

TO: Coordinators and Supervisors of Standards-Based Physical Education

FROM: Jason Semanoff, Director of Comprehensive Health and Physical Education JHS

DATE: August 01, 2024

SUBJECT: Student Participation in Standards-Based Physical Education Programs

Standards-Based Physical Education Requirements

Local education agencies (LEAs) must provide a [standards-based physical education program](#) for all students in grades PreK-8 each year that meet the requirements of the [State Framework](#). Additionally, LEAs must offer a standards-based physical education program for all students in grades 9-12, enabling them to meet graduation requirements and select electives that align with the State Framework and Maryland's College and Career Ready Standards.

Several amendments to the Code of Maryland Regulations (COMAR) [13A.04.13.01](#) became effective on July 12, 2021. LEAs may not:

- Authorize a student to substitute other activities for a standards-based physical education program for graduation credits, such as but not limited to interscholastic sports, community-based sports, physical therapy, Junior Reserve Officer Training Corps (JROTC), or marching band;
- Waive the standards-based physical education graduation requirement;
- Excuse students from standards-based physical education to participate in other content area classes or to complete classwork assignments in other content areas; or
- Withhold a student from the standards-based physical education program as punishment unless the student is also removed from the regular classroom setting as part of an in-school suspension or similar disciplinary intervention.

Students with Disabilities

COMAR 13A.04.13 requires LEAs to ensure [students with disabilities](#) are provided with [reasonable accommodations](#) and have an equal opportunity to participate to the fullest extent possible in the standards-based physical education program.

Furthermore, Education Article, §7-4B, Annotated Code of Maryland requires LEAs to promote and protect the inclusion of students with disabilities into standards-based physical education programs by:

- Measuring a student's present level of performance through an individualized assessment.
- Ensuring adapted, allied, or unified physical education is available and adequately funded.
- Providing evidence that indicates the interests and abilities of students with disabilities have been fully and effectively accommodated by the county board's implemented programs.

Individualized Action Plans (IAPs)

COMAR 13A.04.13 requires students who are temporarily unable to participate in the standards-based physical education program to have an Individualized Action Plan (IAP) and be provided with appropriate learning experiences aligned with the State Framework.

To develop the IAP, the physical education teacher should collaborate with the parent/guardian and, when appropriate, a healthcare provider to identify the skills the student can perform without modifications, the skills that should be modified, and the skills that should be avoided until fully recovered from the illness/injury. Modifications may include:

- simplifying the assignment;
- changing the equipment being used;
- altering the environment; and/or
- providing social/behavioral supports.

Students who need long-term modifications must have their present level of performance assessed by a qualified physical education/adapted physical education teacher to determine if additional supplementary aids and services are needed through the creation of a Section 504 Plan and/or IEP.

If I can be of further assistance, please contact me at jason.semanoff@maryland.gov.