

Title 6. Education

Chapter I. Division of Elementary and Secondary Education

Subchapter D. Student Instruction and Learning

Part 97. Physical Education Course Credit for Organized Physical Activity Courses

Codification Notes. This part as promulgated prior to codification into the Code of Arkansas Rules provided as follows: "Regulatory Authority[.] The State Board of Education enacts these rules pursuant to its authority as set forth in Ark. Code Ann. §§ 6-11-105, 6-16-137, 6-16-141, and 25-15-201 et seq."

Subpart 1. Generally

6 CAR § 97-101. Definitions.

For purposes of this part, the following terms shall mean:

(1)(A) "Content standards" means those curriculum course content standards identified and set out in the Division of Elementary and Secondary Education curriculum frameworks.

(B) The term also includes any content standards developed under the Common Core State Standards and approved by the Division of Elementary and Secondary Education;

(2)(A) "Curriculum frameworks" means those content-specific requirements identified and mandated pursuant to Arkansas Code § 6-15-1502 et seq. and the Standards for Accreditation of Arkansas Public Schools and School Districts.

(B) The term also includes any curriculum frameworks developed under the Common Core State Standards and approved by the Division of Elementary and Secondary Education;

(3) "Master schedule" means the official class schedule as required for students and staff in a specific local education agency (LEA) location;

(4) "Organized physical activity course" means a school course that:

(A) Is taught by an instructor who is licensed or qualified in physical education pursuant to the rules of the State Board of Education; and

(B) Involves body movement produced by skeletal muscles resulting in energy expenditures through organized group or class activities;

(5) "Qualified physical education instructor" means:

(A) A person licensed to teach secondary physical education by the Division of Elementary and Secondary Education; or

(B) Those persons who hold the appropriate licensure to teach a Junior Reserve Officers' Training Corps (JROTC) high school course as approved by the Division of Career and Technical Education; and

(6) "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 Division of Elementary and Secondary 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 Arkansas Code § 6-15-1505 and the requirements of Arkansas Code § 6-16-137(b)(2).

Authority. Arkansas Code § 6-16-137.

6 CAR § 97-102. Eligibility.

(a) A student in grades nine through twelve (9-12) who participates in and successfully completes an organized physical activity course in his or her school shall be eligible to receive one-half (1/2) unit of physical education credit required for graduation if:

(1) The organized physical activity course is aligned to the Department of Education's physical education course content standards and curriculum frameworks; and

(2) The organized physical activity course is verified by the superintendent of the school district or the chief administrative officer of an open-enrollment charter school who files a written statement of assurance with the Division of Elementary and

Secondary Education by October 1 of the school year as required by Arkansas Code § 6-15-1505 stating that:

(A) The instructor of the organized physical activity course is licensed or qualified in physical education pursuant to the rules of the State Board of Education;

(B) The organized physical activity course is aligned to the division's physical education course content standards and curriculum frameworks; and

(C) The organized physical activity course is subject to the provisions of Arkansas Code § 6-18-501 et seq.

(b) The organized physical activity course shall take place during the regular school day to qualify for physical education credit, except for those organized physical activity courses outside the regular school day that are listed on the district's master schedule.

Authority. Arkansas Code § 6-16-137.

6 CAR § 97-103. Graduation credit.

(a) A student:

(1) Is limited to only the one-half (1/2) unit of physical education credit for graduation for the organized physical activity course; and

(2) Shall not be allowed any other credit toward graduation for that same course.

(b) A student must complete the entire semester and pass the physical activity course to receive the one-half (1/2) unit of physical education credit required for graduation.

Authority. Arkansas Code § 6-16-137.

6 CAR § 97-104. Monitoring.

The Division of Elementary and Secondary 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 part.

Authority. Arkansas Code § 6-16-137.

6 CAR § 97-105. Sanctions.

(a) If it is determined by the Division of Elementary and Secondary Education that any organized physical activity course allowed to be used for physical education credit by a student does not meet the division’s physical education course content standards and curriculum frameworks, the school district or open-enrollment charter school may be:

(1) Cited; or

(2) Placed in probationary violation of the Standards for Accreditation of Arkansas Public Schools and School Districts.

(b)(1) If it is determined by the division that a superintendent or chief academic officer or any other certified personnel has knowingly provided false or misleading information in the statement of assurance required pursuant to Arkansas Code § 6-16-137 and this part, the State Board of Education may take appropriate action on the license of that individual pursuant to Arkansas Code § 6-17-410.

(2) The Commissioner of Elementary and Secondary Education, at his or her discretion, may also refer the superintendent or chief academic officer to the Professional Licensure Standards Board.

Authority. Arkansas Code § 6-16-137.

6 CAR § 97-106. Physical activity courses not required for adequate education.

Notwithstanding the provisions of this part, it is recognized by the General Assembly and the State Board of Education that organized physical activity courses as set forth in this part:

- (1) Are not a requirement for an adequate education; and
- (2) Shall not be construed a core academic requirement of the State of Arkansas or of public school districts.

Authority. Arkansas Code § 6-16-137.

6 CAR § 97-107. Credit for completing Junior Reserve Officers' Training Corps.

A student who completes two (2) semesters of a Junior Reserve Officers' Training Corps program shall receive credit for both of the following requirements for graduation from high school:

- (1) One-half (1/2) unit of physical education; and
- (2) One-half (1/2) unit of health and safety education.

Authority. Arkansas Code §§ 6-16-137, 6-16-141.