

Instruction

BP 6142.7 (a)

PHYSICAL EDUCATION AND ACTIVITY

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 health and fitness.

Physical education classes shall be conducted in a coeducational, inclusive manner in accordance with 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, or any other protected status in accordance with Board Policy/Administrative Regulation 5145.3 – Nondiscrimination/Harassment. (Education Code 220, 221.5, 33352; 5 CCR 4900, 4930, 4931, 4940, 4960; 34 CFR 106.33, 106.34, 300.108)

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.

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. 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.

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.

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.

Upon written notification from a student's parent/guardian, or from the student if age 18 years of age or older, stating that the student is participating in religious fasting, the principal or designee

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shall grant a student an accommodation in connection with any physical activity component of a physical education course during the period of religious fasting. The student shall be provided alternative assignments or activities for the period the student is granted an accommodation. (Education Code 51240.5)

The Superintendent or designee shall develop, adopt, and implement weather protocols that incorporate the standardized guidelines compiled by the California Department of Education and that include specific measures to be taken during extreme weather conditions. The adopted weather protocols shall be annually reviewed, evaluated, and if necessary, updated in accordance with law. (Education Code 33355)

During air pollution episodes, extreme weather, or other inclement conditions, physical education staff shall make appropriate adjustments to the program ~~or~~ in accordance with the district's extreme weather protocols and/or shall seek alternative indoor space to enable students to participate in active physical education.

Staffing

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

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

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
3. The student is enrolled in a juvenile home, ranch, camp, or forestry camp school with scheduled recreation and exercise

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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)

Two-Year Exemptions

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)

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

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 he/she 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

The Superintendent or designee may grant a student an exemption from physical education under the following special circumstances:

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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

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

State

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

Ed. Code 220: Prohibition of discrimination

Ed. Code 221.5: Equal opportunity

Ed. Code 33126: School accountability report card

Ed. Code 33350-33355: CDE responsibilities regarding physical education

Ed. Code 35256: School Accountability Report Card

Ed. Code 44250-44277: Credentials and assignment of teachers

Ed. Code 49062: Student records

Ed. Code 49066: Grades; change of grade; physical education grade

Ed. Code 51210: Course of study for grades 1-6

Ed. Code 51220: Course of study for grades 7-12

Ed. Code 51222: Physical education; instructional minutes

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Ed. Code 51223: Physical education; elementary schools
Ed. Code 51225.3: High school graduation requirements
Ed. Code 51240.5: Physical education; accommodation for religious fasting
Ed. Code 51241: Temporary two-year or permanent exemption from physical education
Ed. Code 51242: Exemption from physical education for athletic program participants
Ed. Code 52316: Excuse from attending physical education classes; regional occupational center/program
Ed. Code 60800: Physical performance test

Federal

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

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: 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: Maximizing Opportunities for Physical Activity Through Joint Use of Facilities, Policy Brief, February 2010
CSBA Publication: Moderate to Vigorous Physical Activity in Physical Education to Improve Health and Academic Outcomes, Fact Sheet, November 2009
CSBA Publication; Monitoring for Success: A Guide for Assessing and Strengthening Student Wellness Policies, rev. 2012
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
Website: CSBA District and County Office of Education Legal Services
Website: California Project LEAN (Leaders Encouraging Activity and Nutrition)
Website: Healthy People 2010
Website: President's Council on Sports, Fitness and Nutrition
Website: U.S. Department of Health and Human Services
Website: National Association for Sport and Physical Education
Website: Commission on Teacher Credentialing
Website: CSBA
Website: Centers for Disease Control and Prevention
Website: California Healthy Kids Resource Center
Website: California Department of Education

Policy Adopted: 5/13/26

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California