

January 12, 2011

MEMORANDUM

TO: MIDDLE SCHOOL PRINCIPALS

ATTN: MARILYN DOYLE
Associate Superintendent, Curriculum and Student Services

FROM: RUTH BRUS
Senior Administrator, Curriculum Services

SUBJECT: TECHNICAL ASSISTANCE FOR MIDDLE SCHOOL PHYSICAL
EDUCATION PROGRAMS AND WAIVERS

This memorandum serves to summarize information from the Florida Department of Education regarding requirements for middle school physical education programs and waivers. Original documents may be found on the following links:

http://www.flsenate.gov/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=physical+education&URL=CH1003/Sec455.HTM
and http://www.fldoe.org/BII/CSHP/Education/Physical_Ed/default.asp.

Section 1003.455, Florida Statutes, was enacted to require the equivalent of one class period per day of physical education for one semester of each year for students enrolled in grades six through eight.

The following questions and answers are provided for your information:

What are the allowable physical education waiver options?

Students are eligible to waive the physical education requirement if they meet any of the following criteria:

1. The student is enrolled or required to enroll in a remedial course.
2. The student's parent indicates in writing to the school that:
 - a. The parent requests that the student enroll in another course from among those offered as options by the school. These options may include any other available electives.

OR

- b. The student is participating in physical activities outside the school day (excluding school programs) which are equal to or in excess of the mandated requirement.

Will sixth grade students who attend a school with one or more elementary grades be required to receive the equivalent of one class period per day of physical education for one semester?

Yes. Starting with the 2009-2010 school year, all sixth grade students will follow this middle school mandate.

How is the use of the waiver documented on SMS? (*This is different from last year. There are no longer course codes for each grade level.*)

For students who are participating in physical education, the appropriate course number will be reported as well as the code of "N" on the data element "Physical Education Waiver." For students who are not participating in a physical education course because of a waiver, report the code of "Y" on the data element "Physical Education Waiver". The data element may be found on SMS at *Demographics > Federal Info Tab > Additional Student Information.*

Can participation in a school program be counted as the "physical activity outside the school day" for the waiver?

No. The student must be registered in an outside program at the time of the parent's waiver request in order to opt out of elementary physical education.

How often must each district notify parents of the options available to waive their child from the physical education requirements?

School districts must notify parents of the waiver options annually prior to scheduling the student to participate in physical education. It is at the discretion of the principal as to the method of distributing the information. Two suggested options are: inclusion in a school-wide newsletter and placement on the school Web site.

How often must students reapply for physical education waivers?

Proper documentation must be provided to the school each year that the student's parent is requesting to waive physical education. For example, parent notification provided during a student's sixth grade year will only waive the physical education requirement for that school year. A new request in writing from the student's parent is required for each additional year that a student is eligible and requests to waive physical education.

Are students allowed to use the physical education waiver at any time during the school year?

The student must use the physical education waiver at the time of enrollment or at class registration. A waiver may NOT be requested after the student's schedule has been completed.

Who is required to provide the one-on-one counseling written into the statute?

The legislation requires that one-on-one counseling is available to students concerning the benefits of physical education. This could be provided by any staff members designated by the principal.

May physical education be taught by someone other than a certified physical education teacher?

Yes. Any certified teacher, regardless of certification, may teach PE and will not be considered out-of-field. There are designated course codes for PE. Please contact Curriculum Projects (407-317-3200 x2999) for assistance. Additional questions about certification and out-of-field status should be directed to the district's certification department at 407-317-3221.

Is the district providing a resource to assist in meeting the new physical education requirement?

Yes. *PE Central* is provided as a resource:

<http://pecentral.org/lessonideas/pelessonplans.html>. It is not meant to replace any PE instructional plans that you already have in place, but to serve as an additional resource.

PE teachers may contact Ryan Clark; OCPS Physical Education, Health & Wellness Resource Teacher, at 407-317-3200 x2791 for additional assistance.

c: Deputy Superintendent
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