential. (Education Code 44256)
- b. When one teacher provides physical education instruction to more than one class of students throughout the school day, the subject becomes departmentalized. When this occurs, the teacher must possess a Single Subject Credential authorizing physical education instruction or a Multiple Subject Credential with a Supplementary Authorization in physical education.
- c. Instructional aides, paraprofessionals, and volunteers may not be used to provide physical education instruction or decrease the student/teacher ratio for physical education instruction. (Education Code 45340-45367)

2. Required Secondary School Credential

- a. To ensure that students have access to qualified teachers, only teachers with the proper district-approved credentials may plan the physical education program,

PHYSICAL EDUCATION AND ACTIVITY (continued)

deliver instruction, evaluate students and assign grades in physical education. (Education Code 44256)

- b. Instructional aides, paraprofessionals, volunteers, and walk-on coaches may not be used to provide physical education instruction or decrease student/teacher ratios in physical education classes. (Education Code 45340-45367)
3. Required Credentials for Other Courses Used to Fulfill Physical Education Requirements
- a. JROTC: In order for all minutes (400) to qualify as physical education credit for students enrolled in JROTC, the teacher of record must hold either a Designated Subject Credential and a Special Teaching Authorization or a Single Subject Credential in physical education.
 - b. Marching Band, Cheerleading, Drill Team, or Color Guard: In order for all minutes (400) to qualify as physical education credit for students enrolled in Marching Band, Cheer, Drill Team or Color Guard, the teacher of record must hold either a Teaching Credential and a Limited Teaching Assignment working toward a Single Subject Credential in physical education or a Single Subject Credential in physical education.
 - c. Only 49 percent of the class time can be counted toward the 400-minute requirement if the teacher of record does not hold either a Single Subject Credential in physical education or a Special Teaching Authorization in physical education.

To fulfill the state and district year-long mandated physical education minute requirement, students in these courses must either be enrolled in the class all year or enroll in a physical education class for the second semester.

Students must also receive instruction in physical education for 51 percent of the class time to receive physical education credit. Instruction must incorporate the required eight physical education content areas.

Guidelines for Injury or Illness

A teacher may excuse a student from physical education because of an illness for up to three consecutive days. Verbal requests from students must be considered in light of the students' past performance and behavior. Students who claim illness are required to dress for physical education and participate on a limited basis. Students who frequently request to be excused from physical education for short periods of time should be advised to have a medical examination. Students will be required to make up all missed assignments and activities. Documentation of coursework must be retained with the physical education teacher of record.

PHYSICAL EDUCATION AND ACTIVITY (continued)

Up to 10 consecutive days' excuse from physical education participation may be authorized by the school nurse. A Physical Education Modifications for Injury or Illness form must be completed by the school nurse.

More than 10 consecutive days' excuse from physical education participation requires authorization by a family physician or health advisor.

A Physical Education Modifications for Injury or Illness form must be completed by the school nurse in conjunction with the physician or health advisor, to determine the extent to which the student can participate in physical education class. Modifications and accommodations must be made for the student, and the student is to continue to be enrolled in the physical education class.

504 qualifications. If a student's injury or illness exceeds or qualifies for a 504 Plan, the modification and accommodations outlined in the 504 Plan are to be implemented.

Adapted physical education. If a student's injury or illness is a permanent disability, the Individualized Education Program (IEP) or 504 Team will determine the least restrictive environment for the student to receive physical education instruction.

Two-Year Exemption

Education Code §51241(b)(1) permits school district boards of education to grant students in Grades 10 through 12 who have satisfactorily met at least five of the six standards on the state-mandated physical fitness test, the option of waiving courses in physical education for two years.

Students must perform satisfactorily in at least five of the six Healthy Fitness Zones (Aerobic Capacity, Abdominal Strength and Endurance, Upper Body Strength and Endurance, Body Composition, Trunk Extensor Strength, and Flexibility) to apply for a two-year exemption of physical education in high school. A student may exercise this option only after the school has received its Physical Fitness Test (PFT) results from Assessment Services, indicating that the student has scored satisfactorily in at least five of the six Healthy Fitness Zones. A completed Physical Education Two-Year Waiver validates and records the student's choice to exercise the exemption option.

The physical education teacher or school counselor is to meet with all students who scored satisfactorily on the PFT and explain the Physical Education Two-Year Waiver and review options. Students who choose the exemption option are to retain a signed copy of the exemption form and the school is to place the original in the student's cumulative file.

PHYSICAL EDUCATION AND ACTIVITY (continued)

Permanent Exemption

A student can be permanently exempted from physical education as long as he or she is 16 years old or older and has been enrolled in Grade 10 for one academic year or longer. (Education Code 51241[c]1)

For students who have completed the four-credit/two-year graduation requirement and have met the following requirements:

1. The student is 16 years old or older and has been enrolled in Grade 10 for one academic year or longer. (Education Code 51241[c]1)
2. The student has completed the four-credit/two-year graduation requirements of the San Diego Unified School District and the State of California.
3. The student has discussed the exemption during a meeting with his/her school counselor. If the student chooses this exemption option, the school site must retain a signed copy of the exemption form in the student's permanent file.
4. The exemption may be granted at the discretion of the district and approval is not automatically guaranteed.

Regulation
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SAN DIEGO UNIFIED SCHOOL DISTRICT
San Diego, California