



Physical Education Requirements Corrective Action Timeline

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Supporting Compliance with OAR 581-022-2263

- Resources on ODE Website
 - [PE Laws and Regulations](#)
 - [PE Toolkit](#)
- Health/PE Specialist proactively conducted outreach, and provided technical assistance/professional development for districts
- Division 22 Assurances Process
 - Conducting outreach since 2021 with districts that have reported “out of compliance”
 - Providing technical assistance for the creation and implementation of corrective action plans



What: Adjusted Timelines for Compliance



Oregon Department of Education

- **Standard Timeline:** Upon a finding of deficiency, the district has until the beginning of the next school year following the date of deficiency to come back into compliance. ([ORS 327.103](#))
- **Extension (up to 12 months):** The department may allow an extension of up to 12 months if it determines that the deficiencies cannot be corrected before the beginning of the next school year.
- **Consequences of Non-Compliance:** If the deficiency is not corrected after that time period, the [deputy] superintendent of public instruction may withhold portions of the state school fund.

Why Adjust the Timeline?

Inequities in the Amount of Time Districts Have to Implement

- For 2020-21: minutes requirements waived, districts still required to offer PE all year
 - Result: a shorter implementation timeline for districts that reported out of compliance with both parts of the rule (all year + minutes), rather than just the second part (minutes).

Complexity of Corrective Action Plans

- Significant changes to school schedules, improvements to facilities, and/or adjustments to staffing assignments and FTE can take several years to implement effectively.

Corrective Action Deadline

All districts will have **up to three years** to come back into compliance, beginning with the current school year, as long as they meet certain conditions. By creating this path, ODE encourages transparency and offers districts a reasonable timeline to reach compliance with the PE minutes standard. **All districts will be required to be in compliance with this standard by the beginning of the 2025-26 school year.**

Districts Reporting Out of Compliance for the 2021-22 SY

Year	2022-23 SY	2023-24 SY	2024-25 SY	Fall 2025
Context	Standard Implementation Timeline: Districts must complete corrective action by the beginning of the 2023-24 school year.	Approved Extension: Districts may request up to an additional 12 months to complete corrective action.	SSF Moneys Not Withheld: ODE Director waives the withholding of portions of the state school fund for the third year of implementation under certain conditions.	Deadline for Compliance If still non-compliant, withholding of SSF would begin here
Status	Implementing Corrective Action	Conditionally Standard	Non-Standard	N/A

How It Works:

- District's proposed corrective action plan must be approved by ODE;
- Extension requests must include a detailed progress report documenting action taken to date and an updated corrective action timeline with specific action steps;



- ODE will continue to provide

Resources

Compliance Timeline One-Pager

Division 22 Compliance Timeline: PE Requirements

Legal Requirements

According to [ORS 327.403](#), a district that reports out of compliance with a Division 22 Standard has until the beginning of the next school year to come back into compliance. The Department may allow an extension of up to 12 months if the ODE Director determines that the deficiencies cannot be corrected before the beginning of the next school year. If the deficiency is not corrected after that time period, the Department may withhold portions of the state school fund.

WHAT & WHY

Adjusted Timelines for Compliance

What: ODE is offering an extended timeline for implementing corrective action on the PE Requirements rule.

Why: The adjustment to the timeline was made for the following reasons:

- Inequities in the Amount of Time Districts Have to Implement**
 - For 2020-21, the specific PE minutes requirements were waived, but districts were still required to offer PE all year. This has resulted in a shorter implementation timeline for districts that reported out of compliance with both parts of the rule (all year + minutes), rather than just the second part (minutes).
 - ODE does not want to penalize districts that have been transparent in reporting and are making a good faith effort to come into compliance.
- Complexity of Corrective Action Plans**
 - For many districts, coming into compliance requires significant changes to school schedules, improvements to facilities, and/or adjustments to staffing assignments and FTE.
 - These complex corrective action plans can take several years to implement effectively.

WHEN

Corrective Action Deadline

All districts will have up to three years to come back into compliance, beginning with the current school year, as long as they meet certain conditions. By creating this path, ODE encourages transparency and offers districts a reasonable timeline to reach compliance with the PE minutes standard. All districts will be required to be in compliance with this standard by the beginning of the 2025-26 school year. See the timelines below:

Districts Reporting Out of Compliance for the 2021-22 SY				
Year	2022-23 SY	2023-24 SY	2024-25 SY	Fall 2025
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PE Requirements One-Pager

Physical Education Instruction Requirements

Legal Requirements

According to [ORS 329.495](#) and [OAR 561-022-2203](#):

- Each student in grades K-6 will receive PE instruction throughout the entire school year.
- Districts must adhere to specific minutes requirements, as follows:

Grades K-5	150 minutes per week (120 minutes for 4 day school week)
Grades 6-8	225 minutes per week (180 minutes for 4 day school week)

Primary Grades K-5(6)

Approaches & Considerations

Best Practice

Licensed teachers with a physical education endorsement can provide as many minutes towards the requirements as possible to any class in any grade.

**Districts can add to minutes taught by a licensed Physical Education teacher in the following ways:*

Embedding Physical Education in the Classroom Environment

An unlimited number of minutes can be provided by a multiple subject endorsed elementary teacher to their own classroom as long as:

- Content taught is aligned to Oregon Physical Education state standards
- Minutes are consistently implemented as part of the school day schedule (Example: All K-6 classes must receive an equitable amount of time as well as an equitable amount of content)
- The curriculum is reviewed by an endorsed PE teacher

Licensed Elementary teachers that don't have a physical education endorsement, but possess a multiple subject endorsement, may provide up to 45 minutes of physical education to another class that is not their own, provided the curriculum is reviewed by an endorsed PE teacher.

Recess

A district can utilize "recess" time for physical education minutes as long as:

- the time utilized is structured
- content is taught by a licensed multiple subject endorsed elementary teacher
- content is aligned to Oregon state physical education standards
- there is equitable access for all students

**Districts should double check their Wellness, or other policies to make sure they are not utilizing required unstructured recess time for Physical Education minutes. The minutes should be identified as Physical Education Minutes in the schedule.*

Beginning or End of the School Day

A district may utilize time at the beginning or end of the school day for physical education minutes as long as:

- the time utilized is structured
- content is taught by a licensed multiple subject endorsed elementary teacher
- content is aligned to Oregon state physical education standards
- there is equitable access for all students

**Note - the minutes should be identified as Physical Education Minutes in the schedule.*

Support & Technical Assistance

- **Drop-in Office Hours**
 - [Tuesday, January 24, 3:30 - 4:30 pm](#)
 - [Tuesday, January 31, 9 -10 am](#)
 - [Thursday, February 2, 3:30-4:30 pm](#)
 - [Wednesday, February 9, 9 - 10 am](#)
- **Division 22 Assurances Outreach Meetings**
- **Contact a Specialist**

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Division 22 Standards Specialist

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