



California State Board of Education Policy

POLICY #
99-03
DATE
June 1999

WAIVER GUIDELINES

Physical Education Requirements

REFERENCES
Education Code Section 33050 et seq.
HISTORICAL NOTES
Adopted July 1984. Amended February 1990 and June 1999.

Statutory Provisions

Education Code Section 51210 (elementary minutes requirement); Education Code Section 51222 (secondary minutes requirement); and Education Code Section 51225.3 (a)(1)(F) (high school graduation requirement). These sections require that locally adopted courses of study at the elementary and secondary levels include physical education; specify the minimum amount of physical education minutes to be provided to students; and describe the two-course high school physical education graduation requirement.

The physical education minutes required are:

- Elementary grades 1-6, minimum of 200 minutes each ten days
- Secondary grades 7-12, minimum of 400 minutes each ten days
- Elementary school districts grades 1-8, minimum of 200 minutes each ten days

Background

The intent of these *Education Code* sections is to have daily physical education available in all grade levels and the equivalent of two years of physical education required for high school graduation.

Elementary Grade Waiver Criteria

- No waivers will be granted.

Middle/Junior High School Waiver Criteria (Block Schedule)

- The State Board of Education will consider waivers for those middle schools/junior high schools that share a campus and/or physical education facilities with a neighboring secondary school operating on a block schedule. Middle school/junior high schools must also meet the secondary school waiver criteria #1-4 and #6 listed below.

Secondary School Waiver Criteria (must meet all criteria)

1. Students are in physical education a minimum of 18 weeks in 70-90 minute daily periods during the regular school year.

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2. The district describes a method by which it will monitor students' maintenance of a personal exercise program during the weeks the student is not participating in a physical education course¹.
3. The district provides evidence that alternate day scheduling for physical education rather than alternate term scheduling has been thoroughly investigated. Reasons why alternate day scheduling will not work are clearly explained.
4. The district provides information that shows the physical education program is aligned with the *Physical Education Framework* (provides a sequential, articulated, age-appropriate program).
5. The district provides information that shows the physical education program (in a senior or four-year high school) is in compliance with *California Code of Regulations, Title 5, Article 3.1, Section 10060*.²
6. Students are prepared for and participate in the physical performance testing as specified in the *Education Code*.³

Rationale for Waiver Guidelines Regarding Physical Education Requirements

“We are paying a tremendous price for the physical inactivity epidemic affecting our country. People are paying with pain and suffering and society pays with money and lost productivity.” - Dr. David Satcher, Former U.S. Surgeon General

Inactivity is a leading cause of preventable death. Inactivity and poor diet cause at least 300,000 deaths a year in the United States. Only tobacco use causes more preventable deaths. People begin to acquire and establish patterns of health-related behaviors during childhood and adolescence; thus young people should be encouraged to engage in physical activity. The prevalence of overweight is at an all-time high among children and adolescents. The percentage of young people who are overweight has more than doubled in the past 30 years; and many young people already have risk factors for chronic diseases associated with adult morbidity and mortality (Centers for Disease Control and Prevention, 1997).

¹ For example, activity logs signed by parents/guardians; consistent recorded participation in active club, intramural, and interscholastic games, sports and dance. The *Physical Education Framework* (p.45) states that each ninth grade student should set personal goals for health and fitness and participate in an individualized fitness program. The *Framework* goes on to state (p.48) that each tenth grade student should design and implement a personal fitness program that relates to total wellness.

² Section 10060 lists criteria by which each school district shall appraise the quality of their high school physical education programs and states that the physical education course of study provides instruction in aquatics, gymnastics, individual and dual sports, team sports, combatives, rhythms and dance, effects of physical activity, and mechanics of body movement.

³ *Education Code* Section 60800 mandates testing of each pupil in grades 5, 7, and 9 during the months of March, April, or May of each year.



Well-designed physical education curricula will promote a lifelong physically active lifestyle that can enhance longevity and quality of life; reduce cardiovascular disease, cancer, non-insulin-dependent diabetes mellitus, osteoarthritis, osteoporosis, accidental falls, and obesity; and contribute to mental and social well-being (U.S. Department of Health and Human Services, 1996). Regular physical activity in childhood and adolescence improves strength and endurance; helps build healthy bones and muscles; helps control weight; reduces anxiety and stress; and may improve blood pressure and cholesterol levels (Centers for Disease Control and Prevention, 1997).

Based on an extensive review of research and practice, the Centers for Disease Control and Prevention recommends that *schools should require daily physical education in grades K-12* (Centers for Disease Control and Prevention, 1997). There can be no doubt that school-based physical education can make an important contribution to the health of the next generation of Americans. Quality school-based physical education programs are supported by policies from numerous organizations and agencies including the American Academy of Pediatrics, the American College of Sports Medicine, the American Heart Association, the American Medical Association, the Centers for Disease Control and Prevention, the National Education Goals Panel, and the U.S. Department of Health and Human Services (Health is Academic, 1998).

In addition to the health benefits, there is growing evidence that regular physical activity enhances learning and school achievement. In the same way that exercise benefits the muscles, heart, lung and bones, it also strengthens key areas of the brain. Physical activity fuels the brain with oxygen, enhances connections between neurons and assists in memory. Children in daily physical activity have shown superior academic performance and attitude toward school. Exercise has been shown to improve scores on short-term memory, reaction time and creativity; and young persons who exercised daily outperformed other students on exams. Projects in Canada revealed that when physical education time was increased, academic scores went up (Jensen, 1998).

California was the first state to require daily physical education in public elementary schools. In the middle part of this century California was a national leader in physical education programs. However, during the past two decades, physical education staffing and programs have suffered serious erosion. State fitness tests results in 1989 and 1990 indicated that less than one fourth of California students could achieve 4 out of 5 fitness standards.

Responding to the growing body of research supporting the benefits of physical activity, the California Legislature recently amended Section 60800 of the *Education Code* which states in part: “It is the intent of the Legislature that school administrators, physical educators, health care services personnel, classroom teachers, secondary school coaches, health educators, and counselors, whose central task is to foster the physical and mental well-being of children, are encouraged to make a firm commitment to incorporate into the curriculum, when appropriate, the health and performance benefits of regular appropriate physical activity” (SB 896, Chapter 1066, Statutes of 1998).

How much physical activity do young people need? Young persons benefit from moderate physical activity on most, if not all, days of the week. Depending on the intensity of the physical



activity, a minimum of time per day ranges from 15 minutes to 45 minutes, and increasing the frequency, intensity and time of the activity can bring even more health benefits (Centers for Disease Control and Prevention, 1997). Many of the beneficial effects of exercise training – from both endurance and resistance activities – diminish within 2 weeks of physical activity is substantially reduced (U.S. Department of Health and Human Services, 1996).

For many years, California has mandated grade level time provisions for physical education that allow scheduling flexibility for schools while ensuring the integrity of **regular** physical activity to benefit students:

- 200 minutes per 10 school days for grades 1 through 6 (Education Code Section 51210)
- 400 minutes per 10 school days for grades 7 through 12 (Education Code Section 51222)

Since 1978 students have been allowed an exemption from physical education for any two years during grades ten through twelve (Education Code Section 51241). Current state law also mandates that a health-related fitness test be administered to every student in grades five, seven, and nine during the months of March, April, or May.

Flexibility in the minute requirements for physical education classes as well as flexibility in the required months for spring testing provide opportunities for many variable scheduling options, including alternate day block scheduling, while ensuring regular physical activity for students.

Recently, however, schools have begun to submit requests to waive the time requirements for physical education in order to pursue term block schedules. Term block schedules tend to deprive students of physical education for many weeks, typically a trimester or a semester. There is no evidence that term block scheduling is superior to alternate day block scheduling in relation to student achievement. Yet evidence does exist that inactivity for a term can be detrimental to the health of students.

Furthermore, term block scheduling has a negative impact regarding the state testing program if students in grades five, seven, and nine are not enrolled in physical education classes during the months of March, April or May. Pulling these students out of other subject area classes during the required months for fitness testing creates difficulties with scheduling, staffing, supervising, and providing locker room and change facilities as well as preparing students for testing. In addition, class time is lost in the other subject area. To waive students from the testing requirement or to alter the dates of testing beyond the given time period would reduce the reliability of the statewide results that are reported to the Legislature.

If school personnel elect to shift to term block scheduling for most subject areas, it is still possible to team or match physical education with another course, such as a course in health education or the visual and performing arts, in order to provide alternate day block schedules for these selected courses.

Therefore, when submitting a waiver, a school should provide evidence of having thoroughly explored alternate day block scheduling for physical education. Convincing rationale should be provided for rejecting alternate day block scheduling in favor of term block scheduling. The school should provide a concrete plan to ensure that the students' need for *regular physical*



activity will be met throughout each school year. Finally, the school should provide a concrete plan to ensure that all students in the designated grades will participate in the mandated health-related fitness test during the designated testing months.

In summary, when considering school requests for waivers from physical education time requirements, the Department of Education staff recommends that the Board of Education support:

- Student physical activity on a daily/weekly basis to ensure student health; and
- The mandates of the California Health-Related Fitness Test, as part of California's assessment system, to obtain reliable and informative statewide data.

References

Centers for Disease Control and Prevention. (1997) Guidelines for School and Community Programs to Promote Lifelong Physical Activity Among Young People. Atlanta, GA: U.S. Department of Health and Human Services.

Jensen, E. (1998) Teaching With The Brain In Mind. Alexandria, VA: Association for Supervision and Curriculum Development.

Marx, E., & Wooley, S. (Ed.) (1998). Health Is Academic: A Guide to Coordinated School Health Programs. New York: Teacher's College Press.

U.S. Department of Health and Human Services. (1996) Physical Activity and Health: A Report of the Surgeon General. Atlanta, GA: U.S. Department of Health and Human Services.