**California Department of Education**

# Report to the Governor, the Legislature, and the Legislative Analyst’s Office: Program Monitoring of Physical Education



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**Educator Excellence and Equity Division**

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**California Department of Education**

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**Program Monitoring of Physical Education**

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## Executive Summary

This report is required by California *Education Code* (*EC*) Section 33352(c), which summarizes the data collected through compliance with the monitoring of physical education (PE) as described in California *EC* Section 33352(b). The report indicates the extent to which each school within the jurisdiction of a school district or county office of education aligns with the nine areas of compliance, as applicable, to the school.

For the 2022–23 school year, 22 local educational agencies (LEAs) received online and onsite monitoring. This monitoring resulted in 46 findings of noncompliance. Eleven LEAs remain in the process of demonstrating compliance.

You will find this report on the California Department of Education PE web page at <https://www.cde.ca.gov/ci/pl/physicaleducation.asp>.

If you need a copy of this report or have any questions, please contact Linda Wilkinson, Education Programs Consultant, Educator Excellence and Equity Division, at   
916-323-5847 or [plsmo@cde.ca.gov](mailto:plsmo@cde.ca.gov).

## Legislative Reporting Requirements

On October 14, 2007, Senate Bill 601 (Torlakson), which requires an annual report to the Governor and the Legislature summarizing data collected through categorical program monitoring, was chaptered and placed in California *EC*.

The annual report addresses compliance of the monitored schools in the following nine subsections for PE per *EC* Section 33352(b):

1. Provides instruction in PE for a total period of time of not less than 200 minutes each 10 school days to pupils in grades one to six, inclusive.
2. Provides instruction in PE for a total period of time of not less than 400 minutes every 10 school days to pupils in grades seven to twelve, inclusive.
3. Provides instruction in PE for a total period of time of not less than 200 minutes every 10 school days to pupils in an elementary school maintaining grades one to eight, inclusive.
4. Conducts physical fitness testing of pupils as required.
5. Includes the results of physical fitness testing of pupils in the School Accountability Report Card (SARC).
6. Offers pupils exempted from required attendance in PE courses a variety of elective PE courses of not less than 400 minutes every 10 school days.
7. Provides a course of study in PE to pupils in any of grades nine to twelve, inclusive, that includes a developmentally appropriate sequence of instruction, including the effects of physical activity upon dynamic health, the mechanics of body movement, aquatics, gymnastics and tumbling, individual and dual sports, rhythms and dance, team sports, and combatives.
8. Provides instruction in PE to pupils that provides equal opportunities for participation regardless of gender.
9. Provides instruction in PE to pupils in grades one to twelve, inclusive, by PE teachers who hold appropriate teaching credentials issued by the Commission on Teacher Credentialing (CTC).

## Physical Education Monitoring Instrument

The 2022–23 instrument used for monitoring compliance with PE requirements consisted of the following nine items:

**Item 01.** Provides instruction to pupils in grades one to six, inclusive, in PE for a total period of time of not less than 200 minutes every 10 school days exclusive of recesses and the lunch period.

**Item 02**. Provides instruction in PE for a total period of time of not less than 400 minutes every 10 school days to pupils in grades seven to twelve, inclusive.

**Item 03.** Provides instruction in PE for a total period of time of not less than 200 minutes every 10 school days to pupils in an elementary school maintaining grades one to eight, inclusive.

**Item 04.** Each pupil participates in the California Physical Fitness Performance Testing Program by administering the California Physical Fitness Test (FITNESSGRAM) in grades five, seven, and nine during the months of February, March, April, or May of each school year.

**Item 05.** LEAs are required to participate in the California Physical Fitness Performance Testing Program by administering and including the results of the FITNESSGRAM in the SARC.

**Item 06.** LEAs that maintain a high school and elect to exempt pupils from required attendance in PE have three distinct options: (1) Temporary Exemption, (2) Two-Year Exemption, or (3) Permanent Exemption. The Two-Year and the Permanent Exemptions from PE require the LEA to offer a variety of elective PE courses of not less than 400 minutes every 10 school days, taught by an appropriately credentialed teacher.

**Item 07.** LEAs that maintain a high school shall provide a course of study in PE to pupils in any of grades nine to twelve, inclusive, where instruction and evaluation of pupil progress is delivered in a developmentally appropriate sequence that includes the effects of physical activity upon dynamic health, the mechanics of body movement, aquatics, gymnastics and tumbling, individual and dual sports, rhythms and dance, team sports, and combatives.

**Item 08.** All PE classes shall be conducted in the coeducational, inclusive manner prescribed by law. LEAs must provide instruction in PE that provides equal access and equal opportunities for participation for all pupils in grades one to twelve, inclusive, regardless of gender or gender expression, sexual orientation, and mental or physical disability.

**Item 09.** LEAs must provide instruction in PE to pupils in grades one to twelve, inclusive, by PE teachers who hold appropriate teaching credentials issued by the CTC. Instructional aides, paraprofessionals, and volunteers may only assist the teacher.

## Comparison of Monitoring Items to Required Areas of Report

The following table identifies the PE monitoring item that addresses each of the nine areas required in statute.

### Table 1: Comparison of California *EC* Section 33352(b) to Physical Education Monitoring Items

| **Items Required by California *EC* Section33352(b)** | **PE Monitoring Instrument Items** |
| --- | --- |
| **Subsection (1)**  Provides instruction in PE for a total period of time of not less than 200 minutes every 10 school days to pupils in grades one to six, inclusive. | **Item 01**  Provides instruction to pupils in grades one to six, inclusive, in PE for a total period of time of not less than 200 minutes every 10 school days exclusive of recesses and the lunch period. |
| **Subsection (2)**  Provides instruction in PE for a total period of time of not less than 400 minutes every 10 school days to pupils in grades seven to twelve, inclusive. | **Item 02**  Provides instruction in PE for a total period of time of not less than 400 minutes every 10 school days to pupils in grades seven to twelve, inclusive. |
| **Subsection (3)**  Provides instruction in PE for a total period of time of not less than 200 minutes every 10 school days to pupils in an elementary school maintaining grades one to eight, inclusive. | **Item 03**  Provides instruction in PE for a total period of time of not less than 200 minutes every 10 school days to pupils in an elementary school maintaining grades one to eight, inclusive. |
| **Subsection (4)**  Conducts physical fitness testing of pupils as required. | **Item 04**  Each pupil participates in the California Physical Fitness Performance Testing Program by administering the FITNESSGRAM in grades five, seven, and nine during the months of February, March, April, or May of each school year. |
| **Subsection (5)**  Includes the results of physical fitness testing of pupils in the SARC. | **Item 05**  LEAs are required to participate in the California Physical Fitness Performance Testing Program by administering and including the results of the FITNESSGRAM in the SARC. |
| **Subsection (6)**  Offers pupils exempted from required attendance in PE courses a variety of elective PE courses of not less than 400 minutes every 10 school days. | **Item 06**  LEAs that maintain a high school and elect to exempt pupils from required attendance in PE have three distinct options: (1) Temporary Exemption, (2) Two-Year Exemption, or (3) Permanent Exemption. The Two-Year and Permanent Exemptions from PE require the LEA to offer a variety of elective PE courses of not less than 400 minutes every 10 school days taught by an appropriately credentialed teacher. |
| **Subsection (7)**  Provides a course of study in PE to pupils in any of grades nine to twelve, inclusive, that includes a developmentally appropriate sequence of instruction, including the effects of physical activity upon dynamic health, the mechanics of body movement, aquatics, gymnastics and tumbling, individual and dual sports, rhythms and dance, team sports, and combatives. | **Item 07**  LEAs that maintain a high school shall provide a course of study in PE to pupils in any of grades nine to twelve, inclusive, where instruction and evaluation of pupil progress is delivered in a developmentally appropriate sequence that includes the effects of physical activity upon dynamic health, the mechanics of body movement, aquatics, gymnastics and tumbling, individual and dual sports, rhythms and dance, team sports, and combatives. |
| **Subsection (8)**  Provides instruction in PE to pupils that provides equal opportunities for participation, regardless of gender. | **Item 08**  All PE classes shall be conducted in the coeducational, inclusive manner prescribed by law. LEAs must provide instruction in PE that provides equal access and equal opportunities for participation for all pupils in grades one to twelve, inclusive, regardless of gender or gender expression, sexual orientation, and mental or physical disability. |
| **Subsection (9)**  Provides instruction in PE to pupils in any of grades one to twelve, inclusive, by PE teachers who hold appropriate teaching credentials issued by the CTC. | **Item 09**  LEAs must provide instruction in PE to pupils in grades one to twelve, inclusive, by PE teachers who hold appropriate teaching credentials issued by the CTC. Instructional aides, paraprofessionals, and volunteers may only assist the teacher. |

### Table 2: LEA Summary of Findings for Physical Education 2022–23 Program Instrument Item

The number of findings for each PE instrument item and each school district monitored are indicated below in the table. The abbreviation “NM” is used to indicate instrument items not monitored at a school district.

| **LEA** | **No. of Schools** | **PE Item 01** | **PE Item 02** | **PE Item 03** | **PE Item 04** | **PE Item 05** | **PE Item 06** | **PE Item 07** | **PE Item 08** | **PE Item 09** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Klamath-Trinity Joint Unified  (12629010000000) | 2 | NM | 1 | 1 | 1 | 0 | 0 | 1 | 0 | 0 |
| Panama-Buena Vista Union  (15633620000000) | 3 | 0 | 0 | NM | 0 | 0 | NM | NM | 0 | 0 |
| Tehachapi Unified  (15638260000000) | 1 | NM | 0 | NM | 0 | 0 | NM | NM | 0 | 0 |
| Los Angeles Unified  (19647330000000) | 2 | NM | 1 | NM | 1 | 0 | 0 | 1 | 0 | 0 |
| Wilsona Elementary  (19651510000000) | 2 | 0 | NM | 0 | 0 | 0 | NM | NM | 0 | 1 |
| Merced Union High  (24657890000000) | 2 | NM | 1 | NM | 0 | 0 | 0 | 1 | 0 | 0 |
| Fullerton Joint Union High  (30665140000000) | 1 | NM | 1 | NM | 0 | 0 | 0 | 1 | 0 | 0 |
| Garden Grove Unified  (30665220000000) | 3 | 0 | 1 | NM | 0 | 0 | 0 | 1 | 0 | 0 |
| Tustin Unified  (30736430000000) | 3 | NM | 1 | 0 | 0 | 0 | 0 | 1 | 0 | 1 |
| Lake Elsinore Unified  (33751760000000) | 3 | 0 | 1 | NM | 0 | 0 | 0 | 1 | 0 | 0 |
| Sacramento City Unified  (34674390000000) | 3 | 1 | 1 | NM | 1 | 0 | 0 | 1 | 1 | 0 |
| San Juan Unified  (34674470000000) | 3 | NM | 1 | 0 | 0 | 0 | 0 | 1 | 1 | 0 |
| Vista Unified  (37684520000000) | 2 | NM | 0 | NM | 0 | 0 | 0 | 1 | 0 | 0 |
| Oceanside Unified  (37735690000000) | 2 | NM | 0 | NM | 0 | 0 | 1 | 0 | 0 | 0 |
| Franklin-McKinley  (43694500000000) | 2 | NM | 0 | 0 | 0 | 0 | NM | NM | 1 | 0 |
| Fall River Joint Unified  (45699890000000) | 2 | 0 | 1 | NM | 0 | 0 | 0 | 1 | 0 | 0 |
| Shasta Union High  (45701360000000) | 1 | NM | 1 | NM | 0 | 0 | 0 | 0 | 0 | 0 |
| Petaluma Joint Union High  (49708620000000) | 1 | NM | 1 | NM | 0 | 0 | 0 | 1 | 0 | 0 |
| Windsor Unified  (49753580000000) | 2 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 1 | 1 |
| Lindsay Unified  (54719930000000) | 2 | NM | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 |
| Oxnard Union High  (56725460000000) | 2 | NM | 1 | NM | 0 | 0 | 1 | 0 | 1 | 1 |
| Simi Valley Unified  (56726030000000) | 2 | 1 | 1 | NM | 0 | 0 | 0 | 1 | 0 | 0 |

## Monitoring During 2023–24

California Department of Education (CDE) staff assigned to 2023–24 PE compliance monitoring are scheduled to review 25 LEAs, including 18 elementary schools, two kindergarten through grade eight schools, one grade four through grade eight school, 10 intermediate schools, and 18 high schools—a total of 49 schools. At a minimum, one LEA per CDE compliance monitoring region has been selected through a combination of online, telemonitoring, and onsite PE compliance monitoring.

## Funding

The CDE does not receive designated state or federal funding to monitor or provide technical assistance for PE. While state and federal funding is not available to the CDE for providing PE support, LEAs may designate allocated funds toward PE resources that support the needs of students.

This report is available on the CDE PE web page at <https://www.cde.ca.gov/ci/pl/physicaleducation.asp>. If you need a copy of this report, please contact Linda Wilkinson, Education Programs Consultant, Educator Excellence and Equity Division, at 916-323-5847 or [plsmo@cde.ca.gov](file:///C:/Users/lwilkinson/Documents/Leg%20Report/plsmo@cde.ca.gov).