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CALIFORNIA  
DEPARTMENT OF  
EDUCATION

**JACK O'CONNELL**

STATE SUPERINTENDENT OF PUBLIC INSTRUCTION

May 11, 2009

Dear County and District Superintendents and Charter School Administrators:

### PHYSICAL EDUCATION PROGRAMS

The California Department of Education (CDE) supports high quality physical education instruction for every student. Physical education is important in the lives of our youth and is an instructional priority in our schools. It helps to combat high levels of obesity and diabetes as well as to increase the mental function and alertness of students. Research has established a connection between increased levels of physical fitness and success in learning.

The Legislature has also voiced its commitment to high quality physical education in numerous ways throughout the California *Education Code* (EC). Recent legislation has raised several questions concerning the requirements for a physical education course of study in our schools. The purpose of this letter is to clarify key issues pertaining to physical education instructional programs.

#### Physical Education as a Required Course of Study

The course of study adopted by local educational agencies (LEAs) must include physical education for grades one through six (EC Section 51220[g]) and for grades seven through twelve (EC Section 51220[d]). These statutes specify that the physical education course of study must include an emphasis upon those physical activities that may be "conducive to health and vigor of body and mind."

The Legislature also specified a required number of minutes of physical education instruction. For grades one through six, an LEA is required to provide at least 200 minutes of physical education instruction in each ten schooldays (EC Section 33352[b][1]; EC Section 51210). For grades seven through twelve, the requirement is at least 400 minutes each 10 schooldays (EC Section 33352[b][2]; EC Section 51222)1. In order to receive a high school diploma, students are required to complete two courses of physical education unless an exemption is granted under specified circumstances (EC Section 51225.3; see also EC sections 51241–51246 regarding exemptions).

#### High-Quality Physical Education

In addition to requiring LEAs to include physical education as part of the course of study, the Legislature directed the CDE to exercise general supervision over physical education, in part through the adoption of rules and regulations as the CDE deemed necessary (EC Section 33352[a]). The Legislature further directed the CDE to encourage all districts, to the extent resources are available, to "provide quality physical education" that develops the knowledge, attitudes, skills, behavior, and motivation needed to be physically active and fit for life (EC Section 33350[c]). Consistent with the Legislature's directive, in 1977, the CDE published regulations requiring LEAs to appraise the quality of their respective high school courses of study, including the extent to which they include instruction in eight areas: (1) the 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; and (8) combatives (*California Code of Regulations* (CCR), Title 5, Section 10060).

#### Physical Education Standards and Frameworks

In 2002, the Legislature required the CDE to adopt model content standards in physical education (EC Section 60605.2). The model content standards are, according to the Legislature, to provide a framework for programs that a "school may offer in the instruction of physical education" (EC Section 60605.2). LEAs are not mandated to follow the standards and accompanying frameworks (EC Section 60605.2[b]). However, they do provide the foundation for a high quality sequential course of study for kindergarten through grade twelve. For grades nine through twelve, the frameworks encompass eight content areas for physical education as identified in the regulations adopted in 1977. The frameworks propose a course of study delivered in a series of four courses. High school courses one and two include the eight content areas specified above and provide the foundation for further high school instruction. High School Courses three and four provide students with the opportunity to explore a variety of physical activities in search of those that they can enjoy and participate in for a lifetime.

### Data Collection and Reporting

In 2007, Senate Bill 601 amended *EC* Section 33352 to require CDE to collect data through the categorical program monitoring process indicating "the extent to which each school within the jurisdiction of a school district or county office of education does all of ...the following that are applicable to the school..." (*EC* Section 33352(b)(1)). The data collection is as follows:

- Provides the requisite number of instructional minutes for its pupils pursuant to *EC* sections 51210(g), 51222, and 51223.
- Conducts physical fitness testing (PFT) pursuant to *EC* Section 608002 and includes the results of the PFT as a part of the school accountability report card.
- Offers a variety of physical education elective courses to those students exempted from attendance in physical education courses.
- Provides a course of study in physical education to pupils in any of grades nine to twelve, inclusive, that includes a developmentally appropriate sequence of instruction, including 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.
- Provides instruction in physical education to pupils that provides equal opportunities for participation regardless of gender.
- Provides instruction in physical education to pupils in any of grades one to twelve, by teachers who hold an appropriate teaching credential issued by the Commission on Teacher Credentialing (CTC).

SB 601 also required that the CDE report to the Governor and Legislature on the data collected through its compliance monitoring process.

### Physical Education Credit for courses such as Junior Reserve Officers' Training Corps and Drill Team

One issue that has recently been identified as a particular concern is what criteria must be used by an LEA in determining whether physical education credit may be awarded to students in grades nine through twelve. Specifically, this question has arisen in regard to physical education credit being awarded for participation in Junior Reserve Officers' Training Corps, marching band, cheerleading, and drill team. In making the determination of whether to award physical education credit for any given activity or class, *EC* Section 51220(d) and *EC* Section 33352(b)(7) together require that an LEA offer a course of study in physical education for grades nine through twelve that includes instruction in the eight areas over the span of the "physical education" classes offered as part of the school's course of study. The law does not specify that every class must include instruction in all eight areas, but rather it speaks to a course of study over grades nine through twelve that includes all eight areas. It is ultimately the obligation of the LEA to determine how each particular course, as conducted in its district, supports its course of study for grades nine through twelve that includes the eight areas and substantially meets the objectives and criteria of *EC* Section 33352(b)(7). While it is not required that every course for which physical education course credit is given include all eight areas, an LEA is required to structure its course offerings such that all areas are included over the course of study offered to all students.

In addition, it is important to note that *EC* Section 33352(b) requires the LEA to meet additional responsibilities should the LEA decide to award physical education credit for a particular course. These responsibilities include the provision of minimum instructional minutes, various reporting requirements, and the assignment of an appropriately credentialed teacher.

There are a variety of ways in which a teacher may meet the requirement to be "appropriately credentialed" to provide physical education instruction. To obtain information regarding appropriate assignment options, please contact the CTC Assignment Unit by phone at 916-322-5038 or by e-mail at [cawassignments@ctc.ca.gov](mailto:cawassignments@ctc.ca.gov).

In the next few weeks, frequently asked questions for physical education will be posted on the [CDE Professional Development Curriculum Areas Web page](http://www.cde.ca.gov/pd/ca/) [<http://www.cde.ca.gov/pd/ca/>].

Physical education is an essential component of California education and impacts the life-long learning and well-being of each student. To accomplish this, it is critical that physical education programs offer a planned and sequential instructional program that provides students with the skills, knowledge, and confidence to be physically active throughout their lifetimes. Districts should design their physical education courses to ensure that students will receive instruction in all eight content areas, consistent with the requirements identified above. I encourage all LEAs to keep this goal in mind when determining for which courses students are granted physical education credit.

If you have any questions regarding this subject, please contact Marcela Obregon-Enriquez, Administrator, Curriculum Leadership Office, by phone at 916-445-4904 or by e-mail at [mobregon@cde.ca.gov](mailto:mobregon@cde.ca.gov).

If you have any questions regarding the PFT, please contact Linda Hooper, Education Research and Evaluation Consultant, Standards and Assessment Division, by phone at 916-445-9449 or by e-mail at [pft@cde.ca.gov](mailto:pft@cde.ca.gov).

If you have any questions regarding teacher credentialing, please contact the CTC Assignment Unit by phone at 916-322-5038 or by e-mail at [cawassignments@ctc.ca.gov](mailto:cawassignments@ctc.ca.gov).

Sincerely,

JACK O'CONNELL

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<sup>1</sup> Instruction in physical education in an elementary school maintaining any of grades one to eight is to be for at least 200 minutes in each ten school days.

<sup>2</sup> In 1995, the Legislature required the administration of the Physical Performance Test. This provision is codified in *EC* 60800 and 5 *CCR* 1040.

Last Reviewed: Thursday, April 01, 2010