

Rule 38.12.1 Appendix

1. Adapted Physical Education

Refer to the students Individualized Education Program and allow parents to provide input into their child's involvement in activity based programs.

2. Approved Curriculum

- a. Instruction in physical education must be based on state standards for physical education as provided in the Mississippi Physical Education Framework.
- b. Instruction integrated by the regular classroom teacher may include the Health in Action web based lesson plan resource provided by the Mississippi Department of Education's Office of Healthy Schools.
- c. Instruction in physical education or activity based instruction by regular education teacher or licensed physical education teacher can be based on curriculum identified in the Supplemental Resource Providers List that is based on state standards.
- d. Instruction in health education must be based on state standards for health education as provided in the Mississippi Comprehensive Health Framework.

3. Class Size

a. Grades K-5

- i. It is recommended that in grades K-5 the student to teacher ratio for physical education shall not exceed 35 to 1. If there is a licensed teacher and a teacher assistant, it is recommended the maximum class size for physical education shall not exceed 70 students.

b. Grades 6-12

- i. It is recommended that in Grades 6-12 the maximum class size for physical education shall not exceed 40 students per licensed staff. If there is a licensed teacher and a teacher assistant, it is recommended the maximum class size should not exceed 80 students.
- ii. Class size should not apply to extracurricular activities such as band, JROTC, and show choir.
- iii. Mississippi Public School Accountability Standard 28 does not apply to Physical Education or Health Education. This standard applies to core academic subjects (English, Reading, Language Arts, Math, Science, Social Studies, Foreign Language, and the Arts) as defined by No Child Left Behind and Level Four and

Level Five schools meeting the highest two levels of performance are exempt from this standard.

1. Course Codes

- a. The following course codes should be used for instruction in physical education and health education:
 - i. 349902 Physical Education, Grades PK - 6
 - ii. 340111 Physical Education, Grades 7 – 8
 - iii. 340113 Physical Education, Grades 9 – 12
 - iv. 905143 Physical Education, Dual Credit
 - v. 349901 Health Education, Grades K-8
 - vi. 340131 Health Education, Grade 7
 - vii. 340132 Health Education, Grade 8
 - viii. 340133 Health Education Grades 9-12
 - ix. 340138 Distance Learning, Grades 9-12
 - x. 905133 Dual Credit 9-12
- b. Any instruction that meets the requirements of the Rules and Regulations for Physical Education or Health Education should be coded as such. This instruction also includes programs that are offered after school and meet the requirements for instruction in physical education.
- c. The dual credit physical education course code can only be used by those high schools that have a signed articulation agreement between the district and post-secondary institute using the template suggested by MDE. One high school Carnegie unit is equal to six college hours of credit.

2. Equipment

- a. The Suggested Equipment List is located on the MDE website. All teachers designated to provide instruction in physical education must have access to a computer.

3. Facility

- a. Minimum
Designated area for instruction- If this is an outside area, the area must be adequately maintained to ensure safety and facilitate participation by all students. Storage space must also be provided for equipment.
- b. Adequate
Indoor classroom, designated outside area, and storage space should be provided for equipment.
- c. Exemplary
Gym space is available for physical education classes. Storage space must also be provided for equipment.

4. Fitness Testing

Students must participate in fitness testing using the FITNESSGRAM®, ACTIVITYGRAM®, President's Challenge to Physical Fitness, or other comparable program. This assessment must be conducted in grade 5 and the grade in which the student will earn the ½ Carnegie unit requirement for graduation. The time required to conduct the fitness assessment would count toward the minutes required for minimum implementation for physical education.

5. School Health Councils

All schools must have established a school health council and the physical education and comprehensive health staff must serve on this council. Duties of this council must include, but not be limited to, conducting a needs assessment and making recommendations based on a coordinated approach to school health. The Office of Healthy Schools recommends the School Health Index as a resource/tool for each council to use for conducting this assessment.

6. Staff

- a. Physical education instruction in grades K-8 shall be provided by a licensed physical education teacher, regular classroom teacher, or other staff licensed by the Mississippi Department of Education.
- b. Physical education instruction in grades 9-12 shall be provided by a licensed physical education teacher.
- c. School districts are encouraged to develop ongoing relationships with Institutions of Higher Learning to allow students receiving degrees from an approved teacher preparation program an opportunity to assist with instruction in physical education programs.

7. Student Assessment

Staff shall use the suggested assessment as provided in the Mississippi Physical Education and Comprehensive Health Education Frameworks and in the Health in Action web-based resource.

8. Waivers/Exemptions

- b. In grades K-12 there shall be no exemptions from physical education except for a medical exemption provided by a physician. The following guidelines must be followed:
 - i. A physician must complete a Medical Release Form provided by the school.

- a) the school must keep the completed form on file.
- b. In grades 7-12 extracurricular activities sanctioned by the MHSAA and JROTC can be substituted for physical education if:
 - i. attendance is kept; and
 - ii. instruction is based on at least one competency from the Mississippi Physical Education Framework; and
 - iii. Staff licensed by Mississippi Department of Education supervises practices and games.
- c. In grades 9-12 successful completion of the first two JROTC courses can substitute for the required $\frac{1}{2}$ Carnegie unit in health education if:
 - i. instruction includes all of the health components included in the JROTC I and JROTC II curriculums; and,
 - ii. the JROTC teachers are licensed by the Mississippi Department of Education with the 499 endorsement code.

Source: *Miss. Code Ann. § 37-1-3 and §37-13-34 (Revised 09/2022)*