



**LOS ANGELES UNIFIED SCHOOL DISTRICT
POLICY BULLETIN**

TITLE: Elementary Physical Education Monitoring Procedures

NUMBER: MEM-6482

ISSUER: Gerardo Loera, Chief Academic Officer
Office of Curriculum, Instruction and School Support

Angel J. Barrett, Ed.D., Executive Director
Curriculum and Instruction

DATE: April 10, 2015

ROUTING
All Locations
Instructional
Superintendents
Instructional
Directors
Elementary
Principals
Elementary Teachers
Board Members

POLICY: Students in grades 1-6 are to receive 200 minutes of physical education for every 10 consecutive instructional days.

MAJOR CHANGES: This memorandum provides additional guidance to elementary schools to comply with the Cal200 and Marc Babin v. Los Angeles Unified School District et al. court settlement. Additional information is available in BUL-4656.3, Elementary Physical Education Programs.

BACKGROUND: In 2013, a group called Cal 200 and an individual by the name of Marc Babin filed a class action lawsuit against 37 school districts stating that districts were failing to provide the State mandated 200 minutes of physical education for every 10 school days. The LAUSD was one of the districts named in the lawsuit. As a result of a settlement reached in 2014 and approved by the court on March 20, 2015, LAUSD is under a court mandate to ensure all students receive the State-mandated 200 minutes of physical education for every 10 consecutive instructional days. The settlement agreement specifically delineates the documentation to be collected and maintained for three years. The settlement agreement also requires that a complaint form be available for parents who feel that their child is not receiving 200 minutes of physical education for every 10 consecutive instructional days.

GUIDELINES: I. Instructional Minutes

The California Education Code establishes instructional minutes for physical education instruction, which are intended to ensure that physical education is an integral part of the instructional program for all students.

- a. Kindergarten
Physical education is inclusive of the kindergarten day
- b. Grades 1-6
200 minutes each 10 consecutive instructional days



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- II. CAL 200 Settlement Agreement Requirements for self-contained classrooms in Grades 1-6
- a. At the beginning of each semester, the site administrator (or designee) shall obtain from each teacher in grades 1-6 a schedule showing the days, times and duration of scheduled physical education instruction.
 - b. The schedule has to be posted in each classroom or on the school website for the entire semester. In addition, the administrator (or designee) shall create a school site schedule that indicates the day and time of physical education instruction for each classroom for grades 1-6. This schedule shall be posted in the main office for the entire semester.
 - c. Reporting Forms – At the end of each month the classroom teacher must complete, sign and date Attachment A (Teacher’s Monthly PE Instruction Certification- Attachment A) and submit the completed form to the school site administrator (or designee). In the event there is a diversion from or change in the regular PE schedule, the teacher needs to complete Step 2 and identify and indicate when compensated time was or will be provided.
 - d. Monitoring
 1. Each month, the school site administrator (or designee) collect and review the Reporting Forms (Attachment A) and shall verify that all teachers who are required to sign the Reporting Forms have provided the required minutes of PE instruction.
 2. Each month the school site administrator (or designee) shall conduct unannounced visits to at least two classrooms during the time at which PE is scheduled in the particular classroom, and shall document the observation on Attachment B (Principal’s Report). If a teacher was found as being noncompliant, corrective measures taken to address any instances of non-compliance must be indicated in the Principal’s Report.
 3. By June 12, 2015, the school site administrator shall forward a copy of all signed reporting forms (Attachments A and B) to the ESC Superintendent or designee. Forms may be forwarded electronically via e-mail.
 4. A copy of all signed forms (Attachments A and B), electronic is acceptable, must be kept at the school site until June 30, 2018.
 5. By June 19, 2015, the ESC Superintendent shall complete and sign the **EDUCATIONAL SERVICE CENTER SUPERINTENDENT CERTIFICATION OF PHYSICAL EDUCATION MINUTES** (Attachment D) and forward to Dr. Janice Collins via e-mail at janice.collins@lausd.net. A copy of all forms shall be kept at the ESC until June 2018.
 6. By August 4, 2015, the Superintendent (or the Superintendent’s designee) shall provide a written report to the LAUSD Board of Education



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regarding the District's compliance with the Cal 200 Settlement Agreement. As soon as reasonably practicable, but not later than 21 days after Board review, the District shall file a copy of the Superintendent's report with the Court and serve a copy on each party to the Settlement Agreement.

- a. Procedures Regarding Parent(s) and Guardian(s)
 1. Annual Notice of Physical Education Requirement – California Education Code section 51210(g) requires that elementary students in grades 1 through 6 receive physical education instruction for a total period of time of not less than 200 minutes each 10 school days, exclusive of recesses and the lunch period. Annual notice will be provided to parents in the 2015-16 Parent/Student Handbook. Parents or guardians who have any questions regarding physical education minutes should first contact their child's teacher or principal.
 2. Physical Education Instructional Minutes Complaints - A parent or guardian who believes that his or her child is not receiving the required number of physical education instructional minutes may file a complaint. The complaint form (Attachment C) is available at the school site or can be found on the District physical education website at <http://achieve.lausd.net/Page/1240> and should be returned to the school's site administrator (or designee) in the main office. Any complaint not resolved at the school site should be discussed with the Instructional Director for the school.

AUTHORITY: This is a policy of the Superintendent of Schools and the Board of Education; Education Codes Sections: 44256, 45340 – 45349, 45350 – 45356, 45360 – 45367; and California Code of Regulations §80003 a.

RELATED RESOURCES:

- Physical Education Model Content Standards for California Public Schools – Kindergarten Through Grade Twelve, California Department of Education, 2005
- Physical Education Framework for California Public Schools, September 15, 2008
- BUL-4656.3, Elementary Physical Education Programs, OCISS
- Resources including sample lessons are available on the LAUSD Physical Education Website at <http://achieve.lausd.net/Page/5603>.

ASSISTANCE: For assistance or further information, please contact: Dr. Janice Collins, Coordinator, Office of Curriculum, Instruction, and School Support at (213) 241-5333 or via e-mail at janice.collins@lausd.net or Chad Fenwick, Advisor, K-12 Physical Education, at (213) 241-4556 or via e-mail at chad.fenwick@lausd.net.



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ATTACHMENT A

**Monthly PE Instruction Certification
(Not less than 200 minutes/10 schooldays excluding lunch/recess)**

Teacher: _____ Grade: _____ School _____
Reporting Period: From _____ To _____

SECTION 1

I provided students the minimum of 200 minutes of PE instruction for every 10 school days during the reporting period.

If you check this box, skip section 2 below and just sign and date the form.

SECTION 2

I was unable to provide the minimum of 200 minutes of PE instruction for every 10 school days during the reporting period.

If you check this box, complete the remaining items in this section 2.

The amount of PE minutes that I was not able to provide, and the dates I was unable to provide them are as follows:

Date: _____	Number of Scheduled PE Minutes Not Provided: _____
Date: _____	Number of Scheduled PE Minutes Not Provided: _____
Date: _____	Number of Scheduled PE Minutes Not Provided: _____
Date: _____	Number of Scheduled PE Minutes Not Provided: _____

Continue this list on the reverse side of this form if necessary.

I was unable to provide all PE minutes on the above date(s) because of:

- Assembly Field trip Parent conference
- Shortened day Weather Professional Development
- Other, please specify: _____

I made up the missed number of PE minutes on the following dates at the following times:

Date: _____	Time: _____	Minutes: _____
Date: _____	Time: _____	Minutes: _____
Date: _____	Time: _____	Minutes: _____
Date: _____	Time: _____	Minutes: _____

I will make up the missed number of PE minutes on the following dates at the following times:

Date: _____	Time: _____	Minutes: _____
Date: _____	Time: _____	Minutes: _____
Date: _____	Time: _____	Minutes: _____

SIGNATURE _____

DATE _____

ATTACHMENT B



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PE Minutes/Principal's Report

School _____

Month _____

Teacher Name	Grade	Spot Check Date	Compliant	Non -Compliant	Corrective Action

_____ Date

_____ Signature

Principal Reporting Form

Required by Cal200 v. San Francisco Unified School District

All Attachment A (Teacher Certification) and Attachment B (Principal Certification) forms must be retained by at the school site and at the local ESC until June 30, 2018. Electronic copies are acceptable.



**Physical Education
Instructional Minutes Complaint Form**

Any parent or guardian with concerns regarding the number of minutes of physical education provided to his or her child may complete the Physical Education Instructional Minutes Complaint Form and submit it to the school principal.

To the principal of _____

I wish to express a concern that my child _____ who is in the _____ Grade in Room _____ has not received 200 minutes of physical education instruction per 10 school days as required.

Date (s) of missed instruction:

From _____ To _____
From _____ To _____

Signed: _____ Date: _____

Please return this form to the school principal in the Main Office.



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Attachment D

TO: Dr. Janice Collins, Coordinator

Office of Curriculum, Instruction and School Support (OCISS)

FROM: _____, Superintendent Educational Service Center:

SUBJECT: EDUCATIONAL SERVICE CENTER SUPERINTENDENT CERTIFICATION OF PHYSICAL EDUCATION MINUTES

Return this certification to Dr. Collins via e-mail at janice.collins@lausd.net by **June 19, 2015. Maintain a copy of each teacher’s and each principal’s certifications at the ESC until June 30, 2018. Electronic copies are acceptable.**

The elementary schools in Educational Service Center _____ have met the required 200 minutes of physical education each 10 consecutive instructional days. Each teacher in grades 1-6 in every school in my ESC has submitted Attachment A for the months of March, April, May and June. Each principal of every school with grades 1-6 has submitted Attachment B for the months of March April, May and June. These records will be kept at the ESC until June 30, 2018.

OR

The schools in Educational Service Center _____ have **NOT** met the required 200 minutes of physical education each 10 consecutive instructional days. **A copy of Attachment A and Attachment B for each teacher and school that failed to meet the mandated 200 minutes is attached.** All records for all schools will be kept at the ESC until June 30, 2018.

_____ Date: _____

Educational Service Center Instructional Superintendent’s Signature