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MEMORANDUM

TO: District Curriculum Specialists

FROM: Chancellor Frances Haithcock

DATE: May 18, 2009

SUBJECT: Physical Education Waivers for 2009-2010 School Year

Contact Information:

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DPS: 2009-094

During the 2009 Legislative Session, language to revise Section 1003.455, Florida Statutes, to clarify non-application of Physical Education waivers to elementary school students was not acted upon. Therefore, the physical education waivers listed in this statute will apply to both elementary and middle school students beginning with the 2009-2010 school year.

Students in grades K-8 are eligible to waive the physical education requirement if they meet any of the following criteria:

- The student is enrolled or required to enroll in a remedial course.
- The student's parent indicates in writing to the school that:
 1. The parent requests that the student enroll in another course from among those courses offered as options by the school district; or
 2. The student is participating in physical activities outside the school day which are equal to or in excess of the mandated requirement.

School districts are required to notify the student's parent of the options available before scheduling the student to participate in physical education. The legislation does not require this to be a stand-alone notification. It is a district decision as to how to notify parents prior to scheduling the student for physical education. It could be included in a school-wide newsletter, placed on the school and/or school district's Web site, etc. A sample parent notification letter is included with this memorandum.

DR. FRANCES HAITHCOCK
CHANCELLOR OF PUBLIC SCHOOLS

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School districts are not required to add additional course offerings if they are requested by a parent whose child is eligible for a physical education waiver. The legislation only requires a student to be enrolled in another course from among those courses already offered as options by the school district.

In order to document the physical education requirement, a student should have either a course code number for a physical education course OR a waiver number indicating that the student is eligible for a physical education waiver for that school year. Please note that proper documentation must be provided each year that the student's parent is requesting to waive physical education. For example, parent notification provided during a student's third grade year will only waive the physical education requirement for that school year. A new request in writing from the student's parent is required for each additional year that a student is eligible and requests to waive physical education. The proposed physical education waiver numbers for students in grades K-8 (**which are pending approval by the State Board of Education**) are listed below.

GRADE	WAIVER NUMBER
Kindergarten	5015025
First	5015035
Second	5015045
Third	5015055
Fourth	5015065
Fifth	5015075
Sixth	1508001
Seventh	1508002
Eighth	1508003

CH/nw

Attachment