

## **Physical Education Exemption**

Effective July 1, 2007 and with his or her consent, if the pupil has scored within the Fitnessgram Healthy Fitness Zone on 5 of 6 testing items on the physical performance test administered in the 9th grade, the School Board may grant the pupil exemption from courses in physical education for two years any time during grades 10 to 12 inclusive. (EC §51241) This will start with the graduating class of 2011 (entering 9th grade in Fall 2007). If the pupil has not scored within the Fitnessgram Healthy Fitness Zone on the physical performance test, he or she must enroll in physical education courses in succeeding years and be administered the physical performance test each year until the student meets their passing requirement.

A. Students in the 10th grade that have not met their passing requirement shall be given the pretest early in the semester, at least one periodic assessment two months later and the official test at the end of the fall semester and shall continue to test the student at least each two months through the end of the spring semester.

B. Students in 11th and 12th grade that have not met their passing requirement could be given the re-administration of the physical performance test in a summer school elective physical education class before the start of their 11th or 12th grade year to earn their right to exempt themselves.

C. At the start of the 11th and 12th grade school year's students who have not met their passing requirement should be given the pretest in the beginning of the fall semester, at least one periodic assessment two months later and the official test at the end of the fall semester. If a student meets the passing requirement in the fall semester they have earned their exemption. They may be moved to another class other than physical education after the end of the fall semester.

D. All six components of the physical performance test should be administered, however, the student must only retake and pass the tests items the student has not passed previously.

E. Upon receiving the student's official Fitnessgram results, the school must place the results into the student's cumulative file.

F. Inability to score within the Fitnessgram Healthy Fitness Zone on the physical performance test does not alter the pupil's graduation status.

### **IV. STUDENTS WITH DISABLING CONDITIONS**

Each pupil with a physical disability and each pupil who is physically unable to take the entire physical performance test shall be administered as much of the test as his or her condition will permit (EC §60800). Modifications to the passing criteria must be developed by an appropriate team composed of persons with expertise in motor performance and disabling conditions. Consult with the Adapted Physical Education teacher for assistance.

#### **A. Students with Individualized Education Programs (IEP)**

1. The IEP team should consider the impact of a student's disability on their ability to take all items of the Fitnessgram. Modifications to the passing criteria should be noted in the Offer of FAPE (Free and Appropriate Public Education). The IEP team should include persons knowledgeable in the administration of the Fitnessgram.

2. The consideration of modifications must be based on the students' ability to perform given tasks as his or her condition will permit, not on their ability to pass.

3. The following persons are required at IEP team meetings:

a. One or both parents

b. An administrator or administrative designee

c. At least one special education teacher or special education provider of the student

d. At least one general education teacher of the student, if the student is or may be participating in general education.

e. A person knowledgeable about the assessment procedures used to assess the student, familiar with the results of the assessment and qualified to interpret the instructional implications of the results.

f. When appropriate, the following persons must also attend:

1. The student

2. Other individuals who have knowledge of special expertise concerning the student, including related services personnel, as appropriate.

3. A person who is knowledgeable about accommodations and modifications referenced in the Fitnessgram test administration REF-676.

B. Students with a disability under Section 504 of the Rehabilitation Act of 1973

1. The 504 team should consider the impact of a student's disability on their ability to take all items of the state mandated physical performance test (Fitnessgram). Modifications to the passing criteria should be noted in the offer of FAPE.

2. The consideration of modifications must be based on the students' ability to perform the task as his or her condition will permit, not on their ability to pass.

3. The 504 team members must be composed of:

a. persons knowledgeable about the student (e.g., the Section 504 designee, parent(s), the classroom teacher(s), physical education teachers, or perhaps adapted physical education teacher, school nurse, the student [if age appropriate], the counselor, and any other suitable personnel).

b. members must be knowledgeable about and able to interpret the evaluation information being drawn from a variety of sources.

c. team members must be knowledgeable about accommodations and modifications referenced in the Fitnessgram test administration

C. Students without an IEP or 504 but have a history of a disabling condition

1. Any individual (i.e., parent/guardian/school staff member) may request a SST meeting for a student by completing "The Request for Student Success Team Meeting" (See the school counseling office).

2. The Student Study Team should consider the impact of a student's condition on their ability to take all items of the state mandated physical performance test (Fitnessgram). Modifications to the passing criteria should be noted in the students SST Follow Up Form

3. The SST team members must be composed of:

a. persons knowledgeable about the student (e.g., parent(s), the classroom teacher(s), physical education teachers, or perhaps adapted physical education teacher, school nurse, the student [if age appropriate], the counselor, and any other suitable personnel).

b. members must be knowledgeable about and able to interpret the evaluation information being drawn from a variety of sources.

c. team members must be knowledgeable about accommodations and modifications referenced in the Fitnessgram test administration

4. If a student in 9th grade does not meet the passing requirement on the Fitnessgram assessment then they must be programmed directly into the appropriate physical education class in 10th grade, and be re-assessed in the physical performance test.

a. The student must be given the physical assessment during the testing window and at the end of the spring semester.

b. The student must be given a pre-test at the beginning of the semester, at least one periodic test mid-way through the semester and the re-assessment in the specified testing window and at the end of the spring semester.

c. The student should be given assessments in all six areas unless exempted by an IEP, 504, or SST. The student must pass the areas of the assessment that they did not pass the previous year to earn their right to exempt themselves from physical education in the remainder of the semesters.

#### D. Physical Education Exemption for Athletic Participation

A school board may 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 carried on wholly or partially after regular school hours. (EC §51242) During the off-season, athletes are to be enrolled in an advanced conditioning course for athletics that can and should include conditioning and training for the sport as well as the other content areas described in the California Education Code that is not included in their sport. The conditioning course is provided for pupils who have been enrolled on an athletic team and who are actively engaged in competition. This physical education course offered in conjunction with the athletic program that is offered during the school day satisfies the physical education course credit requirement for high school graduation.

#### E. Physical Education Exemption for Certain Pupils in Grade 12

The provisions of EC §51246 indicate that the School Board may exempt any pupil enrolled in his or her last semester or quarter, as the case may be, of the 12th grade who, pursuant to §46145 (minimum required courses per semester or quarter) and §46147 (exemption for certain 12th grade students to attend less than the minimum school day), 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. Additionally, the student must also have met the passing requirement on the state mandated physical performance test (Fitnessgram).

#### V. CRITERIA FOR QUALIFICATION FOR CONTENT AREA EXEMPTION WITHIN A PHYSICAL EDUCATION COURSE

Physical education is required to be offered to all students except those provided with temporary or permanent exemptions as identified above in section II. (EC §51210, EC §51220, EC §51222) However, on occasion, a secondary school will have a student who possesses exceptional talent or ability far beyond that of his or her peers. The talent or ability is being extended or perfected in an off-campus, non-school related environment under supervision of an authority competent to assist the student towards maximum achievement. In this rare circumstance, a principal may permit a student to be exempted from a physical education content area within a physical education course due to a student possessing exceptional talent or ability and who engages in a vigorous training regimen outside of the regular school day. However, a student may not be exempted from an entire physical education course because of an off-campus training program.

To be considered for a partial course exemption:

- A. The student must possess an exceptional talent or ability far beyond that possessed by his or her peers
- B. The talent or ability is being perfected or extended in an off-campus activity under the supervision of an authority competent to assist in the development of the talent or ability to the maximum
- C. The talent or ability shows evidence when perfected or extended of being categorized as noteworthy or singularly identified by the greater community.

#### VI. CLARIFICATION OF PARTIAL COURSE CREDIT TO MEET GRADUATION REQUIREMENTS

A principal who so identifies a student as participating during non-school time in such an activity which requires an intensive amount of practice may permit the student to use the off-campus activity to partially meet the general physical education course requirement for the content area of instruction in which the student is exceptionally talented. For example, the student who displays exceptional skill in gymnastics and who engages in off-campus gymnastics training after regular school hours may be excused only from the gymnastics portion of the physical education course, and must attend and complete the other content area components required of the course. This student must also meet the passing requirement for the state mandated physical performance test (Fitnessgram).

#### AUTHORITY: RELATED

The student fulfills the graduation requirement for physical education by attending and completing the other content area components required of the general physical education course with the understanding that credit has been earned in the exempted content area due to the exceptional talent demonstrated in that activity. The partial course exemption should not be the cause for any adverse marking practice for the course.

Exemption from a physical education course content area does not, however, permit the student to be exempted from engaging in a full instructional school day. (EC §51241.2d) Therefore, students who are exempted from a physical education course content area may not begin school after the regular starting time or leave school before the regular dismissal time. During this time, the student may remain enrolled

in the physical education course but does not engage in the physical education instruction. The student may be assigned service responsibilities or may be enrolled in an alternative course for no credit during this unit of instruction.

California Education Code Section 51210, 51220, 51222.