

January 28, 2022

Office of Administrative Law and the Honorable Lori Adame,

This letter is written in reference to OAL file number 2022-0125-04E regarding the Physical Fitness Test (PFT). The state of California uses the FITNESSGRAM as the State Board of Education (SBE) board approved PFT. After reviewing the proposed regulation we have significant concerns regarding the information presented.

Our first argument is that the proposed regulation does not constitute an emergency. According to the OAL's definition of an emergency it must cause "serious harm to the public peace, health, safety, or general welfare" of students. The SBE should allow the California Department of Education (CDE) working group for Senate Bill 820 to conclude before changing regulation related to the PFT. This working group will provide recommendations regarding the purpose and administration of the PFT no later than November 1, 2022.

The Physical Fitness test has been administered in the state of California, across the nation and world for over 50 years. Additionally, there are decades of research on the FITNESSGRAM. The philosophy of the FITNESSGRAM is to inform students about their health and work towards realistic health goals. When administered correctly the FITNESSGRAM is committed to health-related physical fitness, criterion-referenced standards, an emphasis on physical activity including behavioral based recognitions, and the latest in technology ([Plowman et al., 2006](#)). Additionally, the FITNESSGRAM can provide students with knowledge and skills to make meaningful changes to improve their health (See [Corbin, 2013](#); [Silverman et al., 2008](#); [Wiersma & Sherman, 2008](#)).

Instead of eliminating portions of the PFT, we recommend the OAL, SBE and CDE consider implementing the [ten safeguards](#) recommended by the Centers for Disease Control and Prevention (CDC) before acting on a perceived emergency around the measurement of and reporting of body composition in California schools. The information and knowledge that we share with students carries a strong message against the mis-information that they are hearing everyday at school, at home, or on social media. Our students need knowledge and opportunities to understand how to address important and life-changing aspects of their personal health.

Our second argument against the proposed regulation is that some of the referenced data and guides are out of date and/or inaccurate. For example, the SBE proposed regulation includes the following language: *"Test administration manual" is the Updated Third Edition FITNESSGRAM/ACTIVITYGRAM, a document incorporated by reference. A copy is available for review from CDE staff in the Standards and Assessment Division Assessment Development and Administration Division.* It is important to note that the 3rd edition was published in 2004 the most updated version of the FITNESSGRAM is the [5th edition](#) (2017). There have been significant changes since the 3rd edition including but not limited to the inclusion of body composition measures in the calculation of VO2max, used to communicate levels of aerobic capacity development. It is unsettling to know that the SBE and CDE are using materials significantly out of date.

Another example of problematic data is that the SBE identified that the PFT negatively

affects students' mental and physical health, however, empirical data do not support this claim. According to the Centers for Disease Control and Prevention (CDC) [website](#), *“to date, there is not enough evidence for scientists to conclude whether school-based BMI measurement programs are effective at preventing or reducing childhood obesity or whether they cause harm, by either increasing the stigma attached to obesity or increasing pressures to engage in unsafe weight control behaviors.”* Furthermore, a recent review of literature related to the impact of school-based physical fitness testing on bullying and weight-based teasing, determined that studies do not support the assertion that PFT places students at elevated risk for bullying and/or weight-based teasing as compared to other school settings ([Woodworth & Schneider, 2021](#)).

In conclusion, we assert that an emergency situation does not exist related to this proposed regulation. No serious harm to the public peace, health, safety, or general welfare has been identified nor is it supported in the empirical literature. Furthermore, the proposed regulation is not necessary at this time, as the working group authorized by SB 820 has not completed its work and has until November of this year to do so.

Respectfully submitted by:

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