

CHAPTER 1 - INTRODUCTION TO ADAPTED PHYSICAL EDUCATION GUIDELINES

REVISION

In 2001 the *Adapted Physical Education Guidelines* were approved by the California Department of Education (CDE), Special Education Division (see appendix N). Since then, state and federal laws have changed, the *Physical Education Model Content Standards* have been written and the Commission on Teacher Credentialing (CCTC) has revised the Adapted Physical Education Credential Standards. These events indicated a need for revision of the *Adapted Physical Education Guidelines*. Some members of the original writing team convened a new writing team that was comprised of three of the original members and four other professionals. The broad background and expertise of this committee provided a writing team with a well-versed perspective. Questions, concerns and input from the field were collected and considered when writing this document.

It is the intent of this revision to cite updated legal references for the *California Education Code, California Code of Regulations, Title 5* and Code of law of the USA, Title 20-Education, and Part B Regulations of Aug. 1, 2006, supplemented December 31, 2008 (regulations that reflect IDEA '04). The curriculum chapter has been rewritten to address the *Physical Education Model Content Standards for California Schools* and the state-mandated physical fitness testing applied to individuals with a disability. In response to suggestions and questions from the field, the service delivery model has been revised for clarity, assessment procedures have been revised, curriculum chapter has been updated including information on fitness testing for individuals with a disability and many chapters have been enhanced. The purpose of these *Guidelines* has not changed and it continues to reflect the current best practices for California adapted physical education.

PURPOSE

The purpose of this document is to identify program guidelines that clarify adapted physical education services. These are provided to individuals with disabilities who require highly specialized services to meet their individual goals for physical education that includes movement education and motor development. These *Guidelines* are organized by groups of key provisions that are followed by legal requirements, discussion and best practice statements, to be used when identifying, assessing, planning and implementing quality physical education programs. When determining appropriate adapted physical education services, educational personnel, other agency and community personnel, parents and individuals may reference these guidelines. Educational personnel include, but may not be limited to, teachers, support personnel and administrators. Examples of other agency and community personnel include physical therapists, occupational therapists, social workers and medical personnel.

The Adapted Physical Education Guidelines in California Schools:

Note: All statutory citations apply to the California Education Code unless otherwise stated.

ADAPTED PHYSICAL EDUCATION GUIDELINES

- Clarify eligibility for adapted physical education services.
- Identify physical education service delivery options.
- Provide information to evaluate, improve and maintain quality adapted physical education services throughout California.
- Provide criteria for conducting self-review and monitoring of adapted physical education services.
- Provide a resource for special education local planning areas (SELPA's), county offices of education and local education agencies (LEAs) to use in developing local plans, policies and procedures to address the physical education needs of individuals with disabilities.
- Establishes key provisions that are consistent with federal and state laws and regulations.
- Clarify the differences and similarities among adapted physical education and physical and occupational therapies.
- Clarify the role and responsibilities of an adapted physical education teacher.
- Include best practices for inclusion within the physical education setting.
- Clarify transition services.
- Addresses the relationship of *Physical Education Model Content Standards for California Schools* to children with disabilities.

RATIONALE FOR PHYSICAL EDUCATION

The many benefits of physical activity have been documented through years of research including those contained in *Leading Health Indicators for Healthy People 2020*. These benefits include increased muscular strength, stimulation of bone growth, cardiovascular fitness and flexibility, which enable the body to move and function more efficiently and contribute to personal health. In addition, individuals can attain higher levels of functional movement skills, fundamental movement patterns and skills and sport skills by receiving physical education and participating in physical activity. The attainment of these skills and patterns promotes a higher quality of life and greater opportunity for social interaction with others.

Quality physical education programs provide opportunities for individuals to attain movement and sport skills that can be applied to physical activities across the lifespan. Opportunities are also provided for individuals to develop increased levels of lifetime physical and health fitness, which contribute to an active lifestyle. Embedded within the program should also be cognitive/knowledge based learning as well as demonstration and utilization of knowledge of psychological and sociological concepts, principles, and strategies as applied to learning and performance of physical activity. The President's Council on Physical Fitness & Sport (2010) has published a position statement regarding physical activity and individuals with disabilities. Another initiative *Let's Move* (2010), stresses the importance of nutrition and physical activity as America strives to raise a healthier generation of children and youth. The initiative also stresses the importance of working with families of individuals with a disability to ensure that physical activities are

Note: All statutory citations apply to the California Education Code unless otherwise stated.

ADAPTED PHYSICAL EDUCATION GUIDELINES

part of the individual’s learning plan during and after school. Individuals with disabilities, for the most part, can gain very similar benefits from physical activity and increase levels of physical fitness as people without disabilities.

LEGAL REFERENCE TO PHYSICAL EDUCATION

Federal Law

The most significant federal legislation, which has impacted physical education services for individuals with disabilities, was the *Education of All Handicapped Children Act of 1975, PL 94-142*. This legislation identified physical education as a curriculum area that was to be provided for ALL children with disabilities (handicapping conditions). To date, physical education continues to be a curriculum area identified in federal law. *PL 108-446, Individuals with Disabilities Education Improvement Act (IDEIA or IDEA 2004)* passed in 2004 which aligned *IDEA* with the *No Child Left Behind Act of 2001*. It continues to ensure that all children, regardless of disability, receive physical education (*20 U.S.C. sec. 1401 Definitions (29)*). Some of these children require specialized instruction in physical education. As a result of these needs, different services are required; a service delivery model demonstrating a continuum of service options for physical education programs has evolved as well.

At the federal level, there are two types of laws and regulations that govern special education services. They are public laws and federal regulations. The *Individuals with Disabilities Education Improvement Act of 2004 (IDEA)*, as one of the many re-authorizations of *PL 94-142*, continues to identify the curriculum content area of physical education for individuals with disabilities. As this federal law changes, the *Federal Education Code, Title 20 (20 U.S.C.)* is modified to include all of the provisions of *IDEA*. The *Code of Federal Regulations (34 CFR)*, which carries out the intent of 20 USC Education, is amended as the codes change and contains more complete descriptions of programs and services. These various laws and regulations will be referenced in this document by their abbreviations.

In the *34 Code of Federal Regulations*, physical education is defined as a part of special education.

§300.39(a)(ii) *Special education.*

(a) *General. (1) Special education means specially designed instruction, at no cost to the parents, to meet the unique needs of a child with a disability, including—*

(i) *Instruction conducted in the classroom, in the home, in hospitals and institutions and in other settings; and*

(ii) *Instruction in physical education.*

In that same section, sec 300.39 (b) (1), (2), and (3), it defines Special Education, Physical Education, and specially designed instruction:

...(b) *Individual special education terms defined. The terms in this definition are defined as follows:*

(1) At no cost means that all specially-designed instruction is provided without charge, but does not preclude incidental fees that are normally charged to nondisabled individuals or their parents as a part of the regular education program.

(2) Physical education means—

(i) The development of—

(A) Physical and motor fitness;

(B) Fundamental motor skills and patterns; and

(C) Skills in aquatics, dance and individual and group games and sports (including intramural and lifetime sports); and

(ii) Includes special physical education, adapted physical education, movement education, and motor development.

(3) Specially designed instruction means adapting, as appropriate to the needs of an eligible child under this part, the content, methodology-, or delivery of instruction—

(i) To address the unique needs of the child that result from the child's disability; and

(ii) To ensure access of the child to the general curriculum, so that the child can meet the educational standards within the jurisdiction of the public agency that apply to all children.

California Law

As at the federal level, several laws, education codes and regulations govern education at the state level. In California, adapted physical education is defined in the *California Code of Regulations, CCR, Title 5, under Sec. 3051.5(a)* and is listed as a designated instruction and service (DIS) and a related service in *California Education Code Section 56363 (a) and (b)(5)*.

Adapted physical education as defined in 5 CCR Sec. 3051.5 (a) Adapted physical education is for individuals with exceptional needs who require developmental or corrective instruction and who are precluded from participation in the activities of the general physical education program, modified general physical education program, or in a specially designed physical education program in a special class. Consultative services may be provided to pupils, parents, teachers, or other school personnel for the purpose of identifying supplementary aids and services or modifications necessary for successful participation in the regular physical education program or specially designed physical education programs.

Refer to Appendix M (particularly the highlighted paragraph) for the California Department of Education memo explaining adapted physical education as a related service.

All children, unless excused or exempt under *Section 51241*, are required to have an appropriate physical education program. In addition, these services should be provided in such a manner that promotes maximum interaction between children with disabilities and their non-disabled peers as provided in the *United States Code ((20 U.S. C. Sec. 1412 (a) (5))*. These codes ensure the rights of all children to have an appropriate physical education

Note: All statutory citations apply to the California Education Code unless otherwise stated.

ADAPTED PHYSICAL EDUCATION GUIDELINES

program with peers.

Need for Adapted Physical Education for Individuals with Various Disabilities

Some children may need an adapted physical education program, as they cannot successfully participate in activities of the general or specially designed physical education programs -- even with accommodations and/or modifications. These needs may be the result of movement delays or difficulties, physical or neurological disabilities, health and physical factors, emotional disorders, behavior difficulties or cognitive delays.

Physical education for individuals with disabilities has undergone several name changes since programs were first established in the 1950s. Initially, the program was referred to as corrective physical education and was offered to individuals with physical disabilities that were either acute or chronic. Other names for the program have included remedial physical education, adaptive physical education, and adapted physical education. Some of these name changes have been linked to the enactment of Public Law 94-142 and its reenactments. In addition, the changes reflect a shift in focus from rehabilitative programs, which followed a medical model, to those, which emphasize active and healthy lifestyles, which reflect the educational model.

Adapted vs. Adaptive:

In California, the physical education program designed for individuals with disabilities is called adapted physical education as it is defined in 5 CCR Sec.3051.5 The program is *adapted* to meet the needs of each student through modifications and accommodations. The student is not required to adapt to the conditions of the program as would be implied with *adaptive* physical education as in adaptive behaviors.

Program Advisory Clarifying Adapted Physical Education Program Services:

Individuals with disabilities, who are eligible for special education and related services, have a right to a free and appropriate public education to meet their unique needs. These educational services may include adapted physical education. In addition, the fields of adapted physical education, physical education and special education have developed professional practices, which are effective in providing quality services for individuals with disabilities.

Based upon these requirements, policies, practices and procedures, the California Department of Education worked collaboratively with SCAPE to develop the *Program Advisory Clarifying Adapted Physical Education Services*. In 1993, the Deputy Superintendent of Specialized Programs for the California Department of Education signed this advisory into effect. One purpose of the *Program Advisory* was to describe the variety of physical education services available for children with disabilities with the intention of assisting districts, counties and regions to establish consistent programs throughout California. The other purpose of the *Program Advisory* was to identify practices which could be used as guidelines for adapted physical education programs. The *Program Advisory*, with the support of the California Department of Education, Division of Special Education, was

revised and expanded into the *Adapted Physical Education Guidelines in California Public Schools* in 2003. Since that time, *IDEA '04* was passed at the federal level and the California education laws have been amended in order to comply with federal law. Therefore, this revision of the *Adapted Physical Education Guidelines in California Public Schools* has been updated and revised to reflect current law and best practice.

Guiding Documents:

As a result of educational reform, curriculum standards have been written for the various subject areas including physical education. These standards provide the basis for curriculum development. Curriculum standards indicate what individuals, at a given grade level, should know and be able to do. The *Physical Education Model Content Standards for California Public Schools* were written in 2005 with statewide training for school districts including adapted physical education teachers. Districts are not required to adopt state standards; however, many utilize these *Model Content Standards*. In 2008 the *Physical Education Framework*, based on the content physical education standards, was adopted by the California Department of Education, providing further guidance to California educators for development of curriculum and instruction physical education. One purpose for revising the *Adapted Physical Education Guidelines* is to assist educators utilizing all three documents to guide physical education instruction for individuals with disabilities; particularly those who require adapted physical education.

Collaboration:

A collaborative approach is recommended for adapted physical educators to maximize the quality of education provided for individuals with a disability. Effective collaboration requires a team of people working toward a common goal while each provides input from their disciplinary perspective. The adapted physical education teacher is often one member of such a team. The law requires a multi-disciplinary individualized education program (IEP) team. The IEP team is most effective if members adopt a collaborative approach and demonstrate collaborative characteristics and skills which include: open, two-way communication, solution-oriented problem solving strategies, mutual respect; and the sharing of ideas and resources. When a student receives two or more services, (e.g., APE and Physical Therapy) collaboration between and among disciplines may result in greater benefit to the student with a disability. A student with a disability may need assistive devices and specific exercises as identified by a therapist. In such a case, the adapted physical education teacher as well as the special education teacher, should be aware of how to use the specialized equipment and how to perform the exercises. On the other hand, the student may perform physical education skills with their peers that they are not motivated to perform in therapy sessions. By communicating with the therapist, the adapted physical education teacher can report to others about skill transfer to educational settings that involve group participation. The therapist can report on increases in areas such as strength, range of motion and balance.

USE OF THESE GUIDELINES

These guidelines contain key provisions, references to federal and state laws, education

Note: All statutory citations apply to the California Education Code unless otherwise stated.

ADAPTED PHYSICAL EDUCATION GUIDELINES

codes and regulations, standards (credential and curriculum) and best practices.

- Legal references provide support for the key provisions and are cited. All statutory citations apply to the California Education Code unless otherwise stated. Abbreviations for laws and regulations are:

CFR: Code of Federal Regulations;

USC: United States Code

PL: Public Law

CCR: California Code of Regulations

EC: Education Code (California)

- Credential standards are located in Appendix J and K and have been approved by the California Commission on Teacher Credentialing.
- *Physical Education Model Content Standards for California Schools* are addressed in Chapter 10 and located in Appendix E.
- Best practice examples are addressed under each key provision throughout the document.

In the original of this document (2004), all legal references were reviewed and approved by the legal team of the California Department of Education, Division of Special Education. In this revised document the legal references have been updated by professionals in the field.

- **KEY PROVISIONS** developed for these guidelines are denoted by the box around the key provision statement. The term key provision has been used in this revision in place of term “standard”. This change in terminology was selected to prevent confusion with other “standards” used in the profession – credential standards and curriculum standards.

Note: All statutory citations apply to the California Education Code unless otherwise stated.

ADAPTED PHYSICAL EDUCATION GUIDELINES