



**OREGON DEPARTMENT  
OF EDUCATION**

**Report on 2007 House Bill 3141  
Codified ORS 329.498 & 329.499  
February 1, 2019**

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**Oregon Department of Education  
House Bill 3141 (2007)  
Codified ORS329.496  
Fifth Biennial Report on Physical Education  
February 2019**

## Introduction

The following report is required by House Bill 3141 (2007), codified at ORS329.498 & ORS 329.499. ORS 320.499 directs the Oregon Department of Education (ODE) to submit a biennial physical education report addressing the number of minutes Oregon students participate in physical education instruction and the availability of appropriate physical education facilities. The data analysis in this report is based on the specific elements outlined in Section 1 of HB 3141 (2007), now codified as ORS 329.498. Current legislation requires that “Every public school student in kindergarten through grade 8 shall participate in physical education for the entire school year. Students in kindergarten through grade 5 shall participate in physical education for at least 150 minutes during each school week. Students in grades 6 through 8 shall participate in physical education for at least 225 minutes during each school week” (ORS 329.496).

The ODE is required to report to the Oregon Legislature a summary of the following information:

- (1) The number of minutes of physical education that are provided to students in kindergarten through grade 8 each school week in each public school within the district;
- (2) The physical capacity of public schools to provide students in kindergarten through grade 5 with at least 150 minutes of physical education during each school week and to provide students in grades 6 through 8 with at least 225 minutes of physical education during each school week; and
- (3) The additional facilities required by public schools to provide physical education to students as described in ORS 329.496 section 1, subsection 2.

This report includes 2014 – 2018 school year data submitted from districts to the ODE. For questions, please contact Suzanne Hidde at (503) 947-5960 or [Suzanne.Hidde@state.or.us](mailto:Suzanne.Hidde@state.or.us).

## Part I: Physical Education Minutes School District Data Collection Report 2014-15, 2015-16, 2016-17, and 2017-18

### 1.1 - Statewide Average Number of PE Minutes Per School Week

Physical Education is provided to students across Oregon through a variety of instructional models. Students may receive their physical education instruction in a twelve-week block or throughout the school year. Some districts combine several grade levels in one class, while others offer multiple sections of physical education at the same time. **A summary of the average number of instructional minutes over a complete academic year can be found within Table 1, and displayed within Figure 1 below.**

Of the 196 eligible reporting school districts:

- 184 reported data in the 2016-2017 school year
- 151 reported data in the 2017-2018 school year

Fluctuations in the number of school districts reporting data can influence the overall instructional minutes reported averages.

In the 2015-2016 school year, there was a large increase of approximately 24 minutes, in the average number of instructional minutes of approximately 24 minutes offered in kindergarten. This is also the same year as the implementation of full-day kindergarten.

From 2014-2015 to 2017-2018 in grades 1-5, the average number of minutes per school week of physical education decreased slightly from an average of 79 minutes per week down to 77 minutes per week. These averages represent approximately 53% of the 150 minute per week requirement at these grade levels.

Sixth grade saw an increase of six (6) minutes for the average number of minutes per school week of physical education from 2016-2017 school year to the 2017-2018 school year, from 141 minutes to 147 minutes.

For grades 7 and 8, the average number of minutes per school week of physical education instruction remained the same overall from the 2014-2015 school year to the 2017-2018 school year with 159 minutes in grade 7 and 151 minutes for grade 8. These averages represent approximately 53% of the 225 minute per week requirement at this grade levels.

The average number of physical education minutes provided to Oregon students in grades K-12 has remained relatively static over the 2014-2015 to 2017-2018 school years.

Statewide Average Number of PE Minutes Per School Week (Requirement: K-5 = 150 minutes; Grades 6-8 = 225 minutes)				
Grade Level	2014-15	2015-16	2016-17	2017-18
KG	43 minutes	67 minutes	73 minutes	74 minutes
1	73 minutes	74 minutes	77 minutes	75 minutes
2	73 minutes	75 minutes	78 minutes	76 minutes
3	74 minutes	75 minutes	80 minutes	77 minutes
4	76 minutes	75 minutes	79 minutes	77 minutes
5	78 minutes	77 minutes	81 minutes	78 minutes
6	139 minutes	142 minutes	141 minutes	147 minutes
7	161 minutes	159 minutes	159 minutes	159 minutes
8	155 minutes	155 minutes	151 minutes	151 minutes

Table 1: The average number of minutes per school week of physical education instruction by grade level for the 2014-15, 2015-16, 2016-17, and 2017-18 school years.

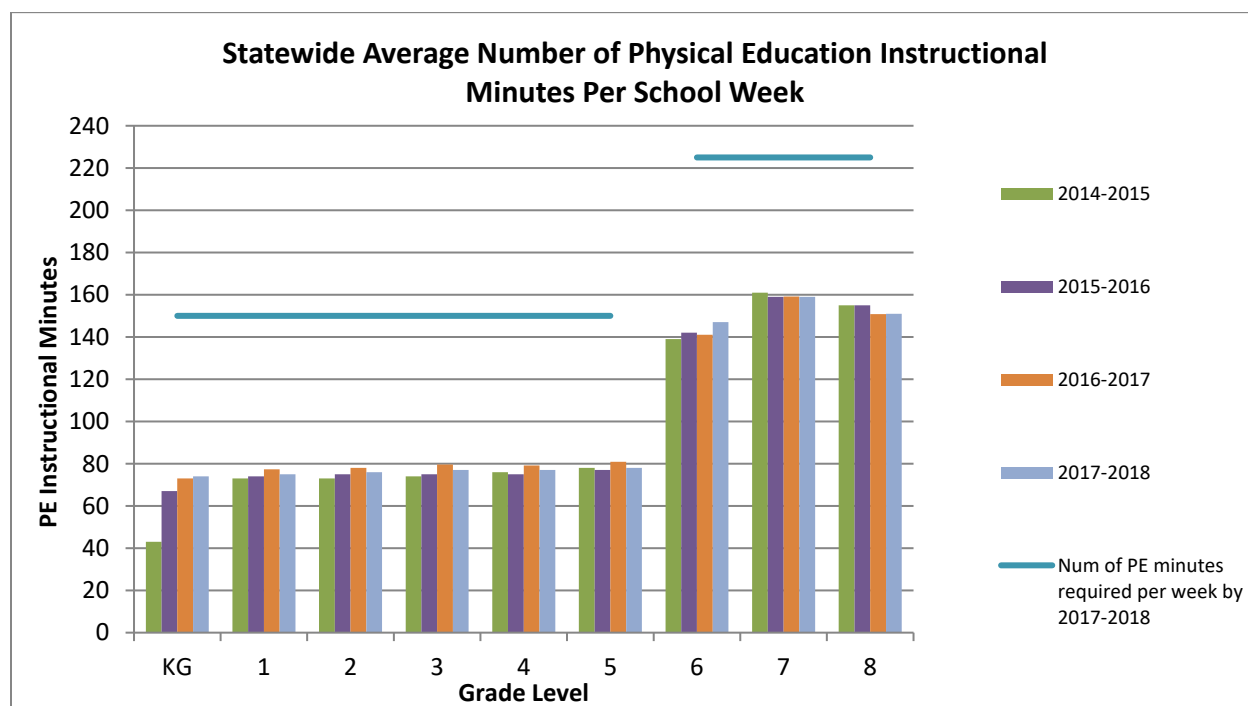


Figure 1: The average number of minutes per week of physical education instruction by grade level for the 2014-15 to 2017-18 school years in a side-by-side comparison.

## 1.2 - Number of Schools Providing Required Number of Minutes

Data collected on the number of schools providing required number of minutes can be found below in Table 2. It is important to note that fewer school districts reported data in the 2017-2018 school year compared to earlier reporting years.

The number of schools that offered the required amount of physical education instruction to **every student in all grade levels** for the entire school year from the 2016-2017 to 2017-2018 school years remained the same for grades K-5(6). In the 2016-2017 school year, 45 schools of 567 schools (approximately 8%) and in the 2017-2018 school year, 45 schools of 567 schools (approximately 8%) **offered every K-5 student** the required amount of physical education instruction for the entire year to all students.

During this same time period, the number of schools that offered the required amount of physical education instruction decreased for grades 6-8. In the 2016-2017 school year, 60 schools of 227 (approximately 26%) and in the 2017-2018 school year 51 schools of 198 (approximately 26%) offered the required amount of physical education instruction to all students in the grade range of 6-8.

\*Note the possibility of overlap with prior grade range.

In 2017-2018 there were:

- 513 schools with the school grade range of K-5(6)
- 198 schools with the school grade range of grades (6) 7-8
- 160 schools with the school grade range of K-8.

In 2016-2017 there were:

- 567 schools with the school grade range of K-5 (6)
- 227 schools with the school grade range of grades (6) 7-8
- 182 schools with the school grade range of K-8

In the 2017-2018 school year, of **196** school districts, **151** school districts reported data (33 fewer districts reported data than in 2016-17).

In the 2016-17 school year, of **196** school districts, **184** school districts reported data.

<b>Number of Schools Providing Required Number of Minutes</b> (ORS 329.496 Requirement: K-5 = 150 minutes; Grades 6-8 = 225 minutes)				
Grade Level	2014-15 (1023 schools total)	2015-16 (1018 schools total)	2016-17 (976 schools total)	2017-18 (871 schools total)
KG- 5(6)	38 Schools	43 Schools	45 Schools	45 Schools
Grades 6-8	59 Schools	61 Schools	60 Schools	51 Schools

**Table 2: The number of schools providing the number of minutes required in ORS 329.496.**

### 1.3 - Numbers of Students Receiving and Not Receiving Instruction

Data collected on number of students receiving and not receiving instruction is found below in Table 3. A standard disclaimer would be to note that the data in this table represents **the number of students receiving any instruction, not necessarily the required number of minutes outlined in ORS 329.496.**

It is also important to note that a known error exists in 2016-2017 data submitted to the ODE. The number of students reported as receiving or not receiving PE instruction is too low for some schools in one large district. It was not possible for the district to remedy this error. Also note, total counts for 2016-17 are higher than 2017-18 due to fewer districts reporting data in 2017-18.

<b>Numbers of Students Receiving and Not Receiving Instruction</b>				
<b>Grade Level</b>	<b>Total Number of Students Receiving Instruction (Percent/Grade)</b>		<b>Total Number of Students Not Receiving Instruction (Percent/Grade)</b>	
	<b>2016-17</b>	<b>2017-18</b>	<b>2016-17</b>	<b>2017-18</b>
KG	39,305 (97.5%)	36,449 (99.2%)	1,004 (2.5%)	289 (0.8%)
1	41,253 (98.7%)	37,377 (99.4%)	555 (1.3%)	236 (0.6%)
2	41,878 (98.8%)	38,068 (99.3%)	511 (1.2%)	271 (0.7%)
3	44,138 (99.0%)	38,942 (99.4%)	459 (1.0%)	235 (0.6%)
4	43,842 (98.8%)	40,242 (99.3%)	517 (1.2%)	289 (0.7%)
5	42,832 (98.8%)	40,250 (99.3%)	540 (1.2%)	289 (0.7%)
6	39,509 (94.1%)	38,105 (95.3%)	2,479 (5.9%)	1,879 (4.7%)
7	39,463 (95.9%)	36,317 (93.1%)	1,682 (4.1%)	2,681 (6.9%)
8	37,422 (90.9%)	34,511 (88.4%)	3,725 (9.1%)	4,547 (11.6%)
<b>Total</b>	<b>369,642</b>	<b>340,261</b>	<b>11,472</b>	<b>10,716</b>

**Table 3: The number of students in grades K-5 receiving physical education instruction in 2016-17, and 2017-18.**

## 1.4 - K-5(6) School Physical Education Instructional Minutes

Data collected on physical education instructional minutes for K-5(6) schools by school size is presented below in Table 4.

The average number of physical education instructional minutes per week in K-5(6) medium sized schools (student populations of 151-300), and large sized schools (301-450 student population) were higher than those in small schools (student populations of 150 or less) and very large sized schools (450 or more), with the exception of grade 6 in 2017-18.

Small sized schools and very large sized schools saw a decrease of instructional minutes in 2017-18 compared to 2016-17 school year (exception KG in 2017-2018).

K-5(6) School Physical Education Instructional Minutes								
Grade	Schools of 150 or less Student Population (Small)		Schools of 151-300 Student Population (Medium)		Schools of 301-450 Student Population (Large)		Schools of more than 450 Student Population (Very large)	
	2016-17	2017-18	2016-17	2017-18	2016-17	2017-18	2016-17	2017-18
KG	88	91	72	87	66	75	66	69
01	107	101	74	87	72	76	74	70
02	112	105	76	88	73	77	74	71
03	114	100	74	87	74	77	75	71
04	114	101	75	87	73	77	74	71
05	115	104	77	92	75	77	74	71
06	137	114	89	106	98	93	92	74

Table 4: K-5(6) schools average physical education instructional minutes per week for schools of specific student population size. Shading indicates an increase in the average number of minutes from the prior year. School size information comes from the Cumulative ADM collection.

## 1.5 - K-8 Schools Physical Education Instructional Minutes

Data collected on physical education instructional minutes for K-8 schools by school size is presented below in Table 5.

In 2017-2018, the average number of physical education instructional minutes per week for students in grades:

- K-6 and grade 8 is higher in small sized schools (150 or less student population) than those in schools with larger student populations. Seventh (7<sup>th</sup>) grade had seven (7) minutes decrease.
- K-3 and grades 5-8 is higher in medium sized schools (151-300 student population). Fourth (4<sup>th</sup>) grade remained the same.
- K-2 and 6-8 is higher in large sized schools (301-450 student population). Third (3<sup>rd</sup>), fourth (4<sup>th</sup>) and fifth (5<sup>th</sup>) grade had decreases.
- K-8 is higher in very large sized schools (450 or more student population).

In 2017-2018, there was a steady increase in the average number of minutes reported overall in all school sizes across the majority of all grade levels.

K-8 Schools Physical Education Instructional Minutes								
	Schools of 150 or less Student Population (Small)		Schools of 151-300 Student Population (Medium)		Schools of 301-450 Student Population (Large)		Schools of more than 450 Student Population (Very Large)	
Grade	2016-17	2017-18	2016-17	2017-18	2016-17	2017-18	2016-17	2017-18
KG	104	115	91	94	70	81	58	68
01	110	114	95	98	78	82	66	70
02	105	115	95	101	80	83	66	72
03	117	121	97	99	84	83	69	74
04	120	130	101	101	90	89	71	72
05	124	133	105	108	122	98	77	79
06	149	156	139	145	128	138	114	127
07	153	146	148	150	128	145	119	132
08	147	156	144	149	129	143	117	140

**Table 5: K-8 schools average physical education instructional minutes per week for schools of specific student population size. Shading indicates an increase in the average number of minutes. School size information comes from the Cumulative ADM collection.**



## 1.6 - Grade (6) 7-8 Schools Physical Education Instructional Minutes

Data collected on physical education minutes for grades 6-8 by school size is presented below in Table 6.

In 2017-2018, the average number of physical education instructional minutes per week for students in grades 7-8 increased in medium and large sized schools (151-300 students & 301-450 students). Small schools (<150 students) and very large schools (>450 students) both remained relatively flat with very small average increases.

The largest increase in 2017-18 was at schools within the 151-300 student range that saw an average increase of 25 minutes per week, and the smallest increase was within small (<150 students) and large (>450 students) schools that only saw an average increase of 1 minute per week.

\*CAUTION – this could be due to fewer districts reported in the 2017-18 school year, which can influence the overall averages.

Grade	Schools of 150 or less Student Population (Small)		Schools of 151-300 Student Population (Medium)		Schools of 301-450 Student Population (Large)		Schools of more than 450 Student Population (Very Large)	
	2016-17	2017-18	2016-17	2017-18	2016-17	2017-18	2016-17	2017-18
06	133	150	162	193	151	166	167	167
07	171	163	181	205	169	187	169	170
08	172	167	181	202	170	184	168	169

Table 6: Grade (6) 7-8 schools average physical education instructional minutes per week for schools of specific student population size. Shading indicates an increase in the average number of minutes. School size information comes from the Cumulative ADM collection.

**Part II: Physical Education Facilities  
School District Data Collection Report  
2014-15, 2015-16, 2016-17, and 2017-18**

**2.1 - TOTAL NUMBER OF FACILITIES EXISTING & NEEDED**

Data collected on total number of facilities existing and needed is presented below in Table 7.

Thirty-three (33) fewer districts reported data in 2017-18 than 2016-17, which decreased the existing and needed facilities.

Ranges of Square Footage	SCHOOL YEAR							
	2014-15		2015-16		2016-17		2017-18	
	Existing	Needed	Existing	Needed	Existing	Needed	Existing	Needed
0-3000	339	40	339	40	345	30	237	31
3001-6000	827	170	827	170	834	134	655	102
6001-9000	298	51	298	51	286	35	235	27
9001+	217	34	217	34	226	27	196	28
<b>Total Facilities</b>	<b>1681</b>	<b>295</b>	<b>1681</b>	<b>295</b>	<b>1691</b>	<b>226</b>	<b>1323</b>	<b>188</b>

Table 7: The total number reported for existing and needed physical education facilities by range of square footage.

## 2.2 - Number of Existing Facilities (by Facility Type Code)

Data collected on the number of existing facilities by facility type code is presented below in Table 8. It is important to note that thirty-three (33) fewer districts reported data in the 2017-2018 school year than the 2016-2017 school year.

For the 2017-18 school year:

- 156 school districts reported 1263 existing facilities.

For the 2016-17 school year:

- 190 school districts reported 1622 existing facilities.

For the 2015-16 school year:

- 190 school districts reported 1622 existing facilities.

For the 2014-15 school year:

- 188 school districts reported 1629 existing facilities.

Facility Type Code	2014-15	2015-16	2016-17	2017-18
Covered Exercise Area (CA)	188	188	188	158
Empty Classroom (EC)	26	30	30	19
Gym (GY)	976	986	986	793
Multipurpose Room (MP)	299	286	286	181
Uncovered Exercise Area (UA)	139	131	131	112
Not Applicable (00 Web-Based)	1	1	1	0
<b>Total</b>	<b>1629</b>	<b>1622</b>	<b>1622</b>	<b>1263</b>

**Table 8: The total number of existing physical education facilities reported by facility type code in 2014-15, 2015-16, 2016-17, and 2017-18 school years.**

**Part III: Needed Physical Education Facilities  
School District Data Collection Report  
2014-15, 2015-16, 2016-17, and 2017-18**

**3.1 - Number of Needed Facilities by Facility Type Code**

Data collected on the number of needed facilities by facility type code is presented below in Table 9. Please note that data in this section may be impacted by the fewer reported data from districts in the 2017- 2018 school year.

For the 2017-18 school year:

- 51 districts reported the need for 188 additional facilities to meet the requirements of ORS 329.496.

For the 2016-17 school year:

- 56 districts reported the need for 226 additional facilities to meet the requirements of ORS 329.496.

For the 2015-16 school year:

- 56 districts reported the need for 244 additional facilities to meet the requirements of ORS 329.496.

For the 2014-15 school year:

81 districts reported needing 313 additional facilities to meet the requirements of ORS 329.496.

<b>Facility Type Code</b>	<b>2014-15</b>	<b>2015-16</b>	<b>2016-17</b>	<b>2017-18</b>
Covered Exercise Area (CA)	28	20	20	17
Empty Classroom (EC)	3	3	3	3
Gym (GY)	202	160	160	135
Multipurpose Room (MP)	47	34	34	28
Uncovered Exercise Area (UA)	15	9	9	5
Not Applicable (00 Web-Based)	18	18	18	12
<b>Total</b>	<b>313</b>	<b>244</b>	<b>244</b>	<b>200</b>

**Table 9: The total number of needed physical education facilities reported by facility type code in the 2014-15, 2015-16, 2016-17, and 2017-18 school years.**

## Conclusion

ORS 329.496 (previously House Bill 3141) requires every kindergarten through eighth grade public school student in Oregon to participate in physical education for the entire school year. According to the statute, students in kindergarten through fifth grade shall participate in physical education for at least 150 minutes a school week and sixth through eighth grades shall participate in physical education for at least 225 minutes each school week. ORS 329.496 allows for a phase-in of minutes requirements, and for pro-rating time requirements for school weeks with scheduled and unscheduled school closures.

### The phase-in of required minutes begins next school year (2019-20):

- For the 2019-2020 school year, students in grades K-5(6) shall participate in physical education for at least 120 minutes during each school week.
- For the 2020-2021 school year and every school year thereafter, students in grades K-5(6) shall participate in physical education for at least 150 minutes during each school week.

If a school district fails to comply, the school district may be considered nonstandard under [ORS 327.103 \(Standard school presumed\)](#).

- For the 2021-2022 school year, students in grade 6-8 shall participate in physical education for at least 180 minutes during each school week.
- For the 2022-2023 school year and every school year thereafter, students in grades 6-8 shall participate in physical education for at least 225 minutes during each school week.

If a school district fails to comply, the school district may be considered nonstandard under [ORS 327.103 \(Standard school presumed\)](#).

The data collected during the 2016-2017 and 2017-2018 school years was less robust than in previous years. A known error exists in 2016-2017 data submitted to the ODE where the number of students reported as receiving or not receiving PE instruction is too low for some schools. The total data counts in 2016-2017 are higher than in 2017-2018 due to fewer district reporting in this collection school year. In addition to the decrease in submitted data in 2017-2018, there were submission errors that were not able to be remedied at the district level. Both of these issues affect the quality of data analysis that can be done for this biennium.

The Oregon Department of Education is in the process of making changes to the data collection system to gather data that is more detailed, and will be implementing an audit of data submitted immediately after each school year in an attempt to increase the number and quality of data submitted by districts.

Numbers remain relatively flat in the number of schools that offered **all students in all grade levels** the required amount of physical education instruction for the entire school year from 2015-16, 2016-17 and 2017-18 school years.

In the 2016-17 approximately 8% of schools (45 of 513) and in the 2017-18 approximately 9% of schools (45 of 567) reported **offering all K-5 students** at the school the required amount of physical education instruction for the entire year to all students.

In the 2016-2017 school year, 60 schools of 227 (approximately 26%) and in the 2017-2018 school year 51 schools of 198 (approximately 26%) offered the required amount of physical education instruction to **all students in the grade range of 6-8**. Some middle schools in this count could possibly overlap with the elementary count in the prior grade range since some school include 6<sup>th</sup> grade in their elementary buildings.

The average number of physical education instructional minutes per week for students in K-5(6) schools with medium/large sized schools (151 -450 student population) tends to be higher than those minutes in small schools (0-150 students) and very large schools (450+ students).

The average number of physical education instructional minutes per week for students in 6-8 schools of small to large sized schools (0-450 students) tends to be higher than those minutes in schools within very large schools (450 or more students).

Historically, and during the data collection period, schools continue to explain to the Oregon Department of Education (ODE) that sixth through eighth grade physical education minutes are not always provided throughout the entire school year as outlined in ORS 329.496. They may be provided in a 9-12 week block along with other content areas throughout the school year.

One of the barriers that school districts report in reaching the minute requirements outlined in ORS 329.496 is a lack of physical education facilities. School districts report needing additional facilities to increase the amount of space available to instruct students, and to keep class sizes the same as other content areas.

For the 2017-18 school year, 51 districts reported the need for 188 additional facilities to meet the requirements of ORS 329.496. It is suspected that this number is falsely low due to some districts not reporting data for that year.

For the 2016-17 school year, 56 districts reported the need for 226 additional facilities to meet the requirements of ORS 329.496.

Another deterrent that school districts report in not reaching the minute requirements outlined in ORS 329.496 has been a lack of time during the current school day. Many districts explain that they feel pressure to provide more time to content areas that are connected with state testing. In many cases, this has been translated into more time required with those subjects and less time for other content areas including physical education.

With the passage of the Every Student Succeeds Act (ESSA) all content subjects including Physical Education, are considered essential to a “well-rounded” education. Districts will need

to continue to adjust master schedules to achieve the goal of a balanced, well-rounded education and meet the requirements of ORS 329.496.

Of note, schools who were able to receive PEEK-8 physical education grants report significant benefits to their students in terms of instructional time offered and an increase of on-task behavior and decreased referrals for behavioral issues. The PEEK-8 grants allowed many schools to hire for the first time, a licensed physical education specialist, or to hire an additional physical education teacher to meet the goals of ORS 329.496. The professional development grants allowed physical education teachers and classroom teachers to increase their skills in preparing physically literate students who will be confident and competent to be physically active throughout their lifetimes.

The Oregon Department of Education will continue to work with districts to improve the quality of the data that is collected in relation to ORS 329.499, and provide support for the implementation of quality physical education instructional minutes outlined in ORS 329.496.