



**JACK O'CONNELL**  
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION

May 5, 2008

Dear County and District Superintendents and Charter School Administrators:

## **STUDENT EXEMPTIONS FROM HIGH SCHOOL PHYSICAL EDUCATION COURSES**

The following will provide you with information regarding new requirements related to student exemptions under Senate Bill 78 (Chapter 459, Statutes of 2003, effective July 1, 2007) and SB 601 (Chapter 720, Statutes of 2007, effective January 1, 2008).

SB 78 and SB 601 changed the criteria for one type of student exemption from physical education courses, the two-year exemption that districts may grant under California *Education Code (EC)* Section 51241(b)(1).

Other exemptions from high school physical education courses remain unaffected by SB 78 and SB 601. These include exemptions allowed under *EC* sections 51241(a) and 51241(c), 51222(a), 51242, and 51246.

### **New Two-Year Exemption Criteria**

Under *EC* Section 51241(b)(1), governing boards of a local school district or the office of the county superintendent of schools may grant a student an exemption from courses of physical education for two years any time during grades ten to twelve if the following criteria are met: (1) the student consents to the exemption; and (2) the student has met satisfactorily any five of six standards of the physical performance test administered in grade nine pursuant to *EC* Section 60800 (the FITNESSGRAM®). A student has satisfactorily met the standards of the FITNESSGRAM® if the student performs within the Healthy Fitness Zone (HFZ) on tests in five of the six areas.

The FITNESSGRAM® standards (HFZs) can be viewed on the Physical Fitness Test Web page at:  
<http://www.cde.ca.gov/ta/tg/pf/documents/healthfitzone08.pdf> [Note, the preceding Web address is no longer valid and has been replaced by <http://www.cde.ca.gov/ta/tg/pf/healthfitzones.asp> ]

### **What Happens If a Student Does Not Pass the FITNESSGRAM®?**

If a student in grade nine does not satisfactorily meet five of the six standards of the physical performance test, the student is not eligible for exemption from physical education courses under *EC* Section 51241(b)(1). Unless otherwise exempted, the student will need to take a physical education course in grade ten. If the student passes the FITNESSGRAM® in grade ten, the local governing board or county superintendent may exempt the student from physical education for two years, grades eleven and twelve. Pursuant to *EC* Section 51241(e), local districts may administer the FITNESSGRAM® to students in grades ten to twelve, inclusive, and students who pass the FITNESSGRAM® in any of grades ten to twelve, inclusive, are eligible for an exemption pursuant to *EC* Section 51241(b).

If the student does not pass the FITNESSGRAM® in grade ten or subsequent grades, the student may be eligible for exemption from courses of physical education under other sections of the *EC*. For example, *EC* Section 51241(c) allows a local governing board or county superintendent to grant a permanent exemption from courses in physical education if the student (1) is 16 years of age or older and has been enrolled in the tenth grade for one academic year or longer, (2) is enrolled as a postgraduate pupil, or (3) is enrolled in a juvenile home, ranch, camp, or forestry camp school where pupils are scheduled from recreation and exercise pursuant to the requirements of Section 4346, Title 15, *California Code of Regulations*.

### **Is Passing the FITNESSGRAM® a Requirement for High School Graduation?**

Passing the FITNESSGRAM is not a state high school graduation requirement. All students are required under *EC* Section 51225.3(a)(1)(F) to complete two years of physical education to be eligible to graduate from high school, unless the pupil has been exempted pursuant to the provisions of the *EC*. This graduation requirement is not affected by SB 78 and SB 601.

Answers to additional questions on exempting high school students from physical education courses can be found on the CDE Web page at <http://www.cde.ca.gov/ta/tg/pf/pftqanda.asp>.

If you have questions regarding statutory requirements for physical education, please contact Deborah Franklin, Education Program Consultant, Standards, Curriculum Framework and Instructional Resources Division, at 916-319-0442 or by e-mail at [dfrankli@cde.ca.gov](mailto:dfrankli@cde.ca.gov). If you have questions regarding the FITNESSGRAM and student exemptions from high school physical education courses, please contact ~~Carrie Strong-Thompson, Education Programs Assistant, Standards and Assessment Division, at 916-319-0344~~ Linda Hooper, Education Research and Evaluation Consultant, Statewide Assessment Division, by phone at 916-445-9449 or by e-mail at [pft@cde.ca.gov](mailto:pft@cde.ca.gov).

Sincerely,

Anthony Monreal, Deputy Superintendent  
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