

# Policy and Guidance

Community Schools Guidance Letter #2012-4 Effective date: May 14, 2012 Updated September 29, 2012 Revised July 10, 2013

# **Physical Education Requirements for Community Schools**

# **Objective**

This document provides sponsors and community schools guidance regarding meeting the requirements of Ohio's physical education academic content standards and the physical education assessment portion of the report card.

### **Statutory Requirements**

Ohio Revised Code (ORC) Section 3302.032 Measure of student success in meeting physical education benchmarks and school compliance with related provisions

- (A) Not later than December 31, 2011, the state board of education shall establish a measure of the following:
  - 1) Student success in meeting the benchmarks contained in the physical education standards adopted under division (A)(3) of section 3301.079 of the Revised Code:
  - 2) Compliance with the requirements for local wellness policies prescribed by section 204 of the "Child Nutrition and WIC Reauthorization Act of 2004," 42 U.S.C. 1751 note;
  - 3) Whether a school district or building is complying with section <u>3313.674</u> of the Revised Code instead of operating under a waiver from the requirements of that section;
  - 4) Whether a school district or building is participating in the physical activity pilot program administered under section <u>3313.6016</u> of the Revised Code.
- B) The measure shall be included on the school district and building report cards issued under section <u>3302.03</u> of the Revised Code, beginning with the report cards issued for the 2012-2013 school year, but it shall not be a factor in the performance ratings issued under that section.

#### **Policy**

Ohio's physical education academic content standards are for all students in all schools. Every Ohio student, regardless of their learning or physical disability, or the school they attend, should have access to a challenging, standards-based physical education curriculum. No individual or group excluded from the opportunity to participate in physical education curriculum. The physical education standards define what all children, college- and career-bound, should know and be able to do as they progress through the grade levels.

## Guidance

Community schools are encouraged to meet the requirements of Ohio's physical education academic content standards for all of their students and required to report student success in meeting the benchmarks contained in the physical education standards adopted under division (A)(3) of section 3301.079 of the Revised Code per ORC section 3302.032 Measure of student success in meeting physical education benchmarks and school compliance with related provisions.

# **Physical Education Content Standards:**

8/15/2013 Expiration date: Ongoing

Six National Association for Sport and Physical Education (NASPE) standards were adopted by the State Board of Education in December 2007. These standards represent physical education content that all students should know and be able to do as they progress through a kindergarten through grade 12 program.

**Standard 1:** Demonstrates competency in motor skill and movement patterns needed to perform a variety of physical activities.

**Standard 2:** Demonstrates understanding of movement concepts, principles, strategies and tactics as they apply to the learning and performance of physical activities.

Standard 3: Participates regularly in physical activity.

Standard 4: Achieves and maintains a health-enhancing level of physical fitness.

**Standard 5:** Exhibits responsible personal and social behavior that respects self and others in physical activity settings.

**Standard 6:** Values physical activity for health, enjoyment, challenge, self-expression and/or social interaction.

# **Frequently Asked Questions**

1. Question: Are community schools exempt from the course of study requirements included in ORC 3313.60 Prescribed curriculum?

**Answer:** Community schools serving high school grades are required to include Physical Education as part of their course of study as well as report student success in meeting the benchmarks. Community schools serving students in grades K-8 are not required to include Physical Education as part of their course of study but are required to report student success in meeting the benchmarks contained in the physical education standards adopted under division (A)(3) of section 3301.079 of the Revised Code.

2. Question: Given community schools are exempt from the course of study requirements included in ORC 3313.60 Prescribed curriculum, how can a sponsor and community school ensure it is complying with the reporting requirements of ORC section 3302.032?

**Answer:** Sponsors should be aware of the reporting and course requirements for their sponsored schools. Community schools serving students in grades K-8 need to ensure they are complying with ORC section **3302.032** regarding the process and procedures for reporting student success in meeting the benchmarks contained in the physical education standards adopted under division (A)(3) of section <u>3301.079</u> of the Revised Code. This will help the teacher to establish times and appropriate activities in order to reliably assess all of their students' physical education performance in grades K-8. To access further information about the evaluation, please click <u>here</u>.

**3. Question:** What is the source for the physical education evaluation?

**Answer:** In June of 2010, SB 210 was signed into legislation which mandated ODE include report card indicators to measure Physical Education and Wellness. The report card indicators to measure the following four components:

- a. Physical Education Index
- b. Compliance with Local Wellness Policy
- c. Participation in Body Mass Index (BMI) Screening is optional. No need for state waiver
- d. Participation in Physical Activity Pilot program

Information about the report card indicator can be found in section 3302.032 of SB 210. SB 210 may be accessed <a href="http://codes.ohio.gov/orc/3302.032">here</a> and <a href="http://codes.ohio.gov/orc/3302.032">http://codes.ohio.gov/orc/3302.032</a>

**4. Question:** What are the graduation requirements for physical education in a community school?

**Answer:** Students who enter ninth grade for the first time on or after July 1, 2010 are required to earn ½ unit of physical education toward graduation per ORC sections 3313.61 and 3313.611 for completing the Ohio core curriculum prescribed in division (C) of section 3313.603 unless the person qualifies under division (D) or (F) of that section. Each school shall comply with the plan for awarding high school credit based on demonstration of subject area competency, adopted by the state board of education under division (J) of section 3313.603 of the Revised Code.

**5. Question:** What are the licensure requirements for a physical education teacher in a community school?

**Answer:** Sub HB 59 eliminated the licensure requirement that applied to physical education teachers in community schools. The requirement that each classroom teacher <u>initially hired by the school on or after July 1, 2013</u>, and employed to provide instruction in physical education hold a valid license issued pursuant to section 3319.22 of the Revised Code for teaching physical education." was deleted from Section 3314 (10) (b) of the Ohio Revised Code per HB 59.

**6. Question:** Who must be reported as highly qualified teachers under the NCLB definition?

**Answer:** Physical Educators do not qualify or required to meet HQT under NCLB. Teachers who teach in a core academic subject area must be reported. All core academic subject teachers who are assigned students in EMIS must have their HQT status reported in the October EMIS report. All core academic subject teachers must have their HQT status on file at the school.

**7. Question:** What are the core academic subjects?

**Answer:** Core academic subjects, as defined in Section 9101, include English, language arts, reading, science, mathematics, arts (includes music, visual arts, dance and drama), foreign language, government and civics, history, economics and geography.

#### 8. Question:

Must a Physical Educator physically see students complete some of the tasks for the physical benchmarks? For example, could we have a parent use a checklist and check off that they see their student complete such tasks as run, skip and hop?

**Answer:** As a Physical Educator (or the instructor of record) is required to assess and provide the information on the student's ability to complete the benchmark, the Physical Education teacher(or the instructor of record) is required to use a method to evaluate the student's performance, whether in person, through the use of video clips, Skype or brainstorming with the school's building level leadership team or sponsor representative to identify a method to document the student's performance so it can be evaluated. This will allow the Physical Educator (or the instructor of record) to collect data for reporting purposes.

9. Question: When do schools need to begin to evaluate students and collect data?

**Answer:** The start of the evaluation will begin in the fall of 2012. The data can be collected at the end of the grade band (K-2, 3-5, 6-8, and 9-12) or during the grade band. It is a local determination as to when to conduct the evaluation. If the evaluation is provided at more than one grade level, the data will need to be reported that academic year. You will not want to hold the data until the evaluation is complete. Test what you teach and report the data. That way, the data appears on the report card the year it was collected. The intent is to have the benchmarks evaluated and data available by the end of the grade band. Data is not required for each benchmark for each grade level in the grade band every year. Schools are encouraged to address as many standards as possible to most accurately reflect student success in meeting the benchmarks contained in the academic content standards.

Question: Is a community school, which serves students K-12 with profound cognitive and physical disabilities, required to report (SB 210) progress in meeting the benchmarks standards?
8/15/2013 Expiration date: Ongoing Page 3

**Answer:** Yes. The Ohio Revised Code <u>Sec. 3302.032</u> requires students with disabilities to participate in physical education and the PE Assessment process. Please see the support document posted to the evaluation webpage for adapted physical education. See

http://education.ohio.gov/GD/Templates/Pages/ODE/ODEDetail.aspx?Page=3&TopicRelationID=1793&Content=131451

Also, per the Federal Register (page 46764) 300.108 The State must ensure that public agencies in the State comply with the following:

- (a) General. Physical education services, specially designed if necessary, must be made available to every child with a disability receiving FAPE, unless the public agency enrolls children without disabilities and does not provide physical education to children without disabilities in the same grades.
- (b) Regular physical education. Each child with a disability must be afforded the opportunity to participate in the regular physical education program available to nondisabled children unless—
- (1) The child is enrolled full time in a separate facility; or
- (2) The child needs specially designed physical education, as prescribed in the child's IEP.
- (c) Special physical education. If specially designed physical education is prescribed in a child's IEP, the public agency responsible for the education of that child must provide the services directly or make arrangements for those services to be provided through other public or private programs.

8/15/2013 Expiration date: Ongoing