



May 4, 2020 - CDE Physical Education FAQs re: Executive Order N-56-20M

Executive Order N-56-20 addresses minimum physical education instructional minutes, physical education course facilities, and the physical fitness performance test during the State of Emergency as a result of the threat of COVID-19.

The Executive Order can be found on the following web page:

<https://www.gov.ca.gov/wp-content/uploads/2020/04/EO-N-56-20-text.pdf>.

Specifically, the Executive Order related to physical education states:

11. The requirements specified in Education Code sections 51210(a)(7), 51220(d), 51222, and 51223, related to minimum instructional minutes in physical education for grades 1-12 are waived, and the requirements specified in Education Code section 51241(b)(2), related to providing adequate facilities for physical education courses, are waived.

12. Education Code section 60800, requiring each LEA maintaining any of grades 5, 7, and 9 to administer a physical fitness performance test to each student in those grades, and Education Code sections 33352(b)(4) and (5), requiring the California Department of Education to collect data regarding the administration of the physical fitness test, are waived for the 2019-20 school year.

Frequently Asked Questions:

1. **During Executive Order N-56-20 due to the coronavirus and shift to distance learning, which waives the minimum instructional minutes in physical education for grades 1-12, are local educational agencies (LEAs) able to provide a temporary or permanent exemption from physical education pursuant to California *Education Code (EC)* Section 51241 (b)(1)?**

EC Section 51241 (b)(1) provides the governing board of a school district or the office of the county superintendent of schools of a county, with the consent of a pupil, the authority to grant a pupil an exemption from courses in physical education for two years anytime during Grades 10 to 12, inclusive, if the pupil has met satisfactorily at least five of the six standards of the physical performance test administered in Grade 9 pursuant to Section 60800.

If an LEA was not able to administer the PFT in Grade 9 to a pupil in the 2019-20 school year, the pupil will not be eligible for a physical education exemption in the 2020-21 school year pursuant to *EC 51241 (b)(1)*.

Each governing board of a school district or the office of the county superintendent of schools of an LEA will need to determine what action(s), if any, to take regarding its policy for providing exemptions pursuant to *EC 51241 (b)(1)* for the 2020-21 school year.

2. During Executive Order N-56-20 due to the coronavirus and shift to distance learning, which waives the minimum instructional minutes in physical education for grades 1-12, are LEAs-still required to provide physical education (PE) instruction?

EC sections 51210(a)(7), 51220(d), 51222, and 51223, requiring minimum instructional minutes in PE for grades 1-12 are waived.

Although the minimum instructional minutes for PE have been waived, PE requirements have not changed. LEAs will still be required to provide PE-instruction and should provide distance learning options in alignment with local policy. Local policy will determine implementation of PE based on student need and access to resources. The California Department of Education Resources for Distance Learning Web page provides resources to assist LEAs in providing distance learning for PE.