

**ARKANSAS DEPARTMENT OF EDUCATION  
PROPOSED RULES GOVERNING PHYSICAL EDUCATION COURSE CREDIT  
FOR ORGANIZED PHYSICAL ACTIVITY COURSES**

1.00 REGULATORY AUTHORITY

- 1.01 These regulations are enacted pursuant to Arkansas Code Annotated §§ 6-11-105, 25-15-204 and Act 660 of the 85<sup>th</sup> General Assembly.

2.00 DEFINITIONS

For purposes of these rules, the following terms shall mean:

- 2.01 “Content standards” means those curriculum course content standards identified and set out in the Department of Education Curriculum Frameworks.
- 2.02 “Curriculum frameworks” means those content-specific requirements identified and mandated pursuant to § 6-15-1501 et seq. and the Arkansas Standards of Accreditation.
- 2.03 “Declared school day and/or master schedule” means the official class schedule as required for students and staff in a specific Local Education Agency (LEA) location.
- 2.04 “Organized physical activity course” means a school course taught by an instructor that is licensed or qualified in physical education pursuant to the rules of the State Board of Education and is a course that involves body movement produced by skeletal muscles resulting in energy expenditures through organized group or class activities.
- 2.05 “Qualified physical education instructor” means a person licensed to teach secondary physical education by the Arkansas Department of Education or those persons who hold the appropriate licensure to teach a JROTC high school course as approved by the Arkansas Department of Workforce Education.
- 2.06 “Statement of assurance” means a written statement to be filed by the superintendent or chief academic officer by October 1 of each year with the Department of Education which ensures that the organized physical activity course is in compliance with the physical education course content standards and curriculum frameworks as required pursuant to § 6-15-1505 and the requirements of subdivision (b) (2).

### 3.00 ELIGIBILITY

- 3.01 Beginning in 2005-06 school year, a student in grades nine through twelve (9-12) who participates and completes a physical activity course shall be eligible to receive the one-half course credit for physical education required for graduation provided:
- a. The organized physical activity course is taught by a teacher currently employed by the school district who is licensed in physical education by the Arkansas Department of Education;
  - b. The organized physical activity course is aligned with the Department of Education's Physical Education course content standards and curriculum frameworks;
  - c. The superintendent of the school district or the chief administrative officer of the open enrollment charter school files a written statement of assurance with the Department of Education by October 1 of each school year certifying that the organized physical activity course meets all the requirements of law and this rule; and
  - d. The organized physical activity course shall take place during the declared school day or be listed on the school district's master schedule in order for the physical activity course to qualify for physical education credit.

### 4.00 GRADUATION CREDIT

- 4.01 A student is limited to only ½ unit of physical education credit for graduation for the organized physical activity course and cannot use this course for any other physical education credit toward graduation.
- 4.02 A student must complete the entire semester and must receive a passing grade for the physical activity course to receive ½ unit of physical education credit required for graduation.

### 5.00 MONITORING

- 5.01 The Department of Education is authorized to monitor, review documentation, request information, or require additional reports from public schools, school districts, open-enrollment charter schools, or school personnel in order to enforce compliance with this rule.

### 6.00 SANCTIONS

- 6.01 Any organized physical activity course allowed to be used by a student that does not meet the Department of Education's physical education course content standards and curriculum frameworks may result in that

school district or that open-enrollment charter school's being cited or placed in probationary violation of the Standards for Accreditation of

Arkansas Public Schools under the Quality Education Act of 2003, § 6-15-201 et seq.

- 6.02 Any superintendent or chief academic officer or any other certified personnel that knowingly provides false or misleading information in the statement of assurance required under this rule may have appropriate action taken on the license of that individual pursuant to § 6-17-410.