

Resolution of the Physical Educators of Riverside Unified School District to the School Board of Education and the California Department of Education to rescind its request to waive the physical education requirements and fully implement and support senate Bill 601 and 602 in its entirety.

WHEREAS, California Education Code 51222 requires all pupils who are not otherwise exempt, to attend courses in physical education for a total period of time of not less than 400 minutes each 10 school days. The physical education content standards are taught by a teacher credentialed in physical education. Make satisfactory progress towards the state mandated California Fitness Gram as prescribed in California Education Code 60800; and

WHEREAS, On March 16th, 2009 the Board of Education of Riverside Unified School District supports the passage of Assembly Bill 223 and Assembly Bill 351 which would allow Riverside Unified School District to award physical education/graduation credit to students enrolled in Junior Reserve Officers Corps (JROTC), marching band, and drill team; and

WHEREAS, Senate Bill 601 and 602, became law in June 4, 2008 ensures the quality of instruction by highly qualified credentialed teachers, the appropriate accountability by such teachers and the satisfactory progress towards the state mandated California Fitness Gram as prescribed by Education Code 60800; and

WHEREAS, Junior Reserves Officers Corps (JROTC), is not a required course of study, nor is their curriculum supported or approved by the California Department of Education. Marching band, pep squad, and drill team are participatory in nature and as is JROTC an elective course of study; and

WHEREAS, neither the Junior Reserves Officers Corp, marching band, pep squad, and drill team, do not align with the California contents standards for instruction, nor are they taught by a teacher with a credential in physical education, which mandates the accountability of progress in the California Fitness Gram; and

WHEREAS, On April 13th, 2009 Under the general authority of Education Code 33050-33053, Riverside Unified School District (RUSD) requests authority over regular school-sponsored, non-athletic interscholastic programs which would allow the School Board to exempt students enrolled in Junior Reserve Officers Training Corps (JROTC), marching band, drill team, pep squad, and dance from attending courses of physical education; and

WHEREAS, Local school district governing boards have, in the past, had the authority to grant physical education credit for non-athletic interscholastic courses. Due to legislative changes, however, students are now required to take a regular physical education course in addition to participation in interscholastic non-athletic programs; and

WHEREAS, Education Code 51242 currently allows the governing board of a school district to exempt any high school pupil from attending courses of physical education, if the pupil is engaged in a regular school sponsored interscholastic athletic program carried on wholly or partially after regular school; and

WHEREAS, California Education Code 51242 is explicit in its language, the exemption is for students attending and engaged in a sponsored interscholastic athletic program, JROTC, marching band, pep squad and drill team are not a recognized interscholastic sport by the governing body of the California Interscholastic Federation Southern Section; and

WHEREAS, The secondary waiver request must meet all criteria, California State Board of Education Policy #99-03, all items are inclusive of #1 to 6. Riverside Unified School District cannot insure the validity of item number 2, the monitoring of student progress, item number 4, the curriculum aligns with the California Standards for Physical Education, item number 5, California Code of regulations, Title 5, Article 3.1, Section 10060, item number 6, students are prepared for and participate in the physical performance testing as specified in the Education Code; and

WHEREAS, The physical education teachers of the Riverside Unified School District believes, the health, physical fitness and education have become more important in the city and county of Riverside per the Health Assessment Resource Center (HARC) in its 2008 report attests to 47,441 children from 2-17 years of age in Eastern Riverside County are showing signs of illness linked to onset diabetes, and heart disease; and

NOW, THEREFORE, BE IT RESOLVED, that the physical education teachers of the Riverside Unified School District, request the Riverside Unified School Board of Education, rescind its waiver to the California Department of Education per Education code 33050-33053 of the physical education requirements which would allow JROTC, marching band, and drill team; and

BE IT FURTHER RESOLVED that the Riverside Unified School District Board of Education fully implement and support senate Bill 601 and 602 in its entirety. Recognize the value of highly qualified teachers credentialed in physical education, implementation of the California Standards for physical education and insure the validity of physical fitness testing in compliance with categorical program monitoring guidelines.

WE, the Physical Education teachers of the Riverside Unified School District,
Riverside, California sign on this day, 21st of April, 2009.

Augustine Vega
Physical Education Teacher,
Earhart Middle School

Steve Siefken
Physical Education Teacher,
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