



Mohammed Choudhury
State Superintendent of Schools

TO: Coordinators and Supervisors of Physical Education

FROM: Susan C. Spinnato, Director of Instructional Programs

DATE: August 10, 2021

RE: Student Participation in Standards-Based Physical Education Programs

Every school system must provide an instructional program in physical education for all students in grades PreK-8 each year to meet the requirements of the State physical education framework. Further, each local school system must offer a standards-based physical education program in grades 9-12 which meet the requirements of the State physical education framework to meet graduation requirements.

Amendments to Code of Maryland Regulations (COMAR) 13A.04.13.01 became effective on July 12, 2021. For example, local school systems (LSSs) may not:

- Authorize a student to substitute other activities for a standards-based physical education program for graduation credits such as interscholastic sports, community-based sports, physical therapy, Junior Reserve Officer Training Corps (JROTC), or marching band;
- Waive the standards-based physical education requirement to meet the graduation requirement;
- Excuse students from standards-based physical education to participate in other content area classes or to complete classwork assignments in other content areas; or
- Withhold a student from the standards-based physical education program as a punishment unless the student is suspended.

COMAR 13A.04.13.01G(3) incorporates requirements of Education Article, §7-4B, Annotated Code of Maryland which requires local school systems to ensure that students with disabilities have an equal opportunity to participate in mainstream standards-based physical education programs, with reasonable accommodations necessary to participate to the fullest extent possible. Adapted, allied, or unified standards-based physical education programs are to be available for students with disabilities to meet the standards-based physical education program outcomes. A student's individualized education program (IEP) or 504 plan may reflect how students will meet standards-based physical education.

An individualized action plan will be developed and approved in collaboration with the parent and/or guardian for students who are temporarily unable to participate in the standards-based physical education program. The action plan must provide appropriate learning experiences aligned with the [State Framework](#).

If I can be of further assistance, please contact me at susan.spinnato@maryland.gov.