

**Policy 6142.7: Physical Education And Activity**

Status: ADOPTED

Original Adopted Date: 11/01/2007 | Last Revised Date: 07/01/2020 | Last Reviewed Date: 07/01/2020

CSBA NOTE: The following policy may be revised to reflect district practice and the grade levels offered by the district. See the accompanying administrative regulation for definitions of "physical education" and "physical activity" based on the California Department of Education's (CDE) 2009 Physical Education Framework for California Public Schools.

42 USC 1758b mandates each district participating in federal meals programs to adopt a districtwide student wellness policy, including goals for physical activity. See BP 5030 - Student Wellness for language fulfilling this mandate. The following policy also incorporates goals for physical activity.

Education Code 33352 requires CDE, as part of the Federal Program Monitoring (FPM) process, to monitor districts' compliance with specified state physical education requirements which are reflected in the following policy and the accompanying administrative regulation. During the FPM process, CDE will request a link to this policy as evidence of specified components of compliance.

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.

CSBA NOTE: During the FPM monitoring process, CDE will check the district's compliance with laws requiring that physical education classes be conducted in a coeducational, inclusive manner.

Physical education classes shall be conducted in the coeducational, inclusive manner prescribed by law. The district shall provide instruction in physical education that provides equal access and equal opportunities for participation for all students in grades 1-12 regardless of gender, gender expression, sexual orientation, and mental or physical disability. (Education Code 220, 221.5, 33352; 5 CCR 4900, 4930, 4931, 4940, 4960; 34 CFR 106.33, 106.34, 300.108)

CSBA NOTE: Education Code 51210 and 51220 require the district's course of study for grades 1-12 to include physical education, with an emphasis on physical activities conducive to health and vigor of body and mind; see AR 6143 - Courses of Study. The state curriculum framework describes components of a comprehensive physical education program based on the voluntary Physical Education Model Content Standards adopted by the State Board of Education (SBE).

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.

CSBA NOTE: The following optional paragraph may be revised to reflect district practice. The U.S. Department of Health and Human Services' (HHS) Physical Activity Guidelines for Americans recommends that children and adolescents participate in at least 60 minutes of age-appropriate moderate to vigorous physical activity per day, which can be accrued in smaller increments throughout the day. It is recommended that the majority of the 60 minutes or more of daily physical activity be aerobic exercise, which includes vigorous physical activity at least three days a week, and that muscle and bone strengthening exercise be included at least three days a week. To help students reach these goals, the state curriculum framework recommends that students be engaged in moderate to vigorous physical activity for at least 50 percent of physical education class time. See the accompanying administrative regulation for definitions of "moderate physical activity" and "vigorous physical activity." Also see CSBA's Fact Sheet on Moderate to Vigorous Physical Activity in Physical Education to Improve Health and Academic Outcomes.

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.

CSBA NOTE: The following two optional paragraphs are for use by districts that maintain high schools.

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.

**CSBA NOTE:** The following paragraph is optional. See the accompanying administrative regulation for sample strategies for physical activity opportunities outside the physical education program. Also see CSBA's Fact Sheet on Maximizing Opportunities for Physical Activity During the School Day.

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.

During air pollution episodes, extreme weather, or other inclement conditions, physical education staff shall make appropriate adjustments to the program or shall seek alternative indoor space to enable students to participate in active physical education.

### **Staffing**

**CSBA NOTE:** A departmentalized class in physical education may be taught by a teacher with a single subject credential that authorizes instruction in physical education. Pursuant to Education Code 44256, the holder of a multiple subject credential may teach a departmentalized class in grades K-9 if the credential holder has completed 20 semester hours of coursework or 10 semester hours of upper division or graduate coursework in the subject to be taught. In addition, Education Code 44256 allows the Board by resolution to authorize a multiple subject credentialed teacher to teach a departmentalized class below grade 9 if the credential holder has completed at least 12 semester units or six upper division or graduate units of coursework in the subject to be taught. Education Code 44258.3 authorizes the Board to assign any credentialed teacher to a departmentalized class in grades K-12 if the teacher has adequate knowledge of the subject to be taught based on criteria specified in Education Code 44258.3 and district-adopted policies and procedures. Pursuant to 5 CCR 80046.1, a credentialed teacher may seek an added authorization to teach adapted physical education to students who are precluded from participating in a general education physical education program or a specially designed physical education program.

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**

**CSBA NOTE:** The following section may be revised to reflect grade levels offered by the district. Education Code 60800 requires districts to administer a physical fitness test to students in grades 5, 7, and 9. The SBE has designated the FITNESSGRAM as the required physical fitness test. See the accompanying administrative regulation for testing requirements.

The Superintendent or designee shall annually administer the physical fitness test designated by the State Board of Education (FITNESSGRAM) to students in grades 5, 7, and 9. (Education Code 60800; 5 CCR 1041)

### **Temporary Exemptions**

**CSBA NOTE:** Education Code 51241 authorizes, but does not require, the district to grant temporary exemptions from physical education under the conditions described in items #1-2 below. During the FPM process, the district

may provide a link to the district's policy as evidence of any physical education exemptions offered by the district. The following section is optional and should be revised to reflect district practice.

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

CSBA NOTE: The following optional section is for use by districts that maintain grades 10-12. Education Code 51241 authorizes, but does not require, the district to grant a two-year exemption from physical education to eligible students in grades 10-12.

Pursuant to Education Code 51241, in order to be eligible for the two-year exemption, students are required to satisfactorily meet at least five of the six standards of the FITNESSGRAM administered in grade 9. Students are considered to have satisfactorily met a standard on the FITNESSGRAM if they score in the "healthy fitness zone" on that standard. The six fitness areas measured by FITNESSGRAM are aerobic capacity, body composition, abdominal strength and endurance, trunk extensor strength and flexibility, upper body strength and endurance, and flexibility.

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 has satisfactorily met at least five of the six standards of the FITNESSGRAM in grade 9. (Education Code 51241)

CSBA NOTE: In addition to administering the physical fitness test to students in grade 9, Education Code 51241 authorizes districts to administer the test to students in grades 10-12 so that such students may qualify for the two-year exemption. The following paragraph is optional.

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

CSBA NOTE: The following section is optional and should be revised to reflect district practice. Education Code 51241 authorizes, but does not require, the district to grant permanent exemptions from physical education to an individual student under the conditions described in items #1-3 below.

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

CSBA NOTE: The following optional section is for use by districts that maintain high schools and should be revised to reflect district practice. Education Code 51222, 51242, and 52316 authorize, but do not require, the following

exemptions from physical education courses.

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)
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

CSBA NOTE: The following optional section should be revised to reflect district practice. Districts that do not maintain high schools or do not offer any of the exemptions described in the sections above on "Two-Year Exemptions" or "Permanent Exemptions" should modify the following paragraph to delete reports of two-year and permanent exemptions.

The Superintendent or designee shall annually report to the Board each school's FITNESSGRAM results for each applicable grade level. The Superintendent or designee shall also 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.

### State References

	Description
5 CCR 10060	Criteria for high school physical education programs
5 CCR 1040-1044	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	<a href="#">Prohibition of discrimination</a>
Ed. Code 221.5	<a href="#">Equal opportunity</a>
Ed. Code 33126	<a href="#">School accountability report card</a>
Ed. Code 33350-33354	<a href="#">CDE responsibilities re: physical education</a>
Ed. Code 35256	<a href="#">School Accountability Report Card</a>
Ed. Code 44250-44277	<a href="#">Credentials and assignment of teachers</a>
Ed. Code 49066	<a href="#">Grades; change of grade; physical education grade</a>
Ed. Code 51210	<a href="#">Course of study for grades 1-6</a>
Ed. Code 51220	<a href="#">Course of study for grades 7-12</a>

**State References**

Ed. Code 51222	<a href="#">Physical education; instructional minutes</a>
Ed. Code 51223	<a href="#">Physical education; elementary schools</a>
Ed. Code 51241	<a href="#">Temporary two-year or permanent exemption from physical education</a>
Ed. Code 51242	<a href="#">Exemption from physical education for athletic program participants</a>
Ed. Code 52316	<a href="#">Excuse from attending physical education classes; regional occupational center/program</a>
Ed. Code 60800	<a href="#">Physical performance test</a>

**Federal References**

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 References**

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	Cal200 et al. v. Oakland Unified School District et al. (San Francisco Superior Court, Case No. CPF-14-513959)
Court Decision	Cal200 et al. v. San Francisco Unified School District et al. (2013), San Francisco Superior Court, Case No. CGC-13-534975
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	<a href="#">Maximizing Opportunities for Physical Activity Through Joint Use of Facilities, Policy Brief, February 2010</a>
CSBA Publication	Moderate to Vigorous Physical Activity in Physical Education to Improve Health and Academic Outcomes, Fact Sheet, November 2009
CSBA Publication	<a href="#">Monitoring for Success: A Guide for Assessing and Strengthening Student Wellness Policies, rev. 2012</a>
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

**Management Resources References**

Website	<a href="#">CSBA District and County Office of Education Legal Services</a>
Website	<a href="#">California Project LEAN (Leaders Encouraging Activity and Nutrition)</a>
Website	<a href="#">Healthy People 2010</a>
Website	<a href="#">President's Council on Sports, Fitness and Nutrition</a>
Website	<a href="#">U.S. Department of Health and Human Services</a>
Website	<a href="#">National Association for Sport and Physical Education</a>
Website	<a href="#">Commission on Teacher Credentialing</a>
Website	<a href="#">CSBA</a>
Website	<a href="#">Centers for Disease Control and Prevention</a>
Website	<a href="#">California Healthy Kids Resource Center</a>
Website	<a href="#">California Department of Education</a>

**Cross References**

	<b>Description</b>
0410	<a href="#">Nondiscrimination In District Programs And Activities</a>
0500	<a href="#">Accountability</a>
0510	<a href="#">School Accountability Report Card</a>
1240	<a href="#">Volunteer Assistance</a>
1240	<a href="#">Volunteer Assistance</a>
1312.3	<a href="#">Uniform Complaint Procedures</a>
1312.3	<a href="#">Uniform Complaint Procedures</a>
1312.3-E(1)	<a href="#">Uniform Complaint Procedures</a>
1312.3-E(2)	<a href="#">Uniform Complaint Procedures</a>
1330.1	<a href="#">Joint Use Agreements</a>
1700	<a href="#">Relations Between Private Industry And The Schools</a>
3514	<a href="#">Environmental Safety</a>
3514	<a href="#">Environmental Safety</a>
3552	<a href="#">Summer Meal Program</a>
3552	<a href="#">Summer Meal Program</a>
4112.2	<a href="#">Certification</a>
4112.2	<a href="#">Certification</a>
4112.21	<a href="#">Interns</a>
4112.21	<a href="#">Interns</a>
4113	<a href="#">Assignment</a>
4113	<a href="#">Assignment</a>
4115	<a href="#">Evaluation/Supervision</a>
4115	<a href="#">Evaluation/Supervision</a>
4127	<a href="#">Temporary Athletic Team Coaches</a>
4127	<a href="#">Temporary Athletic Team Coaches</a>
4131	<a href="#">Staff Development</a>
4222	<a href="#">Teacher Aides/Paraprofessionals</a>

**Cross References****Description**

4222	<a href="#">Teacher Aides/Paraprofessionals</a>
4227	<a href="#">Temporary Athletic Team Coaches</a>
4227	<a href="#">Temporary Athletic Team Coaches</a>
4231	<a href="#">Staff Development</a>
4327	<a href="#">Temporary Athletic Team Coaches</a>
4327	<a href="#">Temporary Athletic Team Coaches</a>
5030	<a href="#">Student Wellness</a>
5121	<a href="#">Grades/Evaluation Of Student Achievement</a>
5121	<a href="#">Grades/Evaluation Of Student Achievement</a>
5125	<a href="#">Student Records</a>
5125	<a href="#">Student Records</a>
5141.23	<a href="#">Asthma Management</a>
5141.23	<a href="#">Asthma Management</a>
5141.4	<a href="#">Child Abuse Prevention And Reporting</a>
5141.4	<a href="#">Child Abuse Prevention And Reporting</a>
5141.7	<a href="#">Sun Safety</a>
5142.2	<a href="#">Safe Routes To School Program</a>
5142.2	<a href="#">Safe Routes To School Program</a>
5148	<a href="#">Child Care And Development</a>
5148	<a href="#">Child Care And Development</a>
5148.2	<a href="#">Before/After School Programs</a>
5148.2	<a href="#">Before/After School Programs</a>
6011	<a href="#">Academic Standards</a>
6112	<a href="#">School Day</a>
6112	<a href="#">School Day</a>
6141	<a href="#">Curriculum Development And Evaluation</a>
6141	<a href="#">Curriculum Development And Evaluation</a>
6142.4	<a href="#">Service Learning/Community Service Classes</a>
6142.8	<a href="#">Comprehensive Health Education</a>
6142.8	<a href="#">Comprehensive Health Education</a>
6143	<a href="#">Courses Of Study</a>
6143	<a href="#">Courses Of Study</a>
6145	<a href="#">Extracurricular And Cocurricular Activities</a>
6145	<a href="#">Extracurricular And Cocurricular Activities</a>
6145.2	<a href="#">Athletic Competition</a>
6145.2	<a href="#">Athletic Competition</a>
6145.5	<a href="#">Student Organizations And Equal Access</a>
6145.5	<a href="#">Student Organizations And Equal Access</a>
6146.1	<a href="#">High School Graduation Requirements</a>
6146.11	<a href="#">Alternative Credits Toward Graduation</a>

**Cross References**

6146.11

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6162.5

6164.6

6164.6

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6178.2

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**Description**[Alternative Credits Toward Graduation](#)[Individualized Education Program](#)[Individualized Education Program](#)[Student Assessment](#)[Identification And Education Under Section 504](#)[Identification And Education Under Section 504](#)[Gifted And Talented Student Program](#)[Gifted And Talented Student Program](#)[Summer Learning Programs](#)[Regional Occupational Center/Program](#)[Supplemental Instruction](#)[Evaluation Of The Instructional Program](#)[Facilities Master Plan](#)