



Nancy S. Grasmick  
State Superintendent of Schools

TO: 200 West Baltimore Street • Baltimore, MD 21201 • 410-767-0100 • 410-333-6442 TTY/TDD  
Members of the State Board of Education

FROM: Nancy S. Grasmick *Nancy*

DATE: October 26, 2010

SUBJECT: COMAR 13A.04.13 (Repeal and New)  
Specific Subject: Physical Education  
ADOPTION

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**PURPOSE:**

The purpose of this item is to request State Board adoption of new regulations applying to the specific subject of Physical Education.

**HISTORICAL BACKGROUND:**

The Division of Instruction, working collaboratively with educators from across the state, has developed the State Curriculum for physical education for prekindergarten through grade eight and the mandatory high school course. The documents, accepted by the State Board, and currently in use in districts across the State are formatted to contain content standards, indicators and objectives. The existing COMAR requirements for the instructional program in physical education state that programs must include certain goals and sub goals which are inconsistent with the documents in use across the state. The proposed new COMAR regulations are designed to be consistent with the State Curriculum.

**EXECUTIVE SUMMARY:**

The proposed changes to COMAR 13A.04.13 Program in Physical Education was published in the September 10, 2010 issue of the Maryland Register. The closing date for public comment was October 12, 2010. No comments were received.

**ACTION:**

I am recommending that the State Board grant permission to adopt the proposed changes to COMAR 13A.04.13 Program in Physical Education.

NSG: dls  
Attachment 1 – Draft Physical Education COMAR 13A.04.13



(9) *Comply with the CNA code of ethics in accordance with COMAR 10.39.07;*

(10) *Report all errors, omissions, or incidents which may have occurred during the CNA's own practice or the practice of others; and*

(11) *Follow the basic principle of nursing practice: "First, do no harm to the client".*

JOHN M. COLMERS  
Secretary of Health and Mental Hygiene

## Title 13A STATE BOARD OF EDUCATION

### Subtitle 04 SPECIFIC SUBJECTS

#### Notice of Proposed Action [10-263-P]

The Maryland State Board of Education proposes to:

(1) Repeal existing Regulations .01 and .02 and adopt new Regulations .01 and .02 under COMAR 13A.04.13 Program in Physical Education; and

(2) Repeal existing Regulations .01 and .02 and adopt new Regulations .01 and .02 under COMAR 13A.04.18 Program in Comprehensive Health Education.

This action was considered at the Maryland State Board of Education meeting on July 20, 2010.

#### Statement of Purpose

The purpose of this action is to repeal and replace existing regulations to be in compliance

#### Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

#### Estimate of Economic Impact

The proposed action has no economic impact.

#### Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

#### Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

#### Opportunity for Public Comment

Comments may be sent to Brian Griffith, Specialist for Health Education, Maryland State Department of Education, 200 West Baltimore Street, Baltimore, MD 21201, or call 410-767-0327, or email to bgriffith@msde.state.md.us, or fax to 410-333-2202. Comments will be accepted through October 12, 2010. A public hearing has not been scheduled.

#### Open Meeting

Final action on the proposal will be considered by the Maryland State Board of Education during a public meeting to be held on October 26—27, 2010, at 200 West Baltimore Street, Baltimore, MD 21201.

### 13A.04.13 Program in Physical Education

Authority: Education Article, §§2-205(h) and 7-409, Annotated Code of Maryland

#### *.01 Physical Education Instructional Programs for Grades Prekindergarten — 12.*

*A. Each local school system shall:*

(1) *Provide in public schools an instructional program in physical education each year with sufficient frequency and duration to meet the requirements of the State curriculum for all students in grades prekindergarten—8; and*

(2) *Offer in public schools a physical education program in grades 9 — 12 which enables students to meet graduation requirements and to select physical education electives.*

*B. Maryland Physical Education Program.*

(1) *The physical education comprehensive instructional program shall provide a developmentally appropriate, instructional program that advances the student's knowledge, confidence, skills, and motivation to enjoy a lifetime of healthful physical activity.*

(2) *The comprehensive instructional program shall provide for the diversity of student needs, abilities, and interests at the early, middle, and high school learning years, and shall include all of the following Maryland Physical Education Content Standards with related indicators and objectives as set forth in §C of this regulation.*

*C. Maryland Physical Education Content Standards.*

(1) *Skillfulness. Students will demonstrate the ability to enhance their performance of a variety of physical skills by developing fundamental movement skills, creating original skill combinations, combining skills effectively in skill themes, and applying skills.*

(2) *Biomechanical Principles. Students will demonstrate an ability to use the principles of biomechanics to generate and control force to improve their movement effectiveness and safety.*

(3) *Motor Learning Principles. Students will demonstrate the ability to use motor skill principles to learn and develop proficiency through frequent practice opportunities in which skills are repeatedly performed correctly in a variety of situations.*

(4) *Exercise Physiology. Students will demonstrate the ability to use scientific principles to design and participate in a regular, moderate to vigorous physical activity program that contributes to personal health and enhances cognitive and physical performance on a variety of academic, recreational, and life tasks.*

(5) *Physical Activity. Students will demonstrate the ability to use the principles of exercise physiology, social psychology, and biomechanics to design and adhere to a regular, personalized, purposeful program of physical activity consistent with their health, performance, and fitness goals in order to gain health and cognitive/academic benefits.*

(6) *Social Psychological Principles. Students will demonstrate the ability to use skills essential for developing self-efficacy, fostering a sense of community, and working effectively with others in physical activity settings.*

*D. Curriculum Documents. Consistent with Education Article, §§2-205(h) and 7-409, Annotated Code of Maryland, each local school system shall provide comprehensive physical education curriculum documents for the elementary and secondary schools under its jurisdiction that:*

(1) *Include the content standards set forth in §C of this regulation; and*

(2) *Align with the State Curriculum, as developed by the Maryland State Department of Education in collaboration with the local school systems.*

*E. The local school system shall develop guidelines and procedures for the support of qualified teachers. Each local school system shall establish planned and continuous programs as required*

to adequately train its teachers, administrators, supervisors, and personnel in order to update knowledge, instructional materials, and methodology in physical education.

F. *Student Participation.* Each student shall have the opportunity to participate in the comprehensive physical education program required by this chapter.

**.02 Certification Procedures.**

By September 2015 and each 5 years after that, each local superintendent of schools shall certify to the State Superintendent of Schools that the instructional programming within grades prekindergarten — 12 meets, at a minimum, the requirements set forth in Regulation .01 of this chapter.

**13A.04.18 Program in Comprehensive Health Education**

Authority: Education Article, §§2-205(h), 7-401, 7-410, 7-411, 7-411.1, and 7-413, Annotated Code of Maryland

**.01 Comprehensive Health Education Instructional Programs for Grades Prekindergarten — 12.**

A. *Each local school system shall:*

(1) Provide in public schools an instructional program in comprehensive health education each year with sufficient frequency and duration to meet the requirements of the State curriculum for all students in grades prekindergarten — 8;

(2) Offer in public schools a comprehensive health education program in grades 9 — 12 which enables students to meet graduation requirements and to select health education electives; and

(3) Provide access to the curriculum for non-diploma-bound students.

B. *Maryland Comprehensive Health Education Program.* The comprehensive instructional program shall help students adopt and maintain healthy behaviors and contribute directly to a student's ability to successfully practice behaviors that protect and promote health and avoid or reduce health risks. The instructional program shall provide for the diversity of student needs, abilities, and interests at the early, middle, and high school learning years, and shall include the Maryland Health Education Content Standards with related indicators and objectives as set forth in §§C — 1 of this regulation.

C. *Mental and Emotional Health.* Students will demonstrate the ability to use mental and emotional health knowledge, skills, and strategies to enhance wellness.

D. *Alcohol, Tobacco, and Other Drugs.* Students will demonstrate the ability to use drug knowledge, decision-making skills, and health enhancing strategies to address, the non-use, use, and abuse of medications, alcohol, tobacco, and other drugs.

E. *Personal and Consumer Health.* Students will demonstrate the ability to use consumer knowledge, skills, and strategies to develop sound personal health practices involving the use of health care products, services, and community resources.

F. *Family Life and Human Sexuality.*

(1) Students will demonstrate the ability to use human development knowledge, social skills, and health enhancing strategies to promote positive relationships and healthy growth and development throughout the lifecycle.

(2) The local school system shall establish a joint committee of educators and representatives of the community for the purpose of reviewing and commenting on instructional material to be submitted to the superintendent for consideration when recommending instructional material to be approved by the local Board of Education.

(3) *Materials and Instruction.*

(a) Material being presented will be in identifiable unit(s) within the total health education program.

(b) Instruction shall be introduced as shortly in advance of puberty as is practical.

(c) Direct teaching of the indicators and objectives will begin in or prior to the fifth grade.

(4) Written notification is made to parents/guardians announcing this unit of study.

(5) *Exceptions.*

(a) Students may be excused from this unit of the program upon written request from their parent/guardian.

(b) For students excused, the local school shall provide appropriate learning activities in health education.

(c) When practical, curricular materials may be made available for home instruction use by parent/guardian of students excused from the Family Life and Human Sexuality instructional unit.

(d) The local school shall make arrangements to permit those girls not participating in this unit of the program to receive instruction concerning menstruation.

(6) The school shall provide special opportunities for parents/guardians to view all instructional materials to be used in the program before the materials are used in the classroom.

(7) Each local school system shall publish at regular intervals a list of its approved instructional materials.

(8) When teaching a unit in Family Life and Human Sexuality, in addition to general teacher preparation, teachers are required to have additional preparation in content and teaching methods of such depth and duration as to be appropriate for the material taught. The additional preparation may be provided by college courses, local in-service programs, and/or State workshops.

G. *Safety and Injury Prevention.* Students will demonstrate the ability to apply prevention and intervention knowledge, skills, and processes to promote safe living in the home, school, and community.

H. *Nutrition and Fitness.* Students will demonstrate the ability to use nutrition and fitness knowledge, skills, and strategies to promote a healthy lifestyle.

I. *Disease Prevention and Control.*

(1) Students will demonstrate the ability to apply prevention and treatment knowledge, skills, and strategies to reduce susceptibility and manage disease.

(2) *HIV/AIDS Instruction.*

(a) Students may be excused from the HIV/AIDS instructional unit upon written request from their parent/guardian.

(b) For students excused, the local school shall provide appropriate learning activities in health education.

(c) When practical, curricular materials may be made available for home instruction use by parent/guardian of students excused from the HIV/AIDS instructional unit.

(3) Local school systems shall provide annual instruction in AIDS to all students at least once in grades 3 — 5, 6 — 8, and 9 — 12.

(4) The local board of education shall determine the three grades between 3 and 12 at which all students are to receive instruction.

(5) School staff selected to teach HIV/AIDS prevention in the classroom shall receive in-service education before initiating instruction and annually after that.

(6) Personnel employed by the local school system shall be provided annually with information or an awareness program about HIV/AIDS and its prevention.

J. *Curriculum Documents.* Consistent with Education Article, §§2-205(h), 7-401, 7-410, 7-411, 7-411.1, and 7-413, Annotated Code of Maryland, each local school system shall provide



comprehensive health education curriculum documents for the elementary and secondary schools under its jurisdiction that:

(1) Include the content standards set forth in §§C — 1 of this regulation; and

(2) Are aligned with the State Curriculum, as developed by the Maryland State Department of Education in collaboration with the local school systems.

K. The local school system shall develop guidelines and procedures for the selection of qualified teachers, and, because the teacher is a vital factor in the program, qualifications such as the following shall be considered:

(1) Health Education certification; and

(2) Appropriate specialized training.

L. The local school system shall develop guidelines and procedures for the support of qualified teachers. Each local school system shall establish planned and continuous programs as required to adequately train its personnel (teachers, administrators, and supervisors) in order to update knowledge, instructional materials, and methodology in health education.

M. Student Participation. Each student shall have the opportunity to participate in the comprehensive health education program required by this chapter.

**.02 Certification Procedures.**

By September 2015 and each 5 years after that, each local superintendent of schools shall certify to the State Superintendent of Schools that the instructional programming within grades prekindergarten — 12 meets, at a minimum, the requirements set forth in Regulation .01 of this chapter.

NANCY S. GRASMICK  
State Superintendent of Schools

**Subtitle 06 SUPPORTING PROGRAMS**

**13A.06.03 Interscholastic Athletics in the State**

Authority: Education Article, §§2-205 and 2-303(k), Annotated Code of Maryland

**Notice of Proposed Action**

[10-261-P]

The Maryland State Board of Education proposes to amend Regulation .04 under COMAR 13A.06.03 Interscholastic Athletics in the State. This action was considered at the Maryland State Board of Education meeting on July 20, 2010.

**Statement of Purpose**

The purpose of this action is to require coaching education for long-term emergency coaches in Maryland high school athletic programs and to create the classification of Credentialed Coach that would provide equivalent hiring consideration for continuing in the same coaching assignment to that of a certificated educator.

**Comparison to Federal Standards**

There is no corresponding federal standard to this proposed action.

**Estimate of Economic Impact**

The proposed action has no economic impact.

**Economic Impact on Small Businesses**

The proposed action has minimal or no economic impact on small businesses.

**Impact on Individuals with Disabilities**

The proposed action has no impact on individuals with disabilities.

**Opportunity for Public Comment**

Comments may be sent to Edward Sparks, Executive Director, Athletics Programs, Division of Instruction, Maryland State Department of Education, 200 West Baltimore Street, Baltimore, MD 21201, or call 410-767-0555, or email to nsparks@msde.state.md.us, or fax to 410-333-3111. Comments will be accepted through October 12, 2010. A public hearing has not been scheduled.

**Open Meeting**

Final action on the proposal will be considered by the Maryland State Board of Education during a public meeting to be held on October 26—27, 2010, at 200 West Baltimore Street, Baltimore, MD 21201.

**.04 Operational Guidelines.**

The regulations given below are established for all MPSSAA interscholastic sports:

A. — A-1. (text unchanged)

B. MPSSAA Coaching Eligibility.

(1) Member MPSSAA schools shall employ as coaches [only teachers or certificated professional educator employees of the local Board of Education for a specific coaching assignment.];

(a) Teachers or certificated professional educator employees of the local Board of Education for a specific coaching assignment.

(b) Persons certifiable as a professional educator by the State Department of Education according to 13A.12.01.

(c) Credentialed Coaches who meet the following requirements:

(i) Is eligible to hold a Maryland certificate under COMAR 13A.12.01.04;

(ii) Possesses a MPSSAA/MSDE Coach Certification;

(iii) Has completed two years of successful coaching as an emergency coach; and

(iv) Has spent the previous one year as a successful emergency coach at the school of hire in the position of hire.

(2) If no acceptable and qualified coaches are available from the teachers or certifiable professional [educator teachers] educators employed by the local board of education, temporary emergency coaches may be employed if the following procedures are followed:

[(a) With no acceptable professional staff members available to fill the coaching vacancy, the local school system shall attempt to locate as a coach a person certifiable as a professional educator by the State Department of Education according to COMAR 13A.12.01;

(b) With no acceptable and certifiable professional educator available, a person acceptable to the local school system may be employed as an emergency coach;

(c) Any person employed as a coach under the emergency provision shall comply with the following:

(i) The person shall be officially appointed by the local Board of Education on a 1-season basis for a specific coaching assignment,

(ii) The coaching salary of the appointed emergency coach shall be paid exclusively by the local school system.];

(a) The person shall be officially appointed by the local superintendent of schools on a one-season basis for a specific coaching assignment;

(b) The coaching salary of the appointed coach shall be paid exclusively by the local school system;

(c) After July 1, 2010, an emergency coach is required to possess an MPSSAA/MSDE coach certification prior to the start of his or her fourth year as an emergency coach;

(d) — (e) (text unchanged)

(3) (text unchanged)