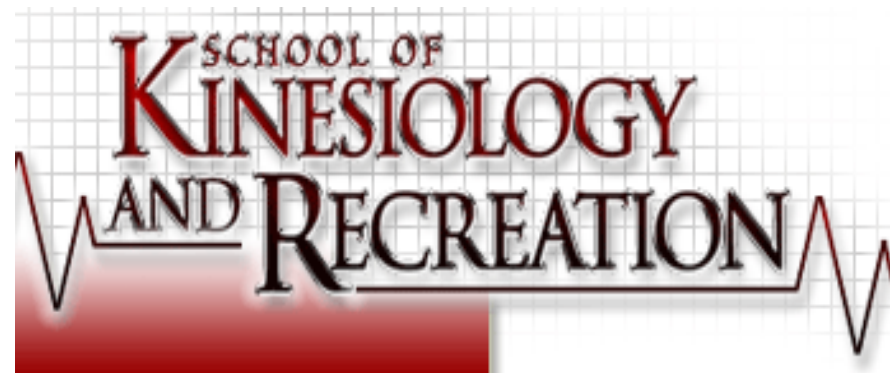


The Physical Education Waiver Process

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Physical Education

- “Expanding physical education programs in schools, in the form in which they currently exist, may be an effective intervention for combating obesity in the early years, especially among girls.”

Datar A ; Sturm R. Physical education in elementary school and body mass index: evidence from the early childhood longitudinal study. Source: *Am J Public Health (American journal of public health.)* 2004 Sep; 94(9): 1501-6.

Benefits

- “Regular physical activity has additional health benefits, including improvements in aerobic endurance and muscular strength, reduction of risk factors for cardiovascular and other chronic diseases, increases in bone mass density, higher levels of self-esteem and self-concept, and lower levels of anxiety and stress.”

[CDC. Guidelines for school and community programs to promote lifelong physical activity among young people. MMWR 1997;46\(No. RR-6\).](#)

Schools have been recognized as a key setting for increasing participation in physical activity among students.



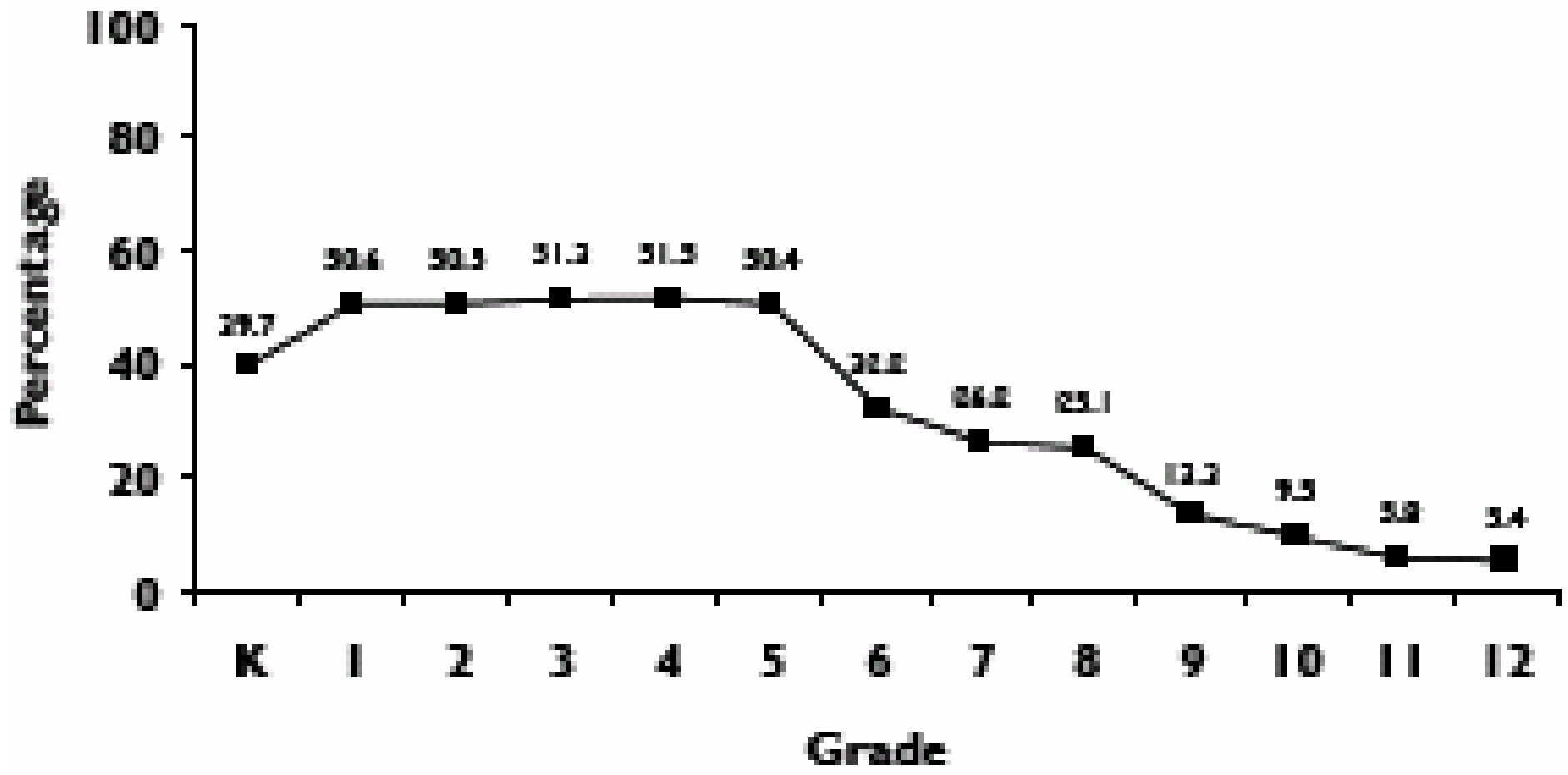
– CDC MWR Weekly. Sept. 17, 2004; 53(36), 844-847

National Picture

- Provide daily physical education during the school year.
 - 8% of elementary schools,
 - 6.4% of middle/junior high schools,
 - 5.8% of senior high schools

Burgeson CR, Wechsler H, Brener ND, et al.
Physical education and activity: results from the
school health policies and programs study 2000. J
Sch Health. 2001;71(7):279- 293.

Percentage of Schools that Require Physical Education, by Grade



Physical Education

Old School

- Focus on team sports and elimination games (dodge ball, etc.)
- Catered to athletically gifted
- “Coached”
- Exercise as punishment



Physical Education

New PE

- Lifetime physical activity
- Self-confidence and self-competence
- Inclusive and individualized
- Exercise as a reward
- Both **cognitive** and **physical** education



Public Willing To Pay Higher Taxes, Support More Physical Education, and Ban Unhealthy Vending Machines In Schools To Fight Obesity in Children

- 76% of those surveyed would support measures to reduce childhood obesity even if it means higher taxes.
- 66% of Americans believe schools should play a major role in helping to fight the obesity problem.
- 91% said there should be more physical education in school.

Harvard Forums on Health June 11th, 2003

PE in Illinois

- Shortly after World War II, the Illinois Legislature enacted a law mandating daily physical education for all K-12 public school students.

PE in Illinois

- This mandate was deemed necessary because of the high number of citizens who were unfit and unable to defend the country during WWII.



PE in Illinois

- Currently, Illinois is the only state to have a mandate for K-12 daily physical education.
- Several other states (TX, FL, CA, NY, AR) are considering legislation for PE.

PE in Illinois

There are several exemptions to the mandate for daily K-12 physical education:

- Athletics
 - (Jr and Sr in Varsity Sport)
- Marching Band
- Cheerleading????
- Health Education
- ROTC
- “When credits are deficient for graduation”

PE in Illinois

- Additionally, legislation was passed in (1995) allowing school districts to apply for waivers to the mandate.

The Waiver Process

Critical Oversight
or
Rubberstamp?

The Waiver Process

These are the steps that, by law, should be taken to obtain a waiver:

- School district petitions State Board of Education for a waiver to PE mandate.
- School district must demonstrate that it can address the intent of the mandate in a **more effective, efficient, or economical manner** or when necessary to stimulate innovation or improve student performance.

The Waiver Process

- Approved by local school board following a public hearing which must allow for testimony from educators, parents, and students.
- Hearing must be preceded by at least one published notice occurring at least 7 days prior to the hearing in a newspaper of general circulation within the school district that sets forth the time, date, place, and general subject matter of the hearing.

The Waiver Process

- School district must notify in writing the affected collective bargaining agent of their intent.
- The application must be submitted to ISBE within 15 days after approval by the school board.

The Waiver Process

- ISBE has 45 days to review the application.
- If the ISBE fails to disapprove the application within this time frame, it is deemed to be granted.
- ISBE can approve “modifications” to the mandate, such as when block scheduling is used instead of daily PE.

The Waiver Process

- ISBE files a report to the State Assembly outlining the waivers requested by October 1 and May 1 of each year.
- The General Assembly must disapprove the report within 30 days.
- If the GA fails to disapprove, or fails to act on the report, the waivers shall be deemed granted.

The Waiver Process

- The GA must consider waiver requests that eliminate PE for any length of time, or for any students.
- An approved waiver may remain in effect for a period not to exceed 5 years and may be renewed upon application by the school district.

The Waiver Process

Reality

- Very few denied
- No accountability
- No remediation
- Increasingly ignored
- Children are being neglected

Summary of Applications for Waivers and Modifications

Volume 19 – Fall 2004

Topic	Approved	Denied by SBE	Transmitted to GA	Withdrawn or Returned
PE	4	0	10	3

All 14 waiver requests were approved either by the ISBE or by inaction of the State Assembly

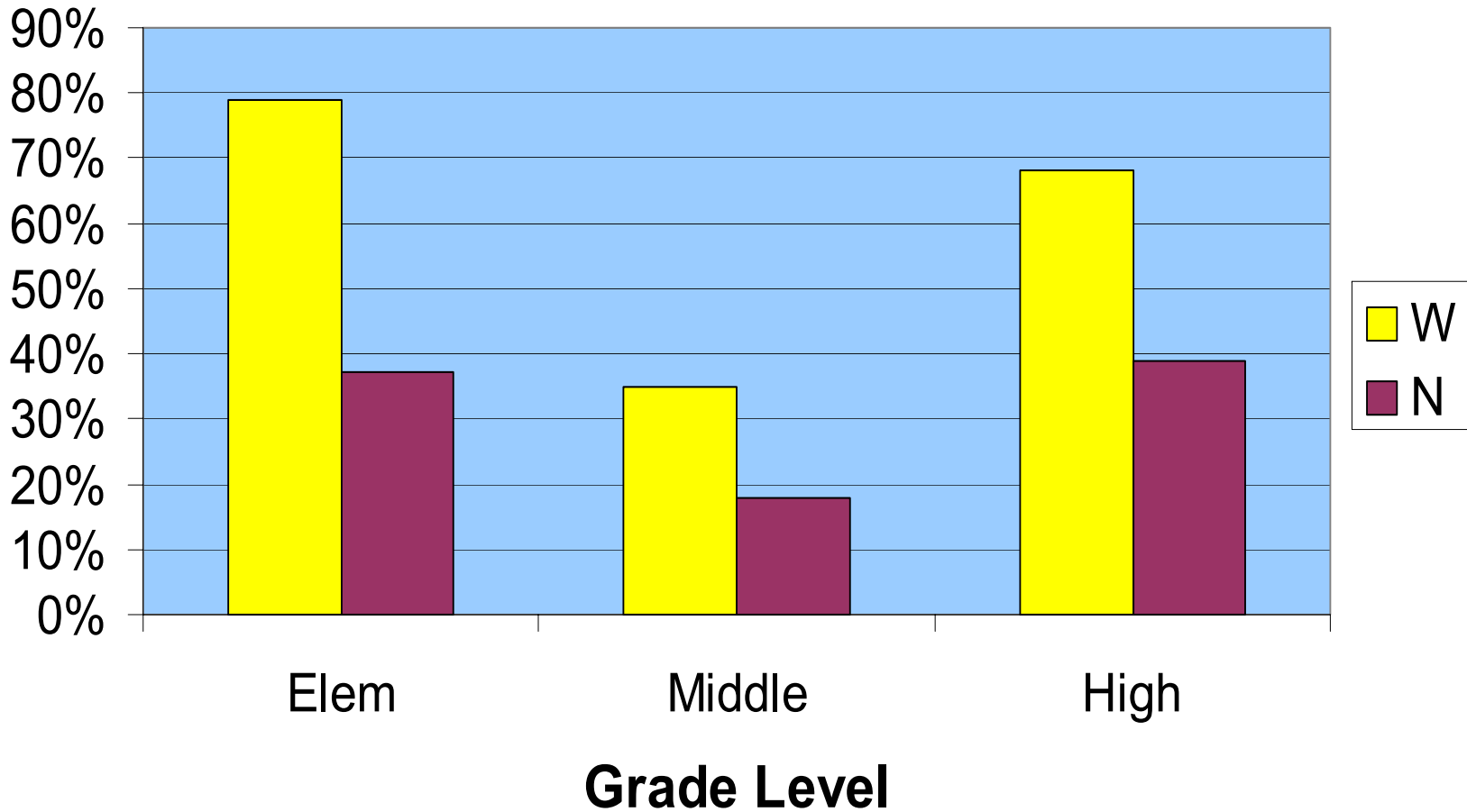
Waiver Study

- Only one study conducted on the implementation of waivers in Illinois schools.

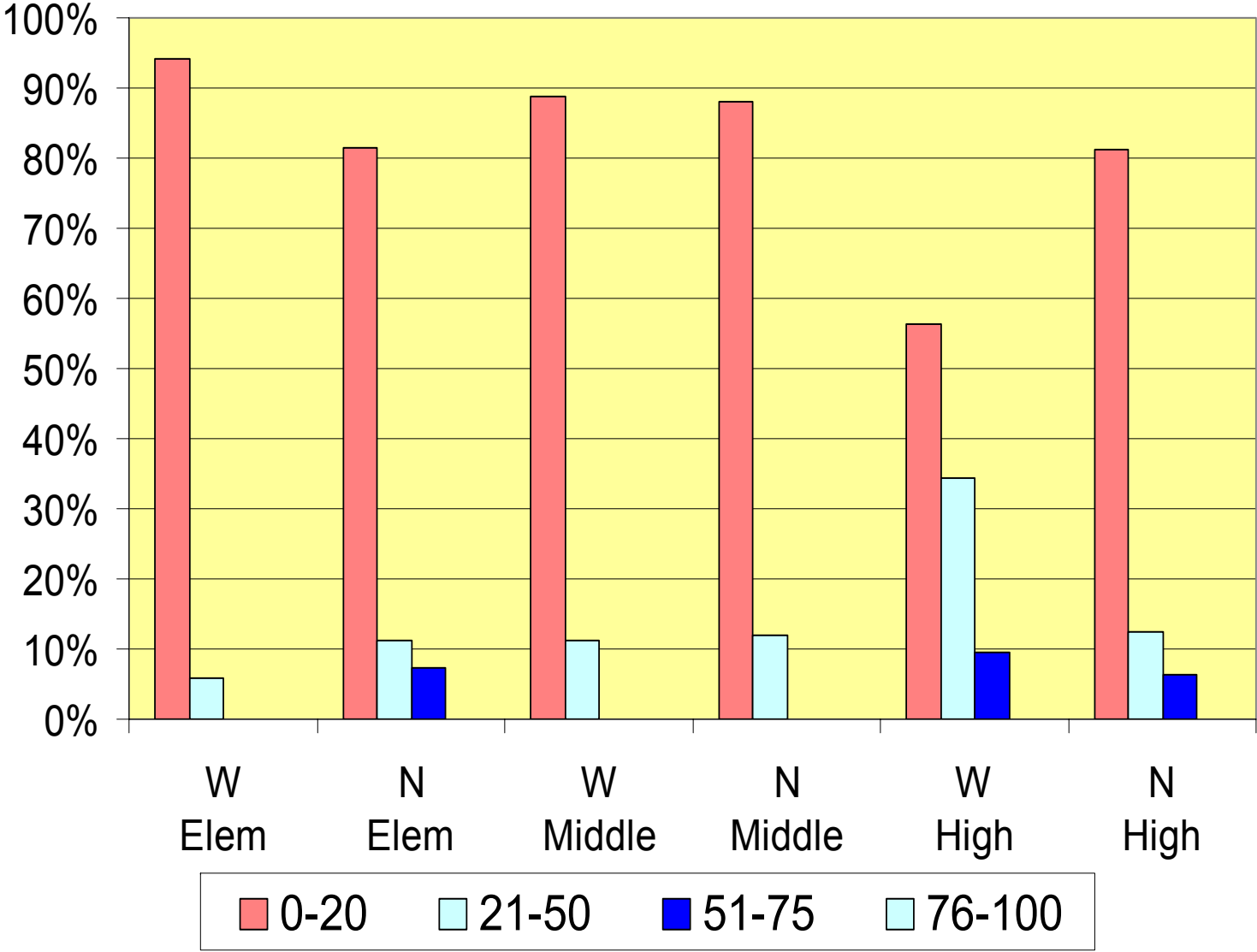
Waiver Study

- In May 2000, 119 item survey mailed.
- Randomly selected 200 school districts without waivers and 100 school districts with waivers.
- List of all school districts in Illinois obtained from ISBE.

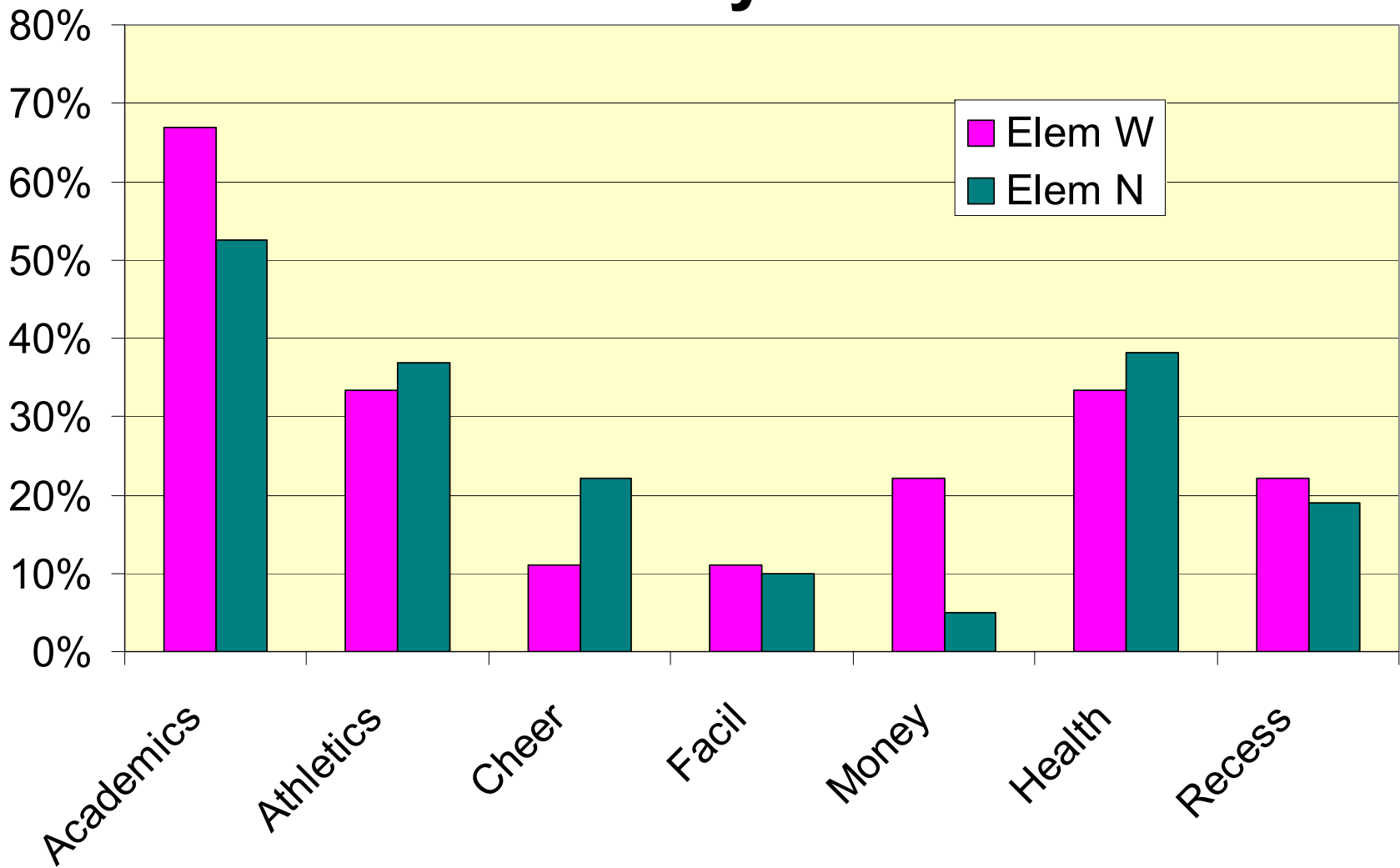
No School District Policy Requiring Daily PE



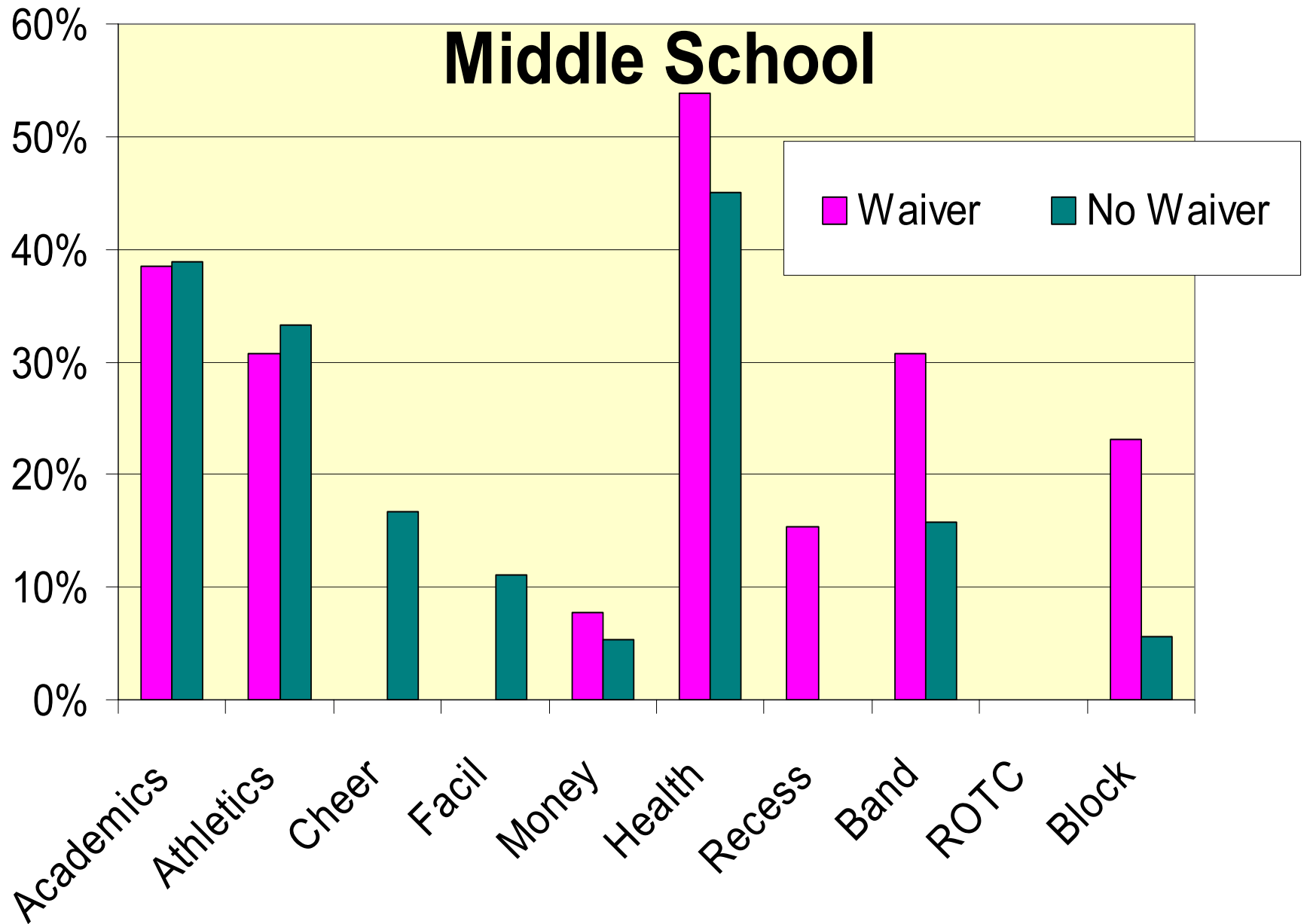
Percentage Excused from Daily PE



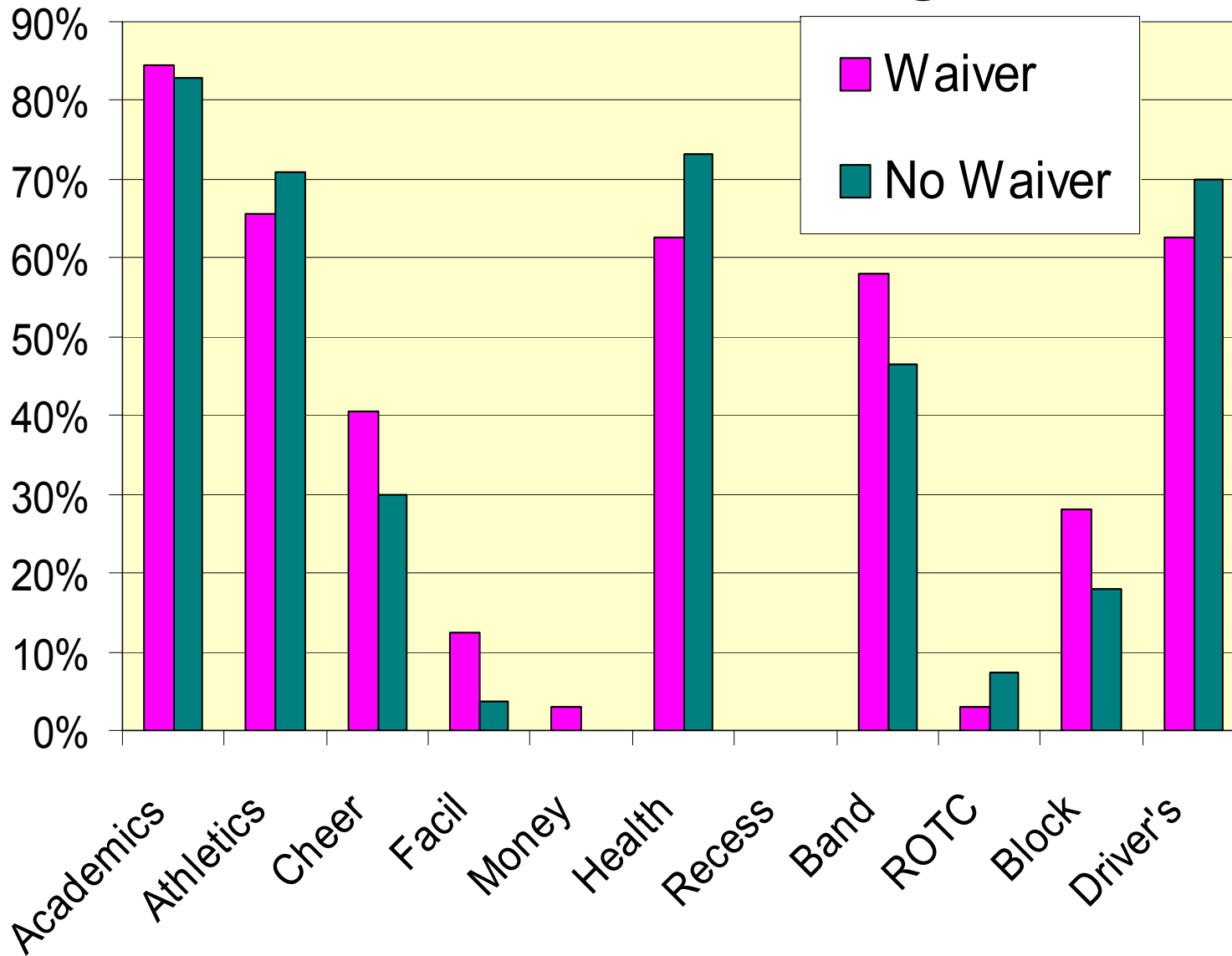
Reasons for Waivers Elementary School



Reasons for Waivers



Reasons for Waivers: High School



Findings

- Primary reasons for waivers include academics, athletics, health ed class, band, and driver's education – **not facilities or financial considerations!**
- Many districts without waivers (37% elem.; 18% mid; 39% HS) are operating as if they had them.

Bottom Line

- PE mandate is not in effect for a large segment of the student population.

Guiding Principles for Waiver Reform

- Focus on what's best for the children
- Participation in physical activity is necessary for physical and intellectual development

PE in Illinois

- By teaching about physical activity in the schools, we demonstrate that **being active is** considered important to the health of our society



Physical Education

- The research is quite clear that participation in daily physical activity is crucial for the development of healthy children
- It is also quite clear that healthy children are better learners

Waivers

- However, many children are being deprived of this crucial opportunity through a flawed waiver process

Legislation

- Illinois Association for Health, Physical Education, Recreation and Dance (IAHPERD) has focused its legislative efforts on providing all students with the opportunity for quality daily physical education

IAHPERD Legislative Initiatives

- Waiver Reform
- An Updated Definition of Physical Education
- Statewide Physical Activity and Health-related Fitness Assessment

Waiver Reform General Assembly

- More time for GA to review
 - Move May 1st submission to March 1st
 - Give GA 60 days (instead of 30) to act
 - October 1st deadline can be kept along with 30 day limit

Waiver Reform General Assembly

- Require the GA to convene a joint hearing on waivers (with both House and Senate education committees)

Waiver Reform General Assembly

- Require the joint resolution approving or denying these waivers to be first introduced in the House and Senate in alternating years

Waiver Reform General Assembly

- Require all PE waivers to be voted on as separate resolutions (and failure to approve the resolution granting a PE waiver will result in a denial – “no means no”)

Waiver Reform General Assembly

- Require that all PE waivers be submitted on per school, not per district, basis.

Waiver Reform General Assembly

- Require the GA to approve or disapprove all waivers in whole (both chambers must act in order to approve the waivers).

Waiver Reform

IL State Board of Ed.

- Develop language to address concerns regarding block scheduling
- Establish and enforce criteria for requesting and granting PE waivers

PE Reform at ISBE

- Updated Definition of Physical Education
 - Lifetime physical activity focus
 - Equate periods of study with other courses

Legislative Initiatives

Physical Activity and Health-related Fitness Assessment

- Institute a systematic, statewide assessment of Illinois Learning Standard, Physical Development and Health Goal 20
- Include physical as well as cognitive components

Rationale for Assessment

- Improve the state's ability to deal with the current obesity epidemic
- Promote active lifestyles and thereby improve the health of Illinois children
- Close the data surveillance gaps
- Provide consistent health-related fitness data to be used as one benchmark for assessing physical education waiver requests.

Thank you for your time and
attention!

Questions

