September 3, 2020

BULLETIN NO. 072-20 LEARNING AND TEACHING

TO: Educational Service District Superintendents
School District Superintendents
School District Business Managers
Elementary, Middle, Junior High, K–8 Principals

FROM: Chris Reykdal, Superintendent of Public Instruction

RE: Physical Education Requirement to Provide 100 Minutes Per Week in Grades 1–8
Temporary Suspension (Emergency Rule Change to WAC 392-410-135)

CONTACT: Ken Turner, Program Supervisor, Health and Physical Education
360-725-4977, ken.turner@k12.wa.us

PURPOSE
The Office of Superintendent of Public Instruction (OSPI) is making a temporary emergency rule change to WAC 392-410-135 (1) to remove the 100-minute weekly requirement of physical education that applies to grades 1–8. This temporary rule change took effect August 24, 2020 and is set to expire on December 24, 2020. Emergency rules are limited to four months; if needed, OSPI will seek a second emergency rule to continue the suspension of this section through this school year. The emergency rule will provide flexibility for school districts engaging in remote learning or hybrid schedules in Fall 2020.

BACKGROUND
This change does not remove the requirement for all students in grades 1–8 to receive instruction in physical education, per RCW 28A.230.040, unless excused from participation pursuant to RCW 28A.230.040. Physical education instruction is still required in grades 1–12. Physical education differs from physical activity; students should have equitable opportunities to participate in both. Recent data from Seattle-King County suggests that students of color have less access to physical education, physical activity, and sports than white students.

Physical education is part of basic education under Washington state law and is a requirement for high school graduation.
INFORMATION AND ASSISTANCE
For questions regarding this bulletin, please contact Ken Turner, Program Supervisor for Health and Physical Education, by email at ken.turner@k12.wa.us or call 360-725-4977. The OSPI TTY number is 360-664-3631.

This bulletin is also available on the Bulletins page of the OSPI website. The emergency rule change can be found at the OSPI Rulemaking Activity website.

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Deputy Superintendent
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Learning and Teaching

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