



CALIFORNIA  
DEPARTMENT OF  
EDUCATION

1430 N STREET  
SACRAMENTO, CA  
95814-5901

**JACK O'CONNELL**

State Superintendent of  
Public Instruction

PHONE: (916) 319-0800

February 21, 2007

Dear County and District Superintendents and Charter School Administrators:

### **STUDENT EXEMPTIONS FROM HIGH SCHOOL PHYSICAL EDUCATION COURSES**

The following will provide you with information about new requirements, effective July 1, 2007, related to the criteria for student exemptions from high school physical education courses.

#### **High School Physical Education Course Requirements and Exemptions**

All students are required, in order to be eligible to graduate from high school, to take two courses in physical education, unless the school district grants an exemption. (*Education Code [EC] Section 51225.3 [a][1][F]*) There are three types of exemptions: (1) temporary; (2) two-year; and (3) permanent exemptions. (*EC 51241 [a] – [c]*)

If a pupil meets the statutory criteria for any one of the exemptions, the district has the discretion to grant the requested exemption. The district may require additional criteria before granting an exemption.

Pursuant to Senate Bill 78, (Chapter 459, Statutes 2003), effective July 1, 2007, the two-year exemption is available to a student if the student "passes" the physical performance test. (*EC 51241 [b][1][e]*)

SB 78 makes no change to criteria for the temporary (*EC 51241 [a]*) or permanent (*EC 51241 [c]*) exemptions from the requirement for students to complete two courses in physical education in high school. Under current law, and as amended (effective July 1, 2007), as long as the student has met the statutory criteria for the exemption, the district, at its discretion, may grant the temporary or permanent exemption, even if the student has not yet "passed" the state's physical performance test.

#### **Physical Performance Test Designated by State Board of Education and Local Determination of Passing**

*EC 60800* requires each school district to administer to all students in grades five, seven, and nine the physical fitness test designated by the State Board of Education (SBE).

February 21, 2007  
Page 2

The test designated by the SBE is the FITNESSGRAM®, developed and owned by the Cooper Institute. The FITNESSGRAM® is a comprehensive, health-related physical fitness battery and its primary goal is to assist students in establishing lifetime habits of regular physical activity.

The FITNESSGRAM® provides information that can be used by students to assess and plan personal fitness programs; by teachers to design the curriculum for physical education programs; and by parents and guardians to understand their children's fitness levels.

The FITNESSGRAM® uses criterion-referenced standards to evaluate performance for each fitness area (e.g., body composition, abdominal strength, and endurance). The Cooper Institute established the standards using current research and expert opinions. These standards represent a level of fitness that offer some protection against the diseases associated with physical inactivity.

There is no designated "passing" score for the FITNESSGRAM®. The statutory change enacted by SB 78 does not define "passing." The Cooper Institute advises that the FITNESSGRAM® should not be used for evaluating individual students in physical education (e.g., grading or state standards testing). For more information please visit the Cooper Institute Web site at <http://www.cooperinst.org/FTGPosition.pdf>.

California Department of Education (CDE) staff are in communication with the Legislature to try to develop policy guidance for districts to ensure that students are involved in physical education courses and develop personal fitness programs and that the physical fitness test is administered and used in its intended manner.

Pending further legislative change, if any, the determination of "passage" of the physical fitness test, for the purposes of *EC 51241* is within the discretion of the local district.

If you have questions regarding the FITNESSGRAM® and the change in law pursuant to *EC 51241*, please contact Carrie Strong-Thompson, Education Programs Assistant, Standards and Assessment Division, at (916) 319-0341 or by e-mail at [pft@cde.ca.gov](mailto:pft@cde.ca.gov). The February 2007 PFT Notes about the physical performance test and the change in law effective July 1, 2007, will soon be available on the CDE Web site at <http://www.cde.ca.gov/ta/tg/pf/pftnotes.asp>.

Sincerely,



JACK O'CONNELL

JO:ab  
Attachment

## Exemptions

### Current Law (until June 30, 2007)

There are three types of exemptions from physical education courses that the District may grant (*Education Code* Section 51241):

- 1) Temporary: Pupils, who are either, ill or injured or, enrolled for one-half or less of the work normally required for full-time pupils, are eligible for a temporary exemption. (*Education Code* Section 51241 [a])
- 2) Two Year: A District may exempt a pupil for up to two years during grades ten to twelve, if the pupil consents. (*Education Code* Section 51241 [b])
- 3) Permanent: A pupil is eligible for a permanent exemption if he or she complies with any one of the following; (i) is 16 or older and has been enrolled in the tenth grade one academic year or longer; (ii) is enrolled as a postgraduate pupil; or (iii) is enrolled in certain types of programs (Juvenile home, ranch...) where pupils are scheduled for recreation and exercise pursuant to Section 434, and the Regulations. (*Education Code* Section 51241 [c])

### New Law (effective July 1, 2007)

- 1) Temporary: No change.
- 2) Two Year: The two year exemption is available if the pupil passed the physical performance test administered in the ninth grade. (*Education Code* Section 51241 [b]) Thereafter a pupil who passes the test in grades ten through twelve may be granted a two year exemption. (*Education Code* Section 51241 [d])
- 3) Permanent: No change.