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Requirements for Physical Education

CALIFORNIA STATE DEPARTMENT OF EDUCATION

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Program: Physical Education

To: County and District Superintendents Directors of Curriculum, Principals, and Physical Education Personnel

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Subject: Requirements for Physical Education

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This memorandum is intended to answer commonly raised questions regarding physical education programs. With the publication by the State Department of Education of *The Handbook for Physical Education: Framework for Developing a Curriculum for California Public Schools K-12*, and with the current emphasis on health-related fitness, many districts have begun to revise physical education programs. To assist you with your efforts, the following general information is provided.

REQUIREMENTS FOR PHYSICAL EDUCATION

Education Code Sections 51210 and 51220 states that the adopted course of study for grades one through twelve shall include physical education. Section 51210 requires that physical education be provided for students in grades one through six for a total period of time of not less than 200 minutes each ten school days. Section 51222 requires that physical education be provided for students in grades seven through twelve for a total period of time of not less than 400 minutes each ten school days. However, Section 51223 provides that in elementary school districts having any of grades one through eight, physical education shall be for a total period of time of not less than 200 minutes each ten school days.

GRADUATION REQUIREMENT

Education Code Section 51225.3 specifies that commencing with the 1988-89 school year, no pupil shall receive a diploma of graduation from high school who, while in grades 9 through 12, inclusive,

has not completed, among other courses listed in that section, two courses in physical education, unless the pupil has been exempted pursuant to the provisions of this code. Each course is to be one year in duration. The governing board, with the active involvement of parents, administrators, teachers, and pupils, shall adopt alternative means for students to complete the prescribed course of study which may include practical demonstration of skills and competencies, supervised work experience or other outside school experience, interdisciplinary study, independent study, and credit earned at a post-secondary institution. Requirements for graduation and specified alternative modes for completing the prescribed course of study shall be made available to pupils, parents, and the public.

EXEMPTIONS FROM PHYSICAL EDUCATION

There are two sections in the California Education Code that deal directly with exemptions from physical education: Sections 51241 and 51242.

Section 51241. Temporary or permanent exemption from physical education: (a) The governing board of any school district or the office of the county superintendent of schools of any county may grant temporary exemption to a pupil from courses in physical education, if the pupil is one of the following: (1) Ill or injured and a modified program to meet the needs of the pupil cannot be provided. (2) Enrolled for one-half, or less, of the work normally required of full-time pupils. (b) The governing board of any school district or the office of the county superintendent of schools of any county may, with the consent of a pupil, grant the pupil exemption from courses in physical education for two years any time during grades 10 to 12, inclusive. (c) The governing board of any school district or the office of the county superintendent of any county may grant permanent exemption from courses in physical education if the pupil complies with any one of the following: (1) Is 16 years of age or older and has been enrolled in the 10th grade for one academic year or longer. (2) Is enrolled as a postgraduate pupil. (3) Is enrolled in a juvenile home, ranch, camp, or forestry camp school where pupils are scheduled for recreation and exercise pursuant to the requirements of Section 4346 of Title XV of the California Code of Regulations (CCR). (d) No pupil exempted under subdivision (b) or paragraph (1) of subdivision (c) shall be permitted to attend fewer total hours of courses and classes if he or she elects not to enroll in a physical education course than he or she would have attended if he or she had elected to enroll in a physical education course.

Section 51242. Exemptions from physical education for athletic program participants. The governing board of a school district may exempt any four-year or senior high school pupil from attending courses of physical education, if the pupil is engaged in a regular school-sponsored interscholastic athletic program carried on wholly or partially after regular school hours.

Section 51222. Physical Education. (a) All pupils, except pupils excused on exemption pursuant to Section 51241, shall be required to attend upon the courses of physical education for a total period of time of not less than 400 minutes each 10 school days. Any pupil may be excused from physical education classes during one of grades 10, 11 or 12 for not to exceed 24 clock hours in order to participate in automobile driver training. Such pupil who is excused from physical education classes to enroll in driver training shall attend upon a minimum of 7,000 minutes of physical education instruction during such school year. (b) The governing board of each district that maintains a high school and that elects to exempt pupils from required attendance in physical education courses pursuant to paragraph (1) or (2) or both of subdivision (b) of Section 51241 shall offer those pupils so exempted a variety of elective physical education courses of not less than 400 minute each 10 school

days.

QUESTIONS, ANSWERS, AND RECOMMENDATIONS

1. Can we select any two years in grades nine through twelve and discontinue physical education in the other two years?

Answer: No. California Education Code (CEC) Section 51220 states that the adopted course of study for grades 7 to 12, inclusive, shall offer courses in physical education. Therefore, school districts are required to offer physical education in all of grades 9 through 12. However, in order to meet state high school graduation requirements (CEC Section 51225.3), students need to successfully complete 2 years of physical education during grades 9-12.

Recommendation: It is recommended that districts schedule students into a sequential physical education program in grades 9 and 10, in order to meet high school graduation requirements, and offer 11th and 12th grade physical education as an elective.

2. What courses constitute the physical education program?

Answer: Section 10060 of Title V, CCR, requires that each school district shall appraise the quality of the physical education program in each senior or four-year high school of the district by the following criteria: (a) The course of study provides for instruction in a developmental sequence in each of the following areas: (1) Effects of physical activity upon dynamic health. (2) Mechanics of body movement. (3) Aquatics. (4) Gymnastics and tumbling. (5) Individual and dual sports. (6) Rhythms and dance. (7) Team sports. (8) Combatives for boys. (b) Assignment of pupils to physical education courses is made on the basis of individual needs including such factors as health status, skill development, and/or grade level. (c) Instruction is provided for pupils with physical limitations including those with inadequate skill development and the physically underdeveloped. Physical performance tests as required by Section 1041 are used to identify physically underdeveloped pupils and to appraise the motor aspects of physical fitness. (d) Each course includes activities of a vigorous nature adapted to individual capacities, and designed to permit maximum development of each individual pupil. (e) Each class period includes the teaching of the fundamentals and techniques of each instructional area conducted during that period. (f) Class size is consistent with the requirements of good instruction and safety. (g) Reporting of pupil achievement is based upon all of the following: (1) Evaluation of the pupil's individual progress and the measure of his attainment of the goals specified in each area of instruction listed in subsection (a) of this section.. (2) Tests designed to determine skill and knowledge. (3) Physical performance tests. (4) Any other evaluation procedures required by local governing board regulations.

Recommendation: It is recommended that physical education programs focus on dynamic, sequential movement activities and health-related physical fitness. The state Handbook for Physical Education offers guidelines for program content.

3. Can we give physical education credit for marching band, drill team, cheerleading, first aid, CPR training, ROTC, or spirit clubs?

Answer: These activities usually do not meet the requirements within the description of a course in physical education, as specified in Title V, Section 10060, CCR, and identified in the answer to Question 2 above. However, it is the California Attorney General's opinion that "Marching band

activities may be used to meet the mandatory physical education requirements only when substantial compliance with the criteria of Section 10060, Title 5, CCR, can be shown, when conducted by a teacher holding a physical education credential, and when they adequately prepare students for the physical performance testing required by Section 60602(c) of the Education Code." (53 OPS California Attorney General 230, August 4, 1970.)

The opinion of the State Department of Education is that:

a. marching band is an extra curricular activity and/or an extension of the music program. Physical education goals or objectives, as stated in Title 5, Section 10060 are not reached through marching band activities, nor does marching band prepare students for the California Physical Performance Test as specified in the test manual.

b. drill team, cheerleading and related activities are considered to be in the same category as marching band, thereby not meeting the previously stated criteria for physical education, first aid, critical health issues and CPR training are part of health education and appropriately should be considered in the district health education curriculum. This does not preclude health issues from being discussed in physical education classes.

4. In self-contained elementary Physical Education class, is it permissible to:

Have boys' teams play against girls' teams?

Allow separate boys' and girls' games?

Answer: No organization by sex for instruction is permitted. Only differences by ability are allowed. Separation for actual participation in contact sports is permitted, although not required.

5. May we separate Physical Education classes to have boys in wrestling and girls in volleyball?

Answer: No. There can be no separate instruction on the basis of sex. However, students may be separated by sex within the class during participation in wrestling.

6. Can Schools have separate Physical Education departments for men and women teachers?

Answer: No. Staff may not be divided on the basis of sex, and physical limitations of plant does not define the department.

7. In devising an elective program, what factors should be considered to ensure full compliance with Title IX?

Answer: All course descriptions should indicate that there are no sex restrictions. The method of scheduling should avoid adversary scheduling practices. For example, no single activities should be placed opposite each other such as wrestling and modern dance.

Counseling practices should encourage students to enroll in any class.

If there are grouped activities, one should not be promoted as more attractive to one sex than to the other. (Example: tennis/dance vs. wrestling/weight-lifting.)

The key is to eliminate the effects of past discrimination by taking positive steps.

8. can I establish a core program that requires boys to take wrestling while permitting girls to take volleyball at the same time?

Answer: No. Activities required of one sex must be required of the other sex.

9. can a self-defense class which includes a unit on rape and sexually by sex segregated?

Answer: Classes dealing exclusively with sex and sexuality may be separated during that part of the unit only.

10. Can the male teacher take the boys on one side of the gym during team teaching?

Answer: No. This is sex-segregated Physical Education even though it is in the same room. Classes must have a non-sex-biased criteria for ability grouping.

11. When scheduling students for Physical Education, must the class be 50% - 50% boys and girls?

Answer: No. Scheduling cannot be on the basis of sex. If purposely sex-segregated, there is a violation. However, if the intention is to sex-integrate, there is no violation. The key is the effect of the scheduling.

Recommendation: Districts should refer to the brochure, "Sex Equity in Education, Physical Education" and "Sex Equity in Education, Athletic Programs," for a more comprehensive explanation of Title IX requirements. The brochure is available from the State Department of Education, Health, Nutrition and Physical Education Unit.