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TO: Members of the State Board of Education

FROM: Nancy S. Grasmick *Nancy*

DATE: July 20, 2010

SUBJECT: COMAR 13A.04.13 and COMAR 13A.04.18 (Repeal and New)  
Specific Subjects: Physical Education and Comprehensive Health  
Education  
**Permission to Publish**

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**PURPOSE:**

The purpose of this item is to seek permission to publish the COMAR regulations applying to the specific subjects of Physical Education and Comprehensive Health Education.

**HISTORICAL BACKGROUND:**

The Division of Instruction, working collaboratively with educators from across the state, has developed the State Curriculum for physical education and health education for prekindergarten through grade eight and the mandatory high school course. The documents, accepted by the State Board and currently in use in districts across the State, are formatted to contain content standards, indicators and objectives. The existing COMAR requirements for instructional programs state that programs must include certain goals and sub goals which is inconsistent with the documents in use across the state. The new COMAR regulations are designed to be consistent with the State Curriculum.

COMAR guidance for health education has been developed over time with amendments for various health related issues. The revised document attempts to incorporate all the critical issues in a more streamlined format consistent with other curricular areas while attending to the unique requirements for this content.



**EXECUTIVE SUMMARY:**

The proposed language changes to COMAR 13A.04.13 and COMAR 13A.04.18 were shared with representative superintendents during the month of May, with the assistant superintendents at their May 21, 2010 meeting and with local supervisors of health and physical education during their spring briefings for comment and input. The attached documents reflect the thoughtful input from these various constituents.

**ACTION:**

I am recommending that the State Board grant permission to publish these proposed changes to regulations.

NSG: dls

Attachment 1 – Draft Physical Education COMAR 13A.04.13

Attachment 2 – Draft Comprehensive Health Education COMAR 13A.04.18

# 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**

#### **.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. 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. 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.

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.

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.

**Title 13A STATE BOARD OF EDUCATION**  
**Subtitle 04 SPECIFIC SUBJECTS**  
**Chapter 18 Program in Comprehensive Health Education**  
**Authority: Education Article, §2-205(h), 7-401, 7-410, 7-411, 7-411.1, and 7-413,**  
**Annotated Code of Maryland**

**.01 Comprehensive Health Education Instructional Programs for Grades Prekindergarten--12.**

A. Each local school system shall:

- (1) Provide in public schools an instructional program in comprehensive health 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 comprehensive health education program in grades 9-12 which enables students to meet graduation requirements and to select health education electives.
- (3) Provide access to the curriculum for non-diploma bound students.

B. Maryland Comprehensive Health Education Program. The comprehensive instructional program shall help students adopt and maintain healthy behaviors and contribute directly to a student's ability to successfully practice behaviors that protect and promote health and avoid or reduce health risks. The 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 the Maryland Health Education Content Standards with related indicators and objectives as set forth in §§ C-I of this regulation.

C. Mental and Emotional Health. Students will demonstrate the ability to use mental and emotional health knowledge, skills, and strategies to enhance wellness.

D. Alcohol, Tobacco, and other Drugs. Students will demonstrate the ability to use drug knowledge, decision-making skills, and health enhancing strategies to address, the non-use, use, and abuse of medications, alcohol, tobacco, and other drugs.

E. Personal and Consumer Health. Students will demonstrate the ability to use consumer knowledge, skills, and strategies to develop sound personal health practices involving the use of health care products, services, and community resources.

F. Family Life and Human Sexuality. Students will demonstrate the ability to use human development knowledge, social skills, and health enhancing strategies to promote positive relationships and healthy growth and development throughout the lifecycle.

- (1) The local school system shall establish a joint committee of educators and representatives of the community for the purpose of reviewing and commenting on instructional material to be submitted to the superintendent for consideration when recommending instructional material to be approved by the local Board of Education.
- (2) The material being presented will be in identifiable unit(s) within the total health education program. This instruction shall be introduced as shortly in advance of puberty as is practical. The specific timing is a matter of local option, but direct teaching of the indicators and objectives will begin in or prior to the fifth grade.
- (3) Written notification is made to parents/guardians announcing this unit of study.
- (4) Students may be excused from this unit of the program upon written request from their parent/guardian. For students excused, the local school shall provide appropriate learning activities in health education. When practical, curricular materials may be made available for home instruction use by parent/guardian of students excused from the Family Life and Human Sexuality instructional unit. The local school shall make arrangements to permit those girls not participating in this unit of the program to receive instruction concerning menstruation.

- (5) The school shall provide special opportunities for parents/guardians to view all instructional materials to be used in the program before the materials are used in the classroom;
- (6) Each local school system shall publish at regular intervals a list of its approved instructional materials.
- (7) When teaching a unit in Family Life and Human Sexuality, in addition to general teacher preparation, teachers are required to have additional preparation in content and teaching methods of such depth and duration as to be appropriate for the material taught. The additional preparation may be provided by college courses, local in-service programs, and/or State workshops.

G. Safety and Injury Prevention. Students will demonstrate the ability to apply prevention and intervention knowledge, skills, and processes to promote safe living in the home, school, and community.

H. Nutrition and fitness. Students will demonstrate the ability to use nutrition and fitness knowledge, skills, and strategies to promote a healthy lifestyle.

I. Disease Prevention and Control. Students will demonstrate the ability to apply prevention and treatment knowledge, skills, and strategies to reduce susceptibility and manage disease.

- (1) Students may be excused from the HIV/AIDS instructional unit upon written request from their parent/guardian. For students excused, the local school shall provide appropriate learning activities in health education. When practical, curricular materials may be made available for home instruction use by parent/guardian of students excused from the HIV/AIDS instructional unit.
- (2) Local school systems shall provide annual instruction in AIDS to all students at least once in grades 3 to 5, 6 to 8, and 9 to 12.
- (3) The local board of education shall determine the three grades between 3 and 12 at which all students are to receive instruction.
- (4) School staff selected to teach HIV/AIDS prevention in the classroom shall receive in-service education before initiating instruction and annually after that.
- (5) Personnel employed by the local school system shall be provided annually with information or an awareness program about HIV/AIDS and its prevention.

J. Curriculum Documents. Consistent with Education Article §2-205(h), 7-401, 7-410, 7-411, 7-411.1, and 7-413, Annotated Code of Maryland, each local school system shall provide comprehensive health education curriculum documents for the elementary and secondary schools under its jurisdiction that:

- (1) Include the content standards set forth in § C-I of this regulation; and
- (2) Are aligned with the State Curriculum, as developed by the Maryland State Department of Education in collaboration with the local school systems.

K. The local school system shall develop guidelines and procedures for the selection of qualified teachers, and because the teacher is a vital factor in the program, qualifications such as the following shall be considered:

- (1) Health Education certification
- (2) Appropriate specialized training

L. 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 personnel (teachers, administrators, and supervisors) in order to update knowledge, instructional materials, and methodology in health education.

M. Student Participation. Each student shall have the opportunity to participate in the comprehensive health 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.