**CALIFORNIA DEPARTMENT OF EDUCATION**

TONY THURMOND

State Superintendent of Public Instruction

**CALIFORNIA STATE BOARD OF EDUCATION**

LINDA DARLING-HAMMOND

President

January 14, 2022

# NOTICE OF PROPOSED EMERGENCY ACTION

Physical Fitness Test

Adoption of Emergency Regulations, Title 5, Section 1040

Pursuant to the requirements of Government Code section 11346.1(a)(1), the State Board of Education (SBE) is providing notice of proposed emergency action with regards to the above-entitled emergency regulation.

## SUBMISSION OF COMMENTS

Government Code section 11346.1(a)(2) requires that, at least five working days prior to submission of the proposed emergency action to the Office of Administrative Law (OAL), the adopting agency provide a Notice of the Proposed Emergency Action to every person who has filed a request for notice of regulatory action with the agency. After submission of the proposed emergency to the OAL, the OAL shall allow interested persons five calendar days to submit comments on the proposed emergency regulations as set forth in Government Code section 11349.6.

Any interested person may present statements, arguments or contentions, in writing, submitted via U.S. mail, email or fax, relevant to the proposed emergency regulatory action. Written comments must be received at the OAL and the California Department of Education within five days after the SBE submits the emergency regulations to the OAL for review.

Please reference submitted comments as regarding “Physical Fitness Test” addressed to:

Reference Attorney

Office of Administrative Law

300 Capitol Mall, Suite 1250

Sacramento, CA 95814

Email: [staff@oal.ca.gov](mailto:staff@oal.ca.gov)

Fax: 916-323-6826

Lorie Adame, Regulations Coordinator

California Department of Education

1430 N Street, Suite 5319  
Sacramento, CA 95814  
Email: [regcomments@cde.ca.gov](mailto:regcomments@cde.ca.gov)

Fax: 916-322-2549

For the status of the action submitted by the SBE to the OAL for review, and the end of the five-day written comment period, please consult the web site of the OAL at [www.oal.ca.gov](http://www.oal.ca.gov/) under the heading “Emergency Regulations.”

11-01-21 [California Department of Education]