**California Department of Education**

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



**Prepared by:**

**Professional Learning Support Division**

**Instruction, Measurement, and Administration Branch**

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*Recipient*: The Governor, the Legislature, and the Legislative Analyst’s Office

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**California Department of 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 *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 2023–24 school year, 21 local educational agencies (LEAs) that included 45 school sites received online and on-site monitoring. This monitoring resulted in 25 findings of noncompliance. Three LEAs remain in the process of demonstrating compliance.

You can find this report at the California Department of Education (CDE) Physical Education 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, Professional Learning Support Division, at 916-323-5847 or 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 *Education Code* (*EC*).

The annual report addresses compliance of the monitored schools in the following nine subsections for physical education (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 2023–24 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 *Education Code* 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. |

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.

**Table 2: Local Educational Agency Summary of Findings for Physical Education 2023–24 Program Instrument Item**

| **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** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Santa Monica-Malibu Unified (19640000000) | 2 | NM | 1 | 0 | 1 | 0 | 0 | 0 | 1 | 1 |
| Compton Unified (19734370000000) | 3 | 0 | 0 | NM | 0 | 0 | 1 | 0 | 0 | 0 |
| Brentwood Union (07616550000000) | 2 | 1 | NM | NM | 0 | 0 | NM | NM | 0 | 0 |
| Bellflower Unified (19643030000000) | 2 | 0 | 1 | NM | 0 | 0 | 0 | 0 | 0 | 0 |
| Calipatria Unified (13631070000000) | 1 | NM | 0 | NM | 0 | 0 | 1 | 1 | 0 | 0 |
| Holtville Unified (13631490000000) | 2 | 0 | 0 | NM | 0 | 0 | 1 | 0 | 0 | 0 |
| Tahoe-Truckee Unified (31669440000000) | 2 | 0 | 1 | NM | 0 | 0 | 1 | 1 | 0 | 0 |
| Placer Union High (31668940000000) | 2 | NM | 0 | NM | 0 | 0 | 0 | 1 | 1 | 0 |
| Borrego Springs Unified (37679830000000) | 1 | 0 | NM | NM | 0 | 0 | NM | NM | 1 | 0 |
| Amador County Unified (03739810000000) | 3 | 0 | 1 | NM | 0 | 0 | 0 | 1 | 0 | 0 |
| Temecula Valley Unified (33751920000000) | 2 | 0 | 1 | NM | 0 | 0 | 0 | 0 | 0 | 0 |
| Monterey Peninsula Unified (27660920000000) | 3 | 0 | 1 | NM | 0 | 0 | 0 | 1 | 0 | 1 |
| Culver City Unified (19644440000000) | 2 | NM | 0 | NM | 0 | 0 | 0 | 1 | 0 | 0 |
| San Jacinto Unified (33672490000000) | 2 | NM | 0 | 0 | 0 | 0 | 1 | 1 | 0 | 0 |
| Round Valley Unified (23656070000000) | 1 | 0 | NM | NM | 0 | 0 | NM | NM | 0 | 0 |
| Anaheim Union High (30664310000000) | 2 | 0 | 0 | NM | 0 | 0 | 0 | 0 | 0 | 0 |
| Redlands Unified (36678430000000) | 3 | 0 | 0 | NM | 0 | 0 | NM | NM | 0 | 0 |
| La Mesa-Spring Valley (37681970000000) | 3 | 0 | NM | NM | 0 | 0 | NM | NM | 0 | 0 |
| Santa Maria-Bonita (42691200000000) | 3 | 0 | 0 | NM | 0 | 0 | NM | NM | 0 | 0 |
| Woodland Joint Unified (57727100000000) | 2 | 0 | NM | NM | 0 | 0 | NM | NM | 0 | 0 |
| Fresno Unified (10621660000000) | 2 | 0 | 0 | NM | 0 | 0 | 0 | 0 | 0 | 0 |

## Monitoring During 2024–25

The CDE staff assigned to 2024–25 PE compliance monitoring is scheduled to review 30 LEAs that include 29 elementary schools, 11 middle schools, and 17 high schools—a total of 57 school sites. At a minimum, one LEA per CDE compliance monitoring region has been selected through a combination of online, telemonitoring, and on-site 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 copy of this report, please contact the Professional Learning Support Division at 916-323-5847 or PLSMO@cde.ca.gov.