

34. Ms. Canter, Ms. Galatzan, Ms. Korenstein – Physical Education is a Priority (Noticed June 24, 2008)

Whereas, The Los Angeles County Department of Public Health has documented that the percentage of overweight and obese Los Angeles Unified School District school children steadily increased from 1999 through 2005, afflicting more than one in four students;

Whereas, The U.S. Surgeon General, Centers for Disease Control, National Institute for Health, Government Accountability Office, National Association for Sport and Physical Education, and the Los Angeles County Task Force on Childhood Obesity all identify increasing physical activity, through quality physical education programs, as one of the most critical things to fight childhood obesity;

Whereas, A recent report from The California Endowment found a direct correlation between smaller physical education class sizes and students' level of engagement in more moderate-to-vigorous physical activity;

Whereas, The average physical education class size in Los Angeles Unified secondary schools is 48.8 students per instructor, with some classes having as many as eighty students;

Whereas, Elementary students in District schools frequently receive physical education instruction in large classes, reducing the amount of skill-development and minutes spent in moderate-to-vigorous physical activity;

Whereas, A John Hopkins University study showed that for every weekday an adolescent participated in PE classes the odds of becoming an overweight adult decreased by five percent and participating in PE classes everyday decreased the odds of becoming an overweight adult by 28 percent;

Whereas, A study by the California State Board of Education found that children engaged in daily physical activity outperformed other students on exams, exhibited superior academic performance and attitudes toward school, improved scores on short-term memory tests and reaction times and increased creativity;

Whereas, In a District pilot program at three elementary schools (Marvin, Allesandro and Norwood Elementary Schools) with increased physical activity minutes and quality physical education, students' API scores increased (40, 22 and 17 points respectively) as did their fitness levels;

Whereas, Since 2002, the Governing Board of the Los Angeles Unified School District has adopted three far-reaching motions to establish positive, long-term health habits among its students by changing the nutritional environment in our schools through the *Healthy Beverage Motion*, *Obesity Prevention Motion*, and *Cafeteria Improvement Motion*; and

Whereas, The District continues to be found non-compliant by the State Department of Education in meeting state mandated physical education requirements at all elementary, middle, and high school grades with the consequence of financial penalties to be paid to the State; now, therefore, be it

Resolved, That the Governing Board of the Los Angeles Unified School District directs the Superintendent to ensure that:

1. All schools are compliant with the California Education Code regarding physical education including:
  - a) Elementary students receive physical education for a minimum of 200 minutes each 10 school days and secondary students receive 400 minutes each 10 days all year long (EC §51210, 51223, 51222);
  - b) All students have physical education every year in grades 1-12 with students in grades 10-12 allowed to exempt themselves from two years, only after meeting 5 of 6 on the state mandated physical performance test (EC §51225.3);
  - c) Each student in grades 9 and 10 receive the 8 content areas described in the California Code of Regulations Title 5 and the California Model Content Standards; Aquatics, Dance and Rhythms, Individual and Dual, Combatives, Team Activities and Gymnastics and Tumbling, Effects of Movement on Dynamic Health and the Mechanics of Movement (CCR Title 5 Education, Chapter 10, Course of Study, Article 3.1 Physical Education Program 10060 Criteria for Physical Education Programs and the California Physical Education Framework);
  - d) Each Senior High School provides a variety (3 to 4) of gender neutral elective physical education courses (EC 51222 (b));
  - e) Each physical education class is taught by a credentialed physical education teacher (EC 44256) (EC 45340-43567);
  - f) All students in 5<sup>th</sup>, 7<sup>th</sup>, and 9<sup>th</sup> grades are properly prepared for and tested in the California Physical Performance Test and each schools' scores are posted on each schools' accountability report card (EC 60800) (EC35256); and
2. All physical education classes are compliant with Title IX of the Federal No Child Left Behind Act and California Education Code;
3. The California Department of Education's *Physical Education Model Content Standards for California Public Schools K-12* are adopted and implemented district-wide;
4. The physical education facilities are designed developed, and constructed according to the *California Department of Education Guide to School Site Analysis and Development*;
5. All District physical education bulletins are reviewed, updated and disseminated to ensure compliance with state and federal education codes;
6. The Board receives an annual report on compliance with this motion and resolutions for any corrective actions needed; and be it

Resolved, That the Superintendent deliver to the Board by August 1, 2008, an implementation plan for achieving compliance with the relevant codes and regulations. The plan should include the staffing resources needed and the associated costs for, limiting secondary school physical education classes with articulated grades to an average of 45 students and a maximum cap of 55 students per instructor consistent with the state physical education standards and District class size bulletin 820.1, and requiring that elementary physical education classes have one teacher per classroom.

35. Ms. García – Zoning Exemption (Noticed June 24, 2008)

Whereas, The Los Angeles Leadership Academy has applied to the Governing Board of the Los Angeles Unified School District for exercise of the Board's legal authority to grant charter schools the benefit of the District's zoning exemption pursuant to Section 53097.3 of the California Government Code;

Whereas, The two sites in Lincoln Heights, which are the subject of this application (234 East Avenue 33 and 2670 Griffin Avenue), are for classroom facilities serving grades K-12 (approximately 800 students) located within the geographical jurisdiction of the District;

Whereas, Both properties to be exempted were previously used for the purposes of nonpublic schools approved by the District (Crittenton High School and Booth High School);

Whereas, Pursuant to the Charter Schools Act, the Los Angeles Leadership Academy has been re-chartered by the District through 2012, and is currently in good standing;

Whereas, The Los Angeles Leadership Academy has demonstrated to the District that it has sufficient financial resources to justify a zoning exemption;

Whereas, The decision to exempt has the support of two-thirds or more of the members of the Board of Education;

Whereas, The State of California through the California School Finance Authority, as well as the District through administration of local bond funds, has previously provided assistance to Los Angeles Leadership Academy through the Charter School Facility Grant Program;

Whereas, The prior use of the properties as residential school facilities with 24-hour support services was significantly more intense than daytime school usage as proposed;

Whereas, The Los Angeles Leadership Academy has no plans to change the footprint of the existing structures and intends solely to adapt certain former dormitory rooms to classroom usage;

Whereas, The Lincoln Heights community to be served by these two sites is one of the most underserved areas of the City of Los Angeles, with a poverty rate twice that of the County as a whole;