

<b>Board Office Use: Legislative File Info.</b>	
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OAKLAND UNIFIED  
SCHOOL DISTRICT

Community Schools, Thriving Students

# Memo

**To** Board of Education

**From** Anthony Smith, Ph.D, Superintendent  
 Maria Santos, Deputy Superintendent of Instruction, Leadership & Equity-in-Action  
*Maria Santos*

**Board Meeting Date** June 26, 2013

**Subject** Amendment to Board Policy BP 6142.7 and AR 6142.7

**Action Requested** Approval of revisions to the Oakland Unified School District Board Policy BP 6142.7 and Administrative Regulation BP 6142.7

**Background** The revisions to Board Policy 6142.7 and AR 6142.7 address recent changes to the Federal monitoring review of Physical Education and will bring OUSD into compliance of the new federal program monitoring review of Physical Education in OUSD.

**Discussion** The revisions bring our policy into compliance with state education code.

**Recommendation** Approval of modifications to the Oakland Unified School District Physical Education Board Policy BP 6142.7 and AR 6142.7.

**Fiscal Impact** None

**Attachments**

- Amendments to Board Policy BP 6142.7 and AR 6142.7

DRAFT 110

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**BOARD POLICY**  
Administration Regulations  
BP 6142.7

**PHYSICAL EDUCATION and PHYSICAL ACTIVITY WELLNESS  
POLICY for OAKLAND UNIFIED SCHOOL DISTRICT**

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The Physical Education program shall be an essential element of each school's instructional program. The program shall provide the opportunity for all students, regardless of ability, to develop the skills, knowledge, and attitudes necessary to participate in a lifetime of healthy physical activity.

~~as outlined in the Physical Education Model Content Standards for California Public Schools Kindergarten through Grade Twelve and the Physical Education Framework for California Public Schools Kindergarten through Grade Twelve.~~

~~In accordance with state law, instruction in Physical Education shall be provided for a total period of time of not less than 200 minutes each 10 school days for students in grades 1-6 (exclusive of recesses and the lunch period) and not less than 400 minutes each 10 school days for students in grades 7-12. (Education Code 51210, 51222)~~

The District recognizes that physical fitness and motor development of children in schools is of equal importance to that of core elements of the curriculum, and therefore shall be enforced with the same rigor.

The Governing Board recognizes the positive benefits of physical activity for student health and academic achievement. Besides promoting high levels of personal achievement and a positive self-image, Physical Education activities should teach students how to cooperate in the achievement of common goals. The district's program shall include a variety of kinesthetic activities, including team and individual sports, lifetime sports and activities, as well as aesthetic movement forms, such as dance.

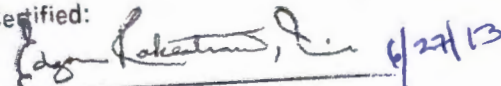
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The Oakland Unified School District shall adopt the Physical Education Model Content Standards for California Public Schools Kindergarten through Grade Twelve. The Oakland Unified School District shall also implement the contents of the Physical Education Framework for California Public Schools Kindergarten through Grade Twelve. (cf. 6143 - Courses of Study)

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~~(The graduation requirement is a minimum 2 years)~~

~~Physical Education shall be taught by a teacher credentialed to teach Physical Education. (EC Section 44203, EC 52751)~~

Certified:  
  
Edgar Rakestraw, Jr., Secretary  
Board of Education

~~The District will make every effort to employ a single subject credentialed teacher in Physical Education to provide instruction in Physical Education for each class of grades 1 to 6, inclusive, within any elementary school in the district for a total period of time of not less than 200 minutes each 10 school days, exclusive of recesses and the lunch period. (EC 51206, 52751, 52750)~~

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~~The District will provide each teacher providing instruction in Physical Education to any of grades 1 to 6, inclusive, within any elementary school in the district with yearly theoretical and practical training in developmentally appropriate Physical Education as set forth in the Physical Education Framework adopted by the State Department of Education pursuant to Section 33350, (EC 51210.2)~~

~~All teachers assigned to deliver Physical Education instruction shall receive focused, ongoing, professional development related to curriculum, instruction and assessment in Physical Education.~~

~~The Governing Board recognizes the positive benefits of physical activity for student health and academic achievement. Besides promoting high levels of personal achievement and a positive self image, Physical Education activities should teach students how to cooperate in the achievement of common goals.~~

~~(cf. 5121—Grades/Evaluation of Student Achievement)~~

~~(cf. 6142.8—Comprehensive Health Education)~~

~~(cf. 6145.2—Athletic Competition)~~

~~(cf. 6146.1—High School Graduation Requirements)~~

#### ~~(cf. 6190—Evaluation of the Instructional Program)~~

### **Physical Education – Administrative Regulation**

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~~The Board shall approve the components of the Physical Education program. The district's program shall include a variety of kinesthetic activities, including team and individual sports, lifetime sports and activities, as well as aesthetic movement forms, such as dance.~~

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~~The Oakland Unified School District shall adopt the Physical Education Model Content Standards for California Public Schools Kindergarten through Grade Twelve. The Oakland Unified School District shall also implement the contents of the Physical Education Framework for California Public Schools Kindergarten through Grade Twelve.~~

~~(cf. 6143—Courses of Study)~~

~~Appropriate interventions, adaptive equipment, and/or an alternative activity shall be provided for students with a physical disability or medically diagnosed health limitations, behavior difficulties, and cognitive delays that may restrict excessive physical exertion.~~

~~(cf. 6164.6—Identification and Education under Section 504)~~

~~Physical Education staff shall appropriately limit the amount or type of physical exercise required of students during air pollution episodes, hot weather or other inclement conditions.~~

~~(cf. 3516—Emergencies and Disaster Preparedness Plan)~~

## **Physical Education—Administrative Regulation**

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In accordance with state law, instruction in Physical Education shall be provided for a total period of time of not less than 200 minutes each 10 school days for students in grades 1-6 (exclusive of recesses and the lunch period) and not less than 400 minutes each 10 school days for students in grades 7-12. (Education Code 51210, 51222)

~~The District recognizes that physical fitness and motor development of children in schools is of equal importance to that of core elements of the curriculum, and therefore shall be enforced with the same rigor. (The graduation requirement is a minimum 2 years)~~

## **Definition for Physical Education**

*Physical Education* is a planned sequential program of curricula and instruction that helps students develop the knowledge, skills, and confidence necessary for an active lifestyle. ~~CDE Publications: Physical Education Framework for California Public Schools Kindergarten through Grade Twelve and the Physical Education Model Content Standards for California Public Schools Kindergarten through Grade Twelve.~~

## **Physical Education – Program Requirements**

Schools shall provide all students in kindergarten through grade twelve (K-12) the opportunity, support, and encouragement to be physically active on a regular basis through Physical Education instruction and physical activity programs.

1. Physical Education shall be taught by a teacher credentialed to teach Physical Education. (EC Section 44203, EC 52751)
2. The Oakland Unified School District will make every effort to employ a single subject credentialed teacher in Physical Education to provide instruction in Physical Education for each class of grades 1 to 6, inclusive, within any elementary school in the district for a total period of time of not less than 200 minutes each 10 school days, exclusive of recesses and the lunch period. (EC 51206, 52751, 52750)
3. The Oakland Unified School District will provide each teacher instructing Physical Education to any of grades 1 to 6, inclusive, within any elementary school in the district

with yearly theoretical and practical training in developmentally appropriate Physical Education as set forth in the Physical Education Framework adopted by the State Department of Education pursuant to Section 33350, (EC 51210.2)

4. All teachers credentialed to teach Physical Education instruction shall receive focused, ongoing professional development related to curriculum, instruction and assessment in Physical Education.
5. All teachers shall provide weekly Physical Education schedules to their supervising administrator.
6. Students in grades 10-12 who are exempted from Physical Education pursuant to Education Code 51241(b)(1) or (c) 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. Students in a regional occupational program or center who are exempted from Physical Education pursuant to Education Code 52316 shall have a minimum school day of 180 minutes. (Education Code 51241, 52316)
7. The Physical Education program shall consist of moderate to vigorous physical activity for at least 50% of the time while participating in Physical Education classes.
8. Middle school and high school Physical Education classes shall have a student/teacher ratio as provided in the collective bargaining agreement.
9. All schools shall be required to implement a sequential Physical Education course of study consistent with State Model Content Standards for Physical Education and with a focus on students' development of motor skills, movement forms, and health-related fitness. CDE Publications: Physical Education Framework and the Physical Education Model Content Standards for California Public Schools Kindergarten through Grade Twelve.

10. School districts that maintain a high school provide a course of study in physical education to pupils in any of grades 9-12, inclusive, with a developmentally appropriate sequence of instruction, including:
- (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 (may include self-defense). (EC §§ 33352(7), 51014, 51220(d).)

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\*If a high school does not have a pool or access to a pool, aquatics can be taught. Instruction can be provided on water safety rescue technique, dry-land stroke, kick

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practice, and buoyancy principles. (See Chapter 4 of the [Physical Education Framework for California Public Schools.](#))

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11. Every high school student is evaluated on his or her progress in each of the following areas:

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- (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 (may include self-defense).

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(g) Reporting of pupil achievement is based upon all of the following:

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- (1) Evaluation of the pupil's individual progress and the measure of his or her attainment of the goals specified in [in 11](#) each area of instruction listed in subsection (a) of 5 CCR § 10060.
- (2) Tests designed to determine skill and knowledge.
- (3) Physical performance tests.
- (4) Any other evaluation procedures required by local governing board regulations. (5)

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~~School districts that maintain a high school provide a course of study in physical education to pupils in any of grades 9-12, inclusive, with a developmentally appropriate sequence of instruction, including:~~

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- ~~(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 (may include self-defense). (EC §§ 33352(7), 51014, 51220(d).)~~

~~1012.~~ Schools shall provide a physical and social environment that encourages safe and enjoyable physical activity for all students.

~~1113.~~ The [Oakland Unified School District](#) prohibits the use of physical activity as punishment, the withholding of participation in Physical Education class as punishment, or the use of Physical Education class time to complete assignments from other classes. (EC Section 49001)

~~14. 12.~~ Students shall be required to wear the Physical Education uniform designated by

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their school. Parents/ Guardians shall be notified of this requirement at the beginning of the school year and asked to assist in compliance, including helping to provide proper care and washing of the uniform. Parents/Guardians shall be informed of this program if unable to afford the Physical Education uniform.

15. All physical education classes are conducted in the coeducational, inclusive manner prescribed by law. All students have equal access to all physical education courses and meet the legal minimum requirement of time spent in physical education. (Title IX, 106.33, 106.34; 5 CCR § 4930, 4931, 4940; EC §§ 51210(g), 51222, 51223.)

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16. Appropriate interventions, adaptive equipment, and/or an alternative activity shall be provided for students with a physical disability or medically diagnosed health limitations, behavior difficulties, and cognitive delays that may restrict excessive physical exertion. (cf. 6164.6 - Identification and Education under Section 504)

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17. Physical Education staff shall appropriately limit the amount or type of physical exercise required of students during air pollution episodes, hot weather or other inclement conditions. (cf. 3516 - Emergencies and Disaster Preparedness Plan)

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## Physical Performance Testing

1. During the month of February, March, April or May, students in grades 5, 7 and 9 shall undergo the physical performance testing designated by the State Board of Education. Students with a physical disability and students who are physically unable to take the entire test shall be provided alternative test items as appropriate to complete as much of the test as their physical condition will permit. The District recommends that students in grades 4 through 11 also undergo the physical performance test to collect data to drive instruction, programming, curriculum, and meaningful student learning. (Education Code 60800) (cf. 6162.5 - Student Assessment)
2. Students shall be provided with their individual results after completing the physical performance testing. This needs to occur within the same academic year of testing. The test results may be provided orally as the student completes the testing and written results will be made available within the same academic year and the score: will be included in their cumulative record. (Education Code 60800)
3. Each student's scores on the physical performance test shall be included in his/her cumulative record. (5 CCR 1044)
4. Parents will receive a copy of the results of the physical performance test, including the height and weight. Information with instructions for calculating Body Mass Index (BMI) may be made available to parents/guardians. (EC Section 49432) Administrators of the Fitnessgram may collaborate with math, science, and/or health teachers in teaching the students to calculate their individual BMI. (cf. 5125 - Student Records)

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5. Teachers administering the fitness tests shall be trained in the FitnessGram Test procedures.

6. FitnessGram scores shall be maintained in his/her cumulative record.

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## Definition of Physical Activity

*Physical Activity* refers to participation in moderate to vigorous physical activity. Physical activity programs may provide participants with structured activity (games, sports, etc.), unstructured activity (walking programs, dance, free play, etc.), or opportunities to participate in physical activity in the daily routine (walk-to-school programs, etc.).

## Physical Activity Requirements

1. A qualified staff member that meets the District's approval shall provide physical activity.
2. Students shall be given opportunities to engage in physical activity outside of and in addition to Physical Education through daily recess, after-school programs, interscholastic and intramural sports.
3. Elementary schools shall provide daily recess periods of at least 20 minutes.
4. After-school programs shall offer a variety of moderate to vigorous physical activities and the District shall make every effort to meet the needs and interests of all students.
5. Schools shall provide a physical and social environment that encourages safe and enjoyable physical activity for all students.
6. Schools shall provide opportunities for parents to support physical activity, including parent nights, the inclusion of physical activity in open houses and other school-wide events, and by encouraging families to engage in physical activity at home.

## Student Safety During Physical Education and Physical Activity

1. The school/district should ensure that students and staff have access to appropriate hydration (e.g., water or other fluids).
2. Facilities and equipment used for Physical Education and physical activity should be properly monitored and maintained to ensure participants' safety. Repairs shall be made in a timely manner for student safety. Examples: holes in the turf are filled, asphalt is sealed to prevent falls on loose gravel.



3. All teachers who teach Physical Education shall be certified in first aid and cardiopulmonary resuscitation (CPR).
4. All teachers who teach physical education shall receive notification and be trained, as allowed by law, in the use of any necessary medications that students are authorized to carry and/or use during Physical Education classes.
5. All teachers shall be provided with information regarding contra-indications or appropriate interventions for students with a disability such as Atlanto-axial Instability for students with Down Syndrome, or cautions for students with shunt or temperature restrictions (i.e. seizures).

## Exemptions

Under EC Section 51241 there are three distinct and separate exemptions:

### i. Temporary:

"The governing board or the school administration may grant a temporary exemption to a pupil from courses in physical education, if the pupil is one of the following:

- o Ill or injured and a modified program to meet the needs of the pupil cannot be provided.
- o Enrolled for one-half, or less, of the work normally required of full-time pupils" (EC Section 51241[a][1][2]).

### ii. Two-year:

"The governing board or the school administration, with the consent of a pupil, may grant a pupil an exemption from courses in physical education for two years any time during grades ten to twelve, inclusive, if the pupil has met satisfactorily at least five of the six standards of the physical performance test administered in grade nine pursuant to Section 60800" (EC Section 51241[b][1]).

### iii. Permanent:

"The governing board or school administration may grant permanent exemption from courses in physical education if the pupil complies with any one of the following:

- o Is 16 years of age or older and has been enrolled in the 10th grade for one academic year or longer.

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- o Is enrolled as a postgraduate pupil.
  - o 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 or Title 15 of the California Code of Regulations” (EC Section 51241 [c][1][2][3]).
- B. EC Section 51242 allows the governing board to 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.
- C. Under EC Section 51222 (a) any pupil may be excused from physical education classes during one of grades ten through twelve 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 each school year.
- D. Under EC Section 52316 any pupil enrolled in grade ten, eleven, or twelve, and who is also attending a regional occupational center or regional occupational program may be excused from attending courses in physical education by the governing board of the school district maintaining grade ten, eleven, or twelve, and in which the pupil is enrolled, if attendance upon such classes results in hardship because of travel time involved. If a pupil is excused from physical education classes pursuant to this section, the minimum schoolday for him in his regular high school is 180 minutes.
- E. Under EC Section 51246 the governing board may exempt any pupil enrolled in his last semester or quarter, as the case may be, of the grade twelve who, pursuant to EC Section 46145 or 46146 or 46147, is permitted to attend school less than 240 or 180 minutes per day, from attending courses of physical education; provided, however, that such pupil may not be exempted pursuant to this section from attending courses of physical education if such pupil would, after such exemption, attend school for 240 minutes or more per day.

~~The Governing Board may grant temporary exemption from Physical Education under any of the following conditions:~~

- ~~1. The student is ill or injured and a modified program to meet his/her needs cannot be provided. (Education Code 51241)~~
- ~~2. The student is enrolled for one-half time or less. (Education Code 51241)~~
- ~~3. As deemed appropriate by the Individual Education Plan (IEP) team for students with~~

disabilities.

~~The Governing Board may exempt students, with their consent, from any two years of Physical Education courses during grades 10-12. (Education Code 51241) Students desiring a two-year exemption from Physical Education will be required to pass the physical performance test administered in grade 9. Schools will be required to make the physical performance test available to students in grades 10-12; students who wish to retake the test in grades 10-12 may do so in order to receive the two-year exemption from Physical Education.~~

The Governing Board hereby grants authority to school principals and vice-principals to ~~approve exemptions~~approve exemptions.

~~Missing the section that requires districts to offer those exempted students a variety of elective courses. What are the elective courses that OUSD offers?~~

~~The Governing Board may exempt a high school student from Physical Education if he/she is engaged in a regular school sponsored interscholastic athletic program carried on wholly or partially after regular school hours. (Education Code 51242)~~

~~(cf. 6145.2 Athletic Competition)~~

~~(cf. 6146.11 Alternative Credits Toward Graduation)~~

~~The Governing Board may grant permanent exemptions from Physical Education to a student who is: (Education Code 51241)~~

- ~~1. Enrolled in a juvenile home, ranch, camp or forestry camp school with scheduled recreation and exercise~~

Legal Reference:

EDUCATION CODE

33350 CDE responsibilities re: Physical Education

Section 44203

Section 49001

49066 Grades; Physical Education class

51206 Elementary Physical Education Specialist

51210 Course of study, grades 1-6

51220 Course of study, grades 7-12

51222 Physical Education

51223 Physical Education, elementary schools

51225.3

51241 Temporary or permanent exemption from Physical Education

51242 Exemption from Physical Education for athletic program participants

52316 Excuse from attending Physical Education classes

52750 Elementary Physical Education Pilot Program

52751 Physical Education Specialist

60800 Physical performance test  
CODE OF REGULATIONS, TITLE 5  
1041-1046 Physical performance test  
3051.5 Adapted Physical Education for individuals with exceptional needs  
10060 Criteria for high school Physical Education programs  
Division 1, Chapter 2, Section 304  
Division 1, Section 352  
UNITED STATES CODE, TITLE 29  
794 Rehabilitation Act of 1973, Section 504  
ATTORNEY GENERAL OPINIONS  
53 Ops.Cal.Atty.Gen. 230 (1970)

Management Resources:

CSBA PUBLICATIONS  
Healthy Food Policy Resource Guide, 2003

CDE PUBLICATIONS

Physical Education Framework for California Public Schools: Kindergarten through Grade 12,  
1996

Physical Education Content Standards for California Public Schools: Kindergarten through  
Grade Twelve, 2006

CDE PROGRAM ADVISORIES

0418.89 Physical Education, April 18, 1989

CDHS PUBLICATIONS

Jump Start Teens, 1997

Playing the Policy Game, 1999

School Idea and Resource Mini Kit, 2000

CDC PUBLICATIONS

School Health Index for Physical Activity and Healthy Eating: A Self-Assessment and Planning  
Guide for Elementary and Middle/High Schools, 2000

NASBE PUBLICATIONS

Fit, Healthy and Ready to Learn, 2000

WEB SITES

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

CDE, Nutrition Services Division/SHAPE California: <http://www.cde.ca.gov/nsd>

CDHS, School Health Connections: <http://www.mch.dhs.ca.gov/programs/shc/shc.htm>

California Project LEAN (Leaders Encouraging Activity and Nutrition):

<http://www.californiaprojectlean.org>

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

National School Boards Association: <http://www.schoolhealth@nsba.org>

National Association of State Boards of Education (NASBE): <http://www.boards@nasbe.org>

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

## **DRAFT 11**

### **Administration Regulations BP 6142.7**

#### **PHYSICAL EDUCATION and PHYSICAL ACTIVITY POLICY for OAKLAND UNIFIED SCHOOL DISTRICT**

The Physical Education program shall be an essential element of each school's instructional program. The program shall provide the opportunity for all students, regardless of ability, to develop the skills, knowledge, and attitudes necessary to participate in a lifetime of healthy physical activity.

The District recognizes that physical fitness and motor development of children in schools is of equal importance to that of core elements of the curriculum, and therefore shall be enforced with the same rigor.

The Governing Board recognizes the positive benefits of physical activity for student health and academic achievement. Besides promoting high levels of personal achievement and a positive self-image, Physical Education activities should teach students how to cooperate in the achievement of common goals. The district's program shall include a variety of kinesthetic activities, including team and individual sports, lifetime sports and activities, as well as aesthetic movement forms, such as dance.

The Oakland Unified School District shall adopt the Physical Education Model Content Standards for California Public Schools Kindergarten through Grade Twelve. The Oakland Unified School District shall also implement the contents of the Physical Education Framework for California Public Schools Kindergarten through Grade Twelve.  
(cf. 6143 - Courses of Study)

### **Physical Education – Administrative Regulation**

In accordance with state law, instruction in Physical Education shall be provided for a total period of time of not less than 200 minutes each 10 school days for students in grades 1-6 (exclusive of recesses and the lunch period) and not less than 400 minutes each 10 school days for students in grades 7-12. (Education Code 51210, 51222)

### **Definition for Physical Education**

*Physical Education* is a planned sequential program of curricula and instruction that helps students develop the knowledge, skills, and confidence necessary for an active lifestyle.

## **Physical Education – Program Requirements**

Schools shall provide all students in kindergarten through grade twelve (K-12) the opportunity, support, and encouragement to be physically active on a regular basis through Physical Education instruction and physical activity programs.

1. Physical Education shall be taught by a teacher credentialed to teach Physical Education. (EC Section 44203, EC 52751)
2. The Oakland Unified School District will make every effort to employ a single subject credentialed teacher in Physical Education to provide instruction in Physical Education for each class of grades 1 to 6, inclusive, within any elementary school in the district for a total period of time of not less than 200 minutes each 10 school days, exclusive of recesses and the lunch period. (EC 51206, 52751, 52750)
3. The Oakland Unified School District will provide each teacher instructing Physical Education to any of grades 1 to 6, inclusive, within any elementary school in the district with yearly theoretical and practical training in developmentally appropriate Physical Education as set forth in the Physical Education Framework adopted by the State Department of Education pursuant to Section 33350, (EC 51210.2)
4. All teachers credentialed to teach Physical Education instruction shall receive focused, ongoing professional development related to curriculum, instruction and assessment in Physical Education.
5. All teachers shall provide weekly Physical Education schedules to their supervising administrator.
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9. All schools shall be required to implement a sequential Physical Education course of study consistent with State Model Content Standards for Physical Education and with a focus on students' development of motor skills, movement forms, and health-related fitness. CDE Publications: Physical Education Framework and the Physical Education

Model Content Standards for California Public Schools Kindergarten through Grade Twelve.

10. School districts that maintain a high school provide a course of study in physical education to pupils in any of grades 9-12, inclusive, with a developmentally appropriate sequence of instruction, including:
  - (1) The effects of physical activity upon dynamic health;
  - (2) Mechanics of body movement;
  - (3) Aquatics;\*
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  - (6) Rhythms and dance;
  - (7) Team sports; and
  - (8) Combatives (may include self-defense). (EC §§ 33352(7), 51014, 51220(d).)

\*If a high school does not have a pool or access to a pool, aquatics can be taught. Instruction can be provided on water safety rescue technique, dry-land stroke, kick practice, and buoyancy principles. (See Chapter 4 of the Physical Education Framework for California Public Schools.)

11. Every high school student is evaluated on his or her progress in each of the following 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 (may include self-defense).

Reporting of pupil achievement is based upon all of the following:

- (1) Evaluation of the pupil's individual progress and the measure of his or her attainment of the goals specified in each area of instruction listed in subsection (a) of 5 CCR § 10060.
- (2) Tests designed to determine skill and knowledge.
- (3) Physical performance tests.
- (4) Any other evaluation procedures required by local governing board regulations. (5 CCR § 10060.)

12. Schools shall provide a physical and social environment that encourages safe and enjoyable physical activity for all students.
13. The Oakland Unified School District prohibits the use of physical activity as punishment, the withholding of participation in Physical Education class as punishment, or the use of Physical Education class time to complete assignments from other classes. (EC Section 49001)

14. Students shall be required to wear the Physical Education uniform designated by their school. Parents/ Guardians shall be notified of this requirement at the beginning of the school year and asked to assist in compliance, including helping to provide proper care and washing of the uniform. Parents/Guardians shall be informed of this program if unable to afford the Physical Education uniform.
15. All physical education classes are conducted in the coeducational, inclusive manner prescribed by law. All students have equal access to all physical education courses and meet the legal minimum requirement of time spent in physical education. (Title IX, 106.33, 106.34; 5 CCR § 4930, 4931, 4940; EC §§ 51210(g), 51222, 51223.)
16. Appropriate interventions, adaptive equipment, and/or an alternative activity shall be provided for students with a physical disability or medically diagnosed health limitations, behavior difficulties, and cognitive delays that may restrict excessive physical exertion. (cf. 6164.6 - Identification and Education under Section 504)
17. Physical Education staff shall appropriately limit the amount or type of physical exercise required of students during air pollution episodes, hot weather or other inclement conditions. (cf. 3516 - Emergencies and Disaster Preparedness Plan)

### **Physical Performance Testing**

1. During the month of February, March, April or May, students in grades 5, 7 and 9 shall undergo the physical performance testing designated by the State Board of Education. Students with a physical disability and students who are physically unable to take the entire test shall be provided alternative test items as appropriate to complete as much of the test as their physical condition will permit. The District recommends that students in grades 4 through 11 also undergo the physical performance test to collect data to drive instruction, programming, curriculum, and meaningful student learning. (Education Code 60800) (cf. 6162.5 - Student Assessment)
2. Students shall be provided with their individual results after completing the physical performance testing. This needs to occur within the same academic year of testing. The test results may be provided orally as the student completes the testing and written results are made available within the same academic year and the scores are included in their cumulative record. (Education Code 60800)
3. Each student's scores on the physical performance test shall be included in his/her cumulative record. (5 CCR 1044)
4. Parents will receive a copy of the results of the physical performance test, including the height and weight. Information with instructions for calculating Body Mass Index (BMI) may be made available to parents/guardians. (EC Section 49432) Administrators of the Fitnessgram may collaborate with math, science, and/or health teachers in teaching the students to calculate their individual BMI. (cf. 5125 - Student Records)



5. Teachers administering the fitness tests shall be trained in the FitnessGram Test procedures.
6. FitnessGram scores shall be maintained in his/her cumulative record.

## **Definition of Physical Activity**

*Physical Activity* refers to participation in moderate to vigorous physical activity. Physical activity programs may provide participants with structured activity (games, sports, etc.), unstructured activity (walking programs, dance, free play, etc.), or opportunities to participate in physical activity in the daily routine (walk-to-school programs, etc.).

## **Physical Activity Requirements**

1. A qualified staff member that meets the District's approval shall provide physical activity.
2. Students shall be given opportunities to engage in physical activity outside of and in addition to Physical Education through daily recess, after-school programs, interscholastic and intramural sports.
3. Elementary schools shall provide daily recess periods of at least 20 minutes.
4. After-school programs shall offer a variety of moderate to vigorous physical activities and the District shall make every effort to meet the needs and interests of all students.
5. Schools shall provide a physical and social environment that encourages safe and enjoyable physical activity for all students.
6. Schools shall provide opportunities for parents to support physical activity, including parent nights, the inclusion of physical activity in open houses and other school-wide events, and by encouraging families to engage in physical activity at home.

## **Student Safety During Physical Education and Physical Activity**

1. The school/district should ensure that students and staff have access to appropriate hydration (e.g., water or other fluids).
2. Facilities and equipment used for Physical Education and physical activity should be properly monitored and maintained to ensure participants' safety. Repairs shall be made in a timely manner for student safety. Examples: holes in the turf are filled, asphalt is sealed to prevent falls on loose gravel.

3. All teachers who teach Physical Education shall be certified in first aid and cardiopulmonary resuscitation (CPR).
4. All teachers who teach physical education shall receive notification and be trained, as allowed by law, in the use of any necessary medications that students are authorized to carry and/or use during Physical Education classes.
5. All teachers shall be provided with information regarding contra-indications or appropriate interventions for students with a disability such as Atlanto-axial Instability for students with Down Syndrome, or cautions for students with shunt or temperature restrictions (i.e. seizures).

### Exemptions

Under *EC* Section 51241 there are three distinct and separate exemptions:

i. Temporary:

"The governing board or the school administration may grant a temporary exemption to a pupil from courses in physical education, if the pupil is one of the following:

- o Ill or injured and a modified program to meet the needs of the pupil cannot be provided.
- o Enrolled for one-half, or less, of the work normally required of full-time pupils" (*EC* Section 51241[a][1][2]).

ii. Two-year:

"The governing board or the school administration, with the consent of a pupil, may grant a pupil an exemption from courses in physical education for two years any time during grades ten to twelve, inclusive, if the pupil has met satisfactorily at least five of the six standards of the physical performance test administered in grade nine pursuant to Section 60800" (*EC* Section 51241[b][1]).

iii. Permanent:

"The governing board or school administration may grant permanent exemption from courses in physical education if the pupil complies with any one of the following:

- Is 16 years of age or older and has been enrolled in the 10th grade for one academic year or longer.
  - Is enrolled as a postgraduate pupil.
  - 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 or Title 15 of the *California Code of Regulations*” (*EC* Section 51241 [c][1][2][3]).
- B. *EC* Section 51242 allows the governing board to 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.
- C. Under *EC* Section 51222 (a) any pupil may be excused from physical education classes during one of grades ten through twelve 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 each school year.
- D. Under *EC* Section 52316 any pupil enrolled in grade ten, eleven, or twelve, and who is also attending a regional occupational center or regional occupational program may be excused from attending courses in physical education by the governing board of the school district maintaining grade ten, eleven, or twelve, and in which the pupil is enrolled, if attendance upon such classes results in hardship because of travel time involved. If a pupil is excused from physical education classes pursuant to this section, the minimum schoolday for him in his regular high school is 180 minutes.
- E. Under *EC* Section 51246 the governing board may exempt any pupil enrolled in his last semester or quarter, as the case may be, of the grade twelve who, pursuant to *EC* Section 46145 or 46146 or 46147, is permitted to attend school less than 240 or 180 minutes per day, from attending courses of physical education; provided, however, that such pupil may not be exempted pursuant to this section from attending courses of physical education if such pupil would, after such exemption, attend school for 240 minutes or more per day.

The Governing Board hereby grants authority to school principals and vice-principals to approve exemptions.

Legal Reference:

## EDUCATION CODE

33350 CDE responsibilities re: Physical Education  
Section 44203  
Section 49001  
49066 Grades; Physical Education class  
51206 Elementary Physical Education Specialist  
51210 Course of study, grades 1-6  
51220 Course of study, grades 7-12  
51222 Physical Education  
51223 Physical Education, elementary schools  
51225.3  
51241 Temporary or permanent exemption from Physical Education  
51242 Exemption from Physical Education for athletic program participants  
52316 Excuse from attending Physical Education classes  
52750 Elementary Physical Education Pilot Program  
52751 Physical Education Specialist  
60800 Physical performance test  
CODE OF REGULATIONS, TITLE 5  
1041-1046 Physical performance test  
3051.5 Adapted Physical Education for individuals with exceptional needs  
10060 Criteria for high school Physical Education programs  
Division 1, Chapter 2, Section 304  
Division 1, Section 352  
UNITED STATES CODE, TITLE 29  
794 Rehabilitation Act of 1973, Section 504  
ATTORNEY GENERAL OPINIONS  
53 Ops.Cal.Atty.Gen. 230 (1970)

## Management Resources:

CSBA PUBLICATIONS  
Healthy Food Policy Resource Guide, 2003

## CDE PUBLICATIONS

Physical Education Framework for California Public Schools: Kindergarten through Grade 12, 1996  
Physical Education Content Standards for California Public Schools: Kindergarten through Grade Twelve, 2006

## CDE PROGRAM ADVISORIES

0418.89 Physical Education, April 18, 1989

## CDHS PUBLICATIONS

Jump Start Teens, 1997  
Playing the Policy Game, 1999  
School Idea and Resource Mini Kit, 2000

## CDC PUBLICATIONS

School Health Index for Physical Activity and Healthy Eating: A Self-Assessment and Planning Guide for Elementary and Middle/High Schools, 2000

## NASBE PUBLICATIONS

Fit, Healthy and Ready to Learn, 2000

## WEB SITES

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

CDE, Nutrition Services Division/SHAPE California: <http://www.cde.ca.gov/nsd>

CDHS, School Health Connections: <http://www.mch.dhs.ca.gov/programs/shc/shc.htm>

California Project LEAN (Leaders Encouraging Activity and Nutrition):

<http://www.californiaprojectlean.org>

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

National School Boards Association: <http://www.schoolhealth@nsba.org>

National Association of State Boards of Education (NASBE): <http://www.boards@nasbe.org>

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

# OAKLAND UNIFIED SCHOOL DISTRICT

## Board Policy

BP 6142.7  
**Instruction**

Physical Education and Physical Activity ~~Wellness~~ Policy for Oakland Unified School District

The Governing Board recognizes the positive benefits of physical activity for student health and academic achievement. The Board ~~desires to provide~~ supports a physical education program that builds interest and proficiency in movement skills and encourages students' lifelong fitness through physical activity. Besides promoting high levels of personal achievement and a positive self-image, physical education activities should teach students how to cooperate in the achievement of common goals.

The Oakland Unified School District recognizes that physical fitness and motor development of children in schools is of equal importance to that of core elements of the curriculum, and therefore shall be enforced with the same rigor.

(cf. 5121 - Grades/Evaluation of Student Achievement)  
(cf. 6142.8 - Comprehensive Health Education)  
(cf. 6145.2 - Athletic Competition)  
(cf. 6146.1 - High School Graduation Requirements)  
(cf. 6190 - Evaluation of the Instructional Program)

The Physical Education program shall be an essential element of each school's instructional program. The program shall provide the opportunity for all students, regardless of ability, to develop the skills, knowledge, and attitudes necessary to participate in a lifetime of healthy physical activity, as outlined in the Physical Education Model Content Standards for California Public Schools Kindergarten through Grade Twelve and the Physical Education Framework for California Public Schools Kindergarten through Grade Twelve.

### Instruction

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In accordance with state law, instruction in Physical Education shall be provided for a total period of time of not less than 200 minutes each 10 school days for students in grades 1-6 (exclusive of recesses and the lunch period). (EC 51206, 52751, 52750)

Middle school and high school students (grades 7-12) receive physical education instruction for 400 minutes each 10 school days. Students in grades 7-8 who attend a K-8 elementary school receive physical education instruction at least 200 minutes every 10 school days. (EC §§ 51222, 51223.) and not less than 400 minutes each 10 school days for students in grades 7-12. (Education Code 51210, 51222)

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~~The District recognizes that physical fitness and motor development of children in schools is of equal importance to that of core elements of the curriculum, and therefore shall be enforced with the same rigor. (The Physical Education graduation requirement is a minimum 2 years)~~

Physical Education shall be taught by a teacher credentialed to teach Physical Education. (EC Section 44203, EC 52751) OUSD provides instruction in physical education to pupils in any of grades one through twelve (1-12), inclusive, by physical education teachers who hold appropriate teaching credentials issued by the Commission on Teacher Credentialing. Instructional aides, paraprofessionals, and volunteers only assist the teacher. (EC §§ 33352(9); 45343-45367.)

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~~The District shall collaborate with school sites to support providing Physical Education instruction in grades 1 to 6, inclusive, within any elementary school in the district for a total period of time of not less than 200 minutes each 10 school days, exclusive of recesses and the lunch period. (EC 51206, 52751, 52750)~~

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The District shall offer to Physical Education teachers in grades 1 to 6, inclusive, with yearly theoretical and practical training in developmentally appropriate Physical Education as set forth in the Physical Education Framework adopted by the State Department of Education pursuant to Section 33350. (EC 51210.2)

-Oakland Unified School District will provide a course of study in physical education to pupils in any of grades 9-12, inclusive, with a developmentally appropriate sequence of instruction, and evaluation in the following areas:

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(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 (may include self-defense). (EC §§ 33352(7), 51014, 51220(d).)

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If a high school does not have a pool or access to a pool, aquatics can be taught. Instruction can be provided on water safety rescue technique, dry-land stroke, kick practice, and buoyancy principles. (See Chapter 4 of thePhysical Education Framework for California Public Schools.)

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The law requires every high school student to be evaluated on his or her progress in each of the following 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 (may include self defense). Grading must reflect progress in these eight areas and not be based solely on attendance and dressing out.

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All teachers assigned to deliver Physical Education instruction shall receive focused, ongoing, professional development related to curriculum, instruction and assessment in Physical Education.

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The Oakland Unified School District shall offer to Physical Education teachers in grades 1 to 6, inclusive, with yearly theoretical and practical training in developmentally appropriate Physical

Education as set forth in the Physical Education Framework adopted by the State Department of Education pursuant to Section 33350, (EC 51210.2)

The Governing Board recognizes the positive benefits of physical activity for student health and academic achievement. Besides promoting high levels of personal achievement and a positive self-image, Physical Education activities should teach students how to cooperate in the achievement of common goals.

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All physical education classes are conducted in the coeducational, inclusive manner prescribed by law. All students have equal access to all physical education courses and meet the legal minimum requirement of time spent in physical education. (Title IX, 106.33, 106.34; 5 CCR § 4930, 4931, 4940; EC §§ 51210(g), 51222, 51223.)

(cf. 5121 - Grades/Evaluation of Student Achievement)

The Board shall approve the components of the physical education program. The district's program shall include a variety of kinesthetic activities, including team and individual sports, as well as aesthetic movement forms, such as dance.

The Oakland Unified School District shall adopt the Physical Education Model Content Standards for California Public Schools Kindergarten through Grade Twelve. The Oakland Unified School District shall also implement the contents of the Physical Education Framework for California Public Schools Kindergarten through Grade Twelve.

(cf. 6143 - Courses of Study)

Appropriate interventions, adaptive equipment, and/or an alternative activity shall be provided for students with a physical disability or medically diagnosed health limitations, behavior difficulties, and cognitive delays that may restrict excessive physical exertion.

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

Physical education staff shall appropriately limit the amount or type of physical exercise required of students during air pollution episodes, hot weather or other inclement conditions.

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

### **Physical Performance Testing**

1. During the month of February, March, April or May, students in grades 5, 7 and 9 shall undergo the physical performance testing designated by the State Board of Education. Students with a physical disability and students who are physically unable to take the entire test shall be provided alternative test items as appropriate to complete as much of the test as their physical condition will permit. The District recommends that students in grades 4 through 11 also undergo the physical performance test to collect data to drive instruction, programming, curriculum, and meaningful student learning. (Education Code 60800) (cf. 6162.5 - Student Assessment)



2. Students shall be provided with their individual results after completing the physical performance testing. This needs to occur within the same academic year of testing. The test results may be provided orally as the student completes the testing and written results are made available within the same academic year and the scores are included in their cumulative record. (Education Code 60800)

3. Each student's scores on the physical performance test shall be included in his/her cumulative record. (5 CCR 1044)

4. Parents will receive a copy of the results of the physical performance test, including the height and weight. Information with instructions for calculating Body Mass Index (BMI) may be made available to parents/guardians. (EC Section 49432)

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### **Exemptions**

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The Superintendent or designee may grant temporary exemption from physical education under any of the following conditions:

i. Temporary:

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"The governing board or the school administration may grant a temporary exemption to a pupil from courses in physical education, if the pupil is one of the following:

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o Ill or injured and a modified program to meet the needs of the pupil cannot be provided.

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o Enrolled for one-half, or less, of the work normally required of full-time pupils" (EC Section 51241[a][1][2]).

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ii. Two-year:

"The governing board or the office of the school administration, with the consent of a pupil, may grant a pupil an exemption from courses in physical education for two years any time during grades ten to twelve, inclusive, if the pupil has met satisfactorily at least five of the six standards of the physical performance test administered in grade nine pursuant to Section 60800" (EC Section 51241[b][1]).

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iii. Permanent:

"The governing board or the school administration may grant permanent exemption from courses in physical education if the pupil complies with any one of the following:

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- o Is 16 years of age or older and has been enrolled in the 10th grade for one academic year or longer.
- o 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 or Title 15 of the California Code of Regulations” (EC Section 51241 [c][1][2][3]).

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The Governing Board hereby grants authority to school administration to approve exemptions.

Students requesting a PE exemption are required to fill out an exemption form in its entirety each year and receive approval from administration.

1. ~~The student is ill or injured and a modified program to meet his/her needs cannot be provided. (Education Code 51241)~~
2. ~~The student is enrolled for one-half time or less. (Education Code 51241)~~

3. ~~The student in grades 10-12 is excused for up to 24 clock hours in order to participate in automobile driver training. (Education Code 51222)~~

~~The Superintendent or designee may exempt students, with their consent, from any two years of physical education courses during grades 10-12. (Education Code 51241)~~

The Superintendent or designee may excuse any student in grades 10-12 who attends a regional occupational center or program from attending physical education courses if such attendance results in hardship because of the travel time involved. (Education Code 52316)

The Superintendent or designee may exempt a high school student from physical education if he/she is engaged in a regular school-sponsored interscholastic athletic program carried on wholly or partially after regular school hours. (Education Code 51242)

(cf. 6145.2 - Athletic Competition)  
(cf. 6146.11 - Alternative Credits Toward Graduation)

~~The Superintendent or designee may grant permanent exemptions from physical education to a student who is either: (Education Code 51241)~~

1. ~~Age 16 years or older and has been enrolled in grade 10 for one or more academic years~~
2. ~~Enrolled as a postgraduate student~~
3. ~~Enrolled in a juvenile home, ranch, camp or forestry camp school with scheduled recreation and exercise~~

Legal Reference:

EDUCATION CODE

33350 CDE responsibilities re: physical education  
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  
60800 Physical performance test  
CODE OF REGULATIONS, TITLE 5  
1041-1046 Physical performance test  
3051.5 Adapted physical education for individuals with exceptional needs  
10060 Criteria for high school physical education programs  
UNITED STATES CODE, TITLE 29  
794 Rehabilitation Act of 1973, Section 504  
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53 Ops.Cal.Atty.Gen. 230 (1970)

Management Resources:

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CDHS, School Health Connections: <http://www.mch.dhs.ca.gov/programs/shc/shc.htm>

California Project LEAN (Leaders Encouraging Activity and Nutrition):

<http://www.californiaprojectlean.org>

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

National School Boards Association: <http://www.schoolhealth@nsba.org>  
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Centers for Disease Control and Prevention (CDC): <http://www.cdc.gov>

7/14/04; 9/12/12A

# **OAKLAND UNIFIED SCHOOL DISTRICT**

## **Board Policy**

BP 6142.7

### **Instruction**

Physical Education and Physical Activity Policy for Oakland Unified School District

The Governing Board recognizes the positive benefits of physical activity for student health and academic achievement. The Board supports a physical education program that builds interest and proficiency in movement skills and encourages students' lifelong fitness through physical activity. Besides promoting high levels of personal achievement and a positive self-image, physical education activities should teach students how to cooperate in the achievement of common goals.

The Oakland Unified School District recognizes that physical fitness and motor development of children in schools is of equal importance to that of core elements of the curriculum, and therefore shall be enforced with the same rigor.

(cf. 5121 - Grades/Evaluation of Student Achievement)

(cf. 6142.8 - Comprehensive Health Education)

(cf. 6145.2 - Athletic Competition)

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6190 - Evaluation of the Instructional Program)

The Physical Education program shall be an essential element of each school's instructional program. The program shall provide the opportunity for all students, regardless of ability, to develop the skills, knowledge, and attitudes necessary to participate in a lifetime of healthy physical activity, as outlined in the Physical Education Model Content Standards for California Public Schools Kindergarten through Grade Twelve and the Physical Education Framework for California Public Schools Kindergarten through Grade Twelve.

### **Instruction**

In accordance with state law, instruction in Physical Education shall be provided for a total period of time of not less than 200 minutes each 10 school days for students in grades 1-6 (exclusive of recesses and the lunch period). (EC 51206, 52751, 52750)

Middle school and high school students (grades 7-12) receive physical education instruction for 400 minutes each 10 school days. Students in grades 7-8 who attend a K-8 elementary school receive physical education instruction at least 200 minutes every 10 school days. (EC §§ 51222, 51223.)

Physical Education shall be taught by a teacher credentialed to teach Physical Education. (EC Section 44203, EC 52751) OUSD provides instruction in physical education to pupils in any of grades one through twelve (1-12), inclusive, by physical education teachers who hold appropriate teaching credentials issued by the Commission on Teacher Credentialing. Instructional aides, paraprofessionals, and volunteers only assist the teacher. (EC §§ 33352(9); 45343-45367.)

Oakland Unified School District will provide a course of study in physical education to pupils in any of grades 9-12, inclusive, with a developmentally appropriate sequence of instruction, and evaluation in the following 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 (may include self-defense). (EC §§ 33352(7), 51014, 51220(d).)

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The law requires every high school student to be evaluated on his or her progress in each of the following 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 (may include self defense). Grading must reflect progress in these eight areas and not be based solely on attendance and dressing out.

All teachers assigned to deliver Physical Education instruction shall receive focused, ongoing, professional development related to curriculum, instruction and assessment in Physical Education.

The Oakland Unified School District shall offer to Physical Education teachers in grades 1 to 6, inclusive, with yearly theoretical and practical training in developmentally appropriate Physical Education as set forth in the Physical Education Framework adopted by the State Department of Education pursuant to Section 33350, (EC 51210.2)

The Governing Board recognizes the positive benefits of physical activity for student health and academic achievement. Besides promoting high levels of personal achievement and a positive self-image, Physical Education activities should teach students how to cooperate in the achievement of common goals.

All physical education classes are conducted in the coeducational, inclusive manner prescribed by law. All students have equal access to all physical education courses and meet the legal minimum requirement of time spent in physical education. (Title IX, 106.33, 106.34; 5 CCR § 4930, 4931, 4940; EC §§ 51210(g), 51222, 51223.)

(cf. 5121 - Grades/Evaluation of Student Achievement)

The Board shall approve the components of the physical education program. The district's program shall include a variety of kinesthetic activities, including team and individual sports, as well as aesthetic movement forms, such as dance.

The Oakland Unified School District shall adopt the Physical Education Model Content Standards for California Public Schools Kindergarten through Grade Twelve. The Oakland Unified School District shall also implement the contents of the Physical Education Framework for California Public Schools Kindergarten through Grade Twelve.

(cf. 6143 - Courses of Study)

Appropriate interventions, adaptive equipment, and/or an alternative activity shall be provided for students with a physical disability or medically diagnosed health limitations, behavior difficulties, and cognitive delays that may restrict excessive physical exertion.

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

Physical education staff shall appropriately limit the amount or type of physical exercise required of students during air pollution episodes, hot weather or other inclement conditions.

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

### **Physical Performance Testing**

1. During the month of February, March, April or May, students in grades 5, 7 and 9 shall undergo the physical performance testing designated by the State Board of Education. Students with a physical disability and students who are physically unable to take the entire test shall be provided alternative test items as appropriate to complete as much of the test as their physical condition will permit. The District recommends that students in grades 4 through 11 also undergo the physical performance test to collect data to drive instruction, programming, curriculum, and meaningful student learning. (Education Code 60800) (cf. 6162.5 - Student Assessment)
2. Students shall be provided with their individual results after completing the physical performance testing. This needs to occur within the same academic year of testing. The test results may be provided orally as the student completes the testing and written results are made available within the same academic year and the scores are included in their cumulative record. (Education Code 60800)
3. Each student's scores on the physical performance test shall be included in his/her cumulative record. (5 CCR 1044)

Parents will receive a copy of the results of the physical performance test, including the height

and weight. Information with instructions for calculating Body Mass Index (BMI) may be made available to parents/guardians. (EC Section 49432)

### **Exemptions**

The Superintendent or designee may grant temporary exemption from physical education under any of the following conditions:

i. Temporary:

"The governing board or the school administration may grant a temporary exemption to a pupil from courses in physical education, if the pupil is one of the following:

- o Ill or injured and a modified program to meet the needs of the pupil cannot be provided.
- o Enrolled for one-half, or less, of the work normally required of full-time pupils" (EC Section 51241[a][1][2]).

ii. Two-year:

"The governing board or the office of the school administration, with the consent of a pupil, may grant a pupil an exemption from courses in physical education for two years any time during grades ten to twelve, inclusive, if the pupil has met satisfactorily at least five of the six standards of the physical performance test administered in grade nine pursuant to Section 60800" (EC Section 51241[b][1]).

iii. Permanent:

"The governing board or the school administration may grant permanent exemption from courses in physical education if the pupil complies with any one of the following:

- o Is 16 years of age or older and has been enrolled in the 10th grade for one academic year or longer.
- o 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 or Title 15 of the *California Code of Regulations*" (EC Section 51241 [c][1][2][3]).

The Governing Board hereby grants authority to school administration to approve exemptions.

Students requesting a PE exemption are required to fill out an exemption form in its entirety each



year and receive approval from administration.

The Superintendent or designee may excuse any student in grades 10-12 who attends a regional occupational center or program from attending physical education courses if such attendance results in hardship because of the travel time involved. (Education Code 52316)

The Superintendent or designee may exempt a high school student from physical education if he/she is engaged in a regular school-sponsored interscholastic athletic program carried on wholly or partially after regular school hours. (Education Code 51242)

(cf. 6145.2 - Athletic Competition)

(cf. 6146.11 - Alternative Credits Toward Graduation)

**Legal Reference:**

**EDUCATION CODE**

33350 CDE responsibilities re: physical education

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

60800 Physical performance test

**CODE OF REGULATIONS, TITLE 5**

1041-1046 Physical performance test

3051.5 Adapted physical education for individuals with exceptional needs

10060 Criteria for high school physical education programs

**UNITED STATES CODE, TITLE 29**

794 Rehabilitation Act of 1973, Section 504

**ATTORNEY GENERAL OPINIONS**

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

**Management Resources:**

**CSBA PUBLICATIONS**

Healthy Food Policy Resource Guide, 2003

**CDE PUBLICATIONS**

Physical Education Framework for California Public Schools: Kindergarten Through Grade 12, 1996

**CDE PROGRAM ADVISORIES**

0418.89 Physical Education, April 18, 1989

**CDHS PUBLICATIONS**

Jump Start Teens, 1997

Playing the Policy Game, 1999

School Idea and Resource Mini Kit, 2000

CDC PUBLICATIONS

School Health Index for Physical Activity and Healthy Eating: A Self-Assessment and Planning Guide for Elementary and Middle/High Schools, 2000

NASBE PUBLICATIONS

Fit, Healthy and Ready to Learn, 2000

WEB SITES

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

CDE, Nutrition Services Division/SHAPE California: <http://www.cde.ca.gov/nsd>

CDHS, School Health Connections: <http://www.mch.dhs.ca.gov/programs/shc/shc.htm>

California Project LEAN (Leaders Encouraging Activity and Nutrition):

<http://www.californiaprojectlean.org>

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

National School Boards Association: <http://www.schoolhealth@nsba.org>

National Association of State Boards of Education (NASBE): <http://www.boards@nasbe.org>

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

7/14/04; 9/12/12A