

PHYSICAL EDUCATION AND ACTIVITY

The Governing Board recognizes the positive benefits of physical activity for 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.

(cf. 5030 - Student Wellness)

(cf. 6142.8 - Comprehensive Health Education)

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 regardless of gender, 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)

(cf. 0410 - Nondiscrimination in District Programs and Activities)

The district's physical education program shall provide a developmentally appropriate sequence of instruction aligned with state's model content standards and curriculum framework.

(cf. 6011 - Academic Standards)

(cf. 6143 - Courses of Study)

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.

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.

(cf. 1330.1 - Joint Use Agreements)

(cf. 5142.2 - Safe Routes to School Program)

(cf. 5148 - Child Care and Development Program)

(cf. 5148.2 - Before/After School Programs)

(cf. 6145 - Extracurricular and Cocurricular Activities)

Students with disabilities shall be provided instruction in physical education in accordance with their individualized education program or Section 504 accommodation plan.

(cf. 6159 - Individualized Education Program)
(cf. 6164.6 - Identification and Education Under Section 504)

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.

(cf. 3514 – Environmental Safety)
(cf. – Sun Safety)
(cf. 5141.23 - Asthma Management)
(cf. 6145.2 - Athletic Competition)

BP 6142.7(b)

Staffing

Physical education instruction shall be delivered by appropriately credentialed teachers who may be assisted by instructional aides, paraprofessionals, and/or volunteers.

(cf. 1240 – Volunteer Assistance)
(cf. 4112.2 – Certification)
(cf. 4112.21 - Interns)
(cf. 4113 - Assignment)
(cf. 4222 – Teacher Aides/Paraprofessionals)

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.

(cf. 4131 - Staff Development)
(cf. 5121 – Grades/Evaluation of Student Achievement)

Physical Fitness Testing

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

Temporary Exemptions

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

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2. The student is enrolled for one-half time or less

Program Evaluation

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, and any other data agreed upon by the Board and the Superintendent or designee to evaluate the program quality and effectiveness of the district's program in meeting goals for physical activity and student well-being.

(cf. 0500 - Accountability)

(cf. 6190 - Evaluation of the Instructional Program)

BP 6142.7(c)

Legal Reference:

EDUCATION CODE

220 Prohibition of discrimination

221.5 Sex equity in education

33126 School accountability report card

33350-33354 CDE responsibilities re: physical education

35256 School accountability report card

44250-224277 Credential types

49066 Grades; physical education class

51210 Course of study, grades 1-6

51220 Course of study, grades 7-12

51222 Physical education

51223 Physical education, elementary schools

51241 Temporary 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

CODE OF REGULATIONS, TITLE 5

1040-1044 Physical performance test

1047-1048 Testing variations and accommodations

3051.5 Adapted physical education for individuals with exceptional needs

4600-4670 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary educational programs receiving state or federal financial assistance

10060 Criteria for high school physical education programs

80020 Additional assignment authorizations for specific credentials

80037 Designated subjects teaching credential; special teaching authorization in physical education

80046.1 Added authorization to teach adapted physical education

UNITED STATES CODE, TITLE 29

794 Rehabilitation Act of 1973, Section 504

UNITED STATES CODE, TITLE 42

1758b Local wellness policy

PHYSICAL EDUCATION (continued)

CODE OF FEDERAL REGULATIONS, TITLE 34

106.33 Nondiscrimination on the basis of sex; comparable facilities

106.34 Nondiscrimination on the basis of sex; access to classes and schools

300.108 Assistance to states for the education of children with disabilities; physical education

ATTORNEY GENERAL OPINIONS

53 Ops.Cal.Atty.Gen. 230 (1970)

COURT DECISIONS

Doe v. Albany Unified School District (2010) 190 Cal.App 4th 668

Cal200 et al. v. San Francisco Unified School District et al. (2013), San Francisco Superior Court, Case No. CGC-13-534975

Cal200 et al. v. Oakland Unified School District et al. (San Francisco Superior Court, Case No. CPF-14-513959)

Management Resources:

CSBA PUBLICATIONS

Monitoring for Success: A Guide for Assessing and Strengthening Student Wellness Policies, 2012

Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, rev. April 2006 2012

Active Bodies, Active Minds; Physical Activity and Academic Achievement, Fact Sheet February 2010

Maximizing Opportunities for Physical Activity Through Joint Use of Facilities Policy Brief, February 2010

Maximizing Opportunities for Physical Activity During the School Day, Face sheet, November 2009

Moderate to Vigorous Physical Activity in Physical Education to Improve Health and Academic Outcomes, Fact Sheet, November 2009

Physical Education and California Schools, Policy Brief, October 2007

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

CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS

School Health Index (SHI): A Self-Assessment and Planning Guide, Elementary School, 2017

School Health Index (SHI): A Self-Assessment and Planning Guide, Middle/High School, 2017

COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS

The Administrator's Assignment Manual 2019

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES PUBLICATIONS

Physical Activity Guidelines for Americans, 2nd Edition 2018

CSBA: <http://www.csba.org>

California Healthy Kids Resource Center: <http://www.californiahealthykids.org>

California Project LEAN (Leaders Encouraging Activity and Nutrition): <http://www.californiaprojectlean.org>

Centers for Disease Control and Prevention: <http://www.cdc.gov>

Commission on Teacher Credentialing: <http://www.ctc.ca.gov>

Healthy People 2010: <http://www.healthypeople.gov>

<https://www.pgpedia.com/n/national-association-sport-and-physical-education>

President's Council on Sports, Fitness and Nutrition

<http://www.fitness.gov>

U.S. Department of Health and Human Services: <http://www.health.gov>

Policy

adopted: July 27, 2010

Revised: December 16, 2020

Instruction

MOUNTAIN UNION ELEMENTARY SCHOOL DISTRICT

Montgomery Creek, California

AR 6142.7(a)

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Definitions

Physical education is a sequential education 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.

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 training 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 efforts 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, 51223)

1. For students in grades 1-6, 200 minutes each 10 school days, exclusive of recesses and the lunch period
2. For students in grades 7-8 attending a middle school or junior high school, 400 minutes each 10 school days.

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 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 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)

(cf. 1312.3 -Uniform Complaint Procedures)

AR 6142.7(b)

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

(cf. 4115 - Evaluation/Supervision)

Physical Fitness Testing

During the annual assessment window between the months of February through May students in grades 5 and 7 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 CDE for all matters related to the physical fitness test. The duties shall be those specified in 5 CCR 1043.4, including, but not limited to. (5 CCR 1043.4)

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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. Overseeing the collection and return of all test data to the contractor
5. Ensuring that all test data are received from school test sites in sufficient time to satisfy the reporting requirements
6. Ensuring that all test data are sent to the test contractor by June 30 of each year

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 60800; 5 CCR 1043.10, 1044)

(cf. 5125 - Student Records)

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)

(cf. 0510 – School Accountability Report Card)

Testing Variations

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

1. Extra time within a testing day

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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

(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 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

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Additional Opportunities for Physical Activity

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, and before- and after-school 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, community service, special events, and competitions

(cf. 6142.4 - Service Learning/Community Service Classes)

(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)

(cf. 5148.2 - Before/After School 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

(cf. 1330.1 - Joint Use Agreements)

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

(cf. 5142.2 - Safe Routes to School Program)