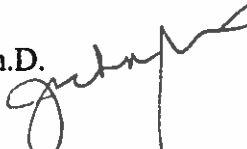




Jack R. Smith, Ph.D.
Interim State Superintendent of Schools

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TO: Members of the State Board of Education
FROM: Jack R. Smith, Ph.D. 
DATE: January 26, 2016
SUBJECT: Code of Maryland Regulations (COMAR) 13A.04.13 Program in Physical Education (AMEND)
PERMISSION TO PUBLISH

PURPOSE:

The purpose of this action is to request that the State Board grant permission to publish amended regulations that govern the Program in Physical Education (Attachment I). The amended regulation incorporates new standards and a 2014 Maryland legislative requirement.

REGULATION PROMULGATION PROCESS:

Under Maryland law, a state agency, such as the State Board, may propose a new or amended regulation whenever the circumstances arise to do so. After the State Board votes to propose such a regulation, the proposed regulation is sent to the AELR Committee for a 15-day review period. If the AELR Committee does not hold up the proposed regulation for further review, it is published in the Maryland Register for a 30-day public comment period. At the end of the comment period, MSDE staff reviews and summarizes the public comments. Thereafter, MSDE staff will present a recommendation to the State Board of Education to either: (1) adopt the regulation in the form it was proposed; or (2) revise the regulation and adopt it as final because suggested revision is not a substantive change; or (3) revise the regulation and re-propose it because the suggested revision is a substantive change. At any time during this process, the AELR Committee may stop the promulgation process and hold a hearing. Thereafter, it may recommend to the Governor that the regulation not be adopted as a final regulation or the AELR Committee may release the regulation for final adoption.

BACKGROUND/HISTORICAL PERSPECTIVE:

In October 2010, COMAR 13A.04.13, Program in Physical Education, was revised to include the six content standards in the Maryland State Curriculum.

In 2013, the national professional organization, The Society of Health and Physical Educators (SHAPE) America, published National Standards for K-12 physical education. SHAPE America's National Standards define what a student should know and be able to do as a result of a quality physical education program (Attachment II). The standards and outcomes are written in a manner that is measurable in order to facilitate the assessment and tracking of student progress. SHAPE standards focus on whether a physically literate individual:

- Has learned the skills necessary to participate in a variety of physical activities
- Knows the implications and the benefits of involvement in various types of physical activities
- Participates regularly in physical activity
- Is physically fit
- Values physical activity and its contributions to a healthful lifestyle.

Eleven states and fourteen local Maryland school systems use SHAPE America's National Standards to develop or revise existing frameworks and curricula. MSDE's physical education specialists have met with the physical education supervisors and coordinators around the state and they have overwhelmingly supported the change to SHAPE America's National Standards. The new standards have been shared with the Superintendents and Assistant Superintendents of Instruction.

By adopting these standards, Maryland students and teachers will be able to access numerous curriculum resources that have been developed by SHAPE. Maryland supervisors and teachers will collaborate to design grade level outcomes aligned to the Maryland College and Career Ready Standards.

In addition, House Bill 1366/Senate Bill 503 (Breanna's Law) from the 2014 Maryland Legislative Session requires that "Beginning in the 2015-2016 school year each county board shall provide, as part of the health or physical education curriculum, instruction in cardiopulmonary resuscitation that includes hands-only cardiopulmonary resuscitation and the use of an automated external defibrillator and the use of an automated external defibrillator in every public school." This requirement has been included in the proposed amended regulation.

EXECUTIVE SUMMARY:

MSDE's physical education specialists have surveyed the state's physical education supervisors and coordinators three times since the publication of the new standards in 2013, and they overwhelmingly supported the change to SHAPE America's National Standards:

- The physically literate individual demonstrates competency in a variety of motor skills and movement patterns.
- The physically literate individual applies knowledge of concepts, principles, strategies and tactics related to movement and performance.
- The physically literate individual demonstrates the knowledge and skills to achieve and maintain health-enhancing level of physical activity and fitness.
- The physically literate individual exhibits responsible personal and social behavior that respects self and others.
- The physically literate individual recognizes the value of physical activity for health, enjoyment, challenge, self-expression and/or social interaction.

At statewide briefings of physical education supervisors, workgroups have begun to revise the grade level outcomes, organizing them to align with the Maryland College and Career-Ready Standards. The regulation will become effective for the next school year.

ACTION:

I request permission to publish amendments to COMAR 13A.04.13 with the following TENTATIVE timeline:

Maryland Register Issue Date	March 18, 2016
Hearing	N/A
30-Day Open Comment Period	March 18 - April 18, 2016
Adoption	May 24, 2016

Italics = new language
[] = deleted language

Title 13A STATE BOARD OF EDUCATION

Subtitle 04 SPECIFIC SUBJECTS

Chapter 13 Program in Physical Education

Authority: Education Article, §§2-205(h) and 7-409, Annotated Code of Maryland

13A.04.13.01

.01 Physical Education Instructional Programs for Grades Prekindergarten—12.

A. Each local school system shall:

- (1) Provide in public schools an instructional program in physical education each year with sufficient frequency and duration to meet the requirements of the State curriculum for all students in grades prekindergarten—8; and
- (2) Offer in public schools a physical education program in grades 9—12 which enables students to meet graduation requirements and to select physical education electives.

B. Maryland Physical Education Program.

- (1) The physical education comprehensive instructional program shall provide a developmentally appropriate, instructional program that advances the student's knowledge, confidence, skills, and motivation to enjoy a lifetime of healthful physical activity.
- (2) The comprehensive instructional program shall provide for the diversity of student needs, abilities, and interests at the early, middle, and high school learning years, and shall include all of the following Maryland Physical Education Content Standards with related indicators and objectives as set forth in §C of this regulation.
- (3) *The instructional program shall provide instruction in cardiopulmonary resuscitation that includes hands-only cardiopulmonary resuscitation and the use of an automated external defibrillator if not otherwise offered in the comprehensive health education program.*

C. Maryland Physical Education Content Standards.

[(1) Skillfulness. Students will demonstrate the ability to enhance their performance of a variety of physical skills by developing fundamental movement skills, creating original skill combinations, combining skills effectively in skill themes, and applying skills.]

[(2) Biomechanical Principles. Students will demonstrate an ability to use the principles of biomechanics to generate and control force to improve their movement effectiveness and safety.]

[(3) Motor Learning Principles. Students will demonstrate the ability to use motor skill principles to learn and develop proficiency through frequent practice opportunities in which skills are repeatedly performed correctly in a variety of situations.]

[(4) Exercise Physiology. Students will demonstrate the ability to use scientific principles to design and participate in a regular, moderate to vigorous physical activity program that contributes to personal health and enhances cognitive and physical performance on a variety of academic, recreational, and life tasks.]

[(5) Physical Activity. Students will demonstrate the ability to use the principles of exercise physiology, social psychology, and biomechanics to design and adhere to a regular, personalized, purposeful program of physical activity consistent with their health, performance, and fitness goals in order to gain health and cognitive/academic benefits.]

[(6) Social Psychological Principles. Students will demonstrate the ability to use skills essential for developing self-efficacy, fostering a sense of community, and working effectively with others in physical activity settings.]

(1) The physically literate individual demonstrates competency in a variety of motor skills and movement patterns.

(2) The physically literate individual applies knowledge of concepts, principles, strategies and tactics related to movement and performance.

(3) The physically literate individual demonstrates the knowledge and skills to achieve and maintain a health-enhancing level of physical activity and fitness.

(4) The physically literate individual exhibits responsible personal and social behavior that respects self and others.

(5) The physically literate individual recognizes the value of physical activity for health, enjoyment, challenge, self-expression and/or social interaction.

D. Curriculum Documents. Consistent with Education Article, §§2-205(h) and 7-409, Annotated Code of Maryland, each local school system shall provide comprehensive physical education curriculum documents for the elementary and secondary schools under its jurisdiction that:

(1) Include the content standards set forth in §C of this regulation; and

(2) Align with the State Curriculum, as developed by the Maryland State Department of Education in collaboration with the local school systems.

E. The local school system shall develop guidelines and procedures for the support of qualified teachers. Each local school system shall establish planned and continuous programs as required to adequately train its teachers, administrators, supervisors, and personnel in order to update knowledge, instructional materials, and methodology in physical education.

F. Student Participation. Each student shall have the opportunity to participate in the comprehensive physical education program required by this chapter.

.02 Certification Procedures.

By September 2015 and each 5 years after that, each local superintendent of schools shall certify to the State Superintendent of Schools that the instructional programming within grades prekindergarten—12 meets, at a minimum, the requirements set forth in Regulation .01 of this chapter.

National Standards for K-12 Physical Education

THE GOAL

The goal of physical education is to develop physically literate individuals who have the knowledge, skills and confidence to enjoy a lifetime of healthful physical activity.

To pursue a lifetime of healthful physical activity, a physically literate individual:

- Has learned the skills necessary to participate in a variety of physical activities.
- Knows the implications and the benefits of involvement in various types of physical activities.
- Participates regularly in physical activity.
- Is physically fit.
- Values physical activity and its contributions to a healthful lifestyle.

THE STANDARDS

Standard 1. The physically literate individual demonstrates competency in a variety of motor skills and movement patterns.

Standard 2. The physically literate individual applies knowledge of concepts, principles, strategies and tactics related to movement and performance.

Standard 3. The physically literate individual demonstrates the knowledge and skills to achieve and maintain a health-enhancing level of physical activity and fitness.

Standard 4. The physically literate individual exhibits responsible personal and social behavior that respects self and others.

Standard 5. The physically literate individual recognizes the value of physical activity for health, enjoyment, challenge, self-expression and/or social interaction.

Source: *National Standards & Grade-Level Outcomes for K-12 Physical Education* (SHAPE America & Human Kinetics, 2014). Visit www.shapeamerica.org/standards/pe for more information.

THIS WAY!

The Road to a Lifetime of Physical Activity

