

Physical Performance Tests

Adopted March 25, 1999

Education Code Section 60800

Statutes of 1995, Chapter 975

California Department of Education Memorandum, dated February 16, 1996

Mandate Summary

Eligible Claimants

Any "school district," as defined in Government Code section 17519, except for community colleges, which incurs increased costs as a result of this mandate is eligible to claim reimbursement.

Mandate Background

The Commission adopted the parameters and guidelines for this claim on September 24, 1998.

On June 25, 1998, the Commission on State Mandates adopted its Statement of Decision finding that Education Code section 60800, as added by Statutes of 1995, Chapter 975, and the California Department of Education Memorandum, dated February 16, 1996, imposed a reimbursable state mandated program on school districts. (Exhibit A.) The Commission limited its decision to the following reimbursable state mandated activities:

- Acquiring materials and equipment to administer the State Board of Education's designated physical performance test to students in grades 5, 7, and 9;
- Training teachers to conduct the designated physical performance test;
- Processing and analyzing score data by school personnel other than teachers; and
- Responding to requests by the California Department of Education for testing results pursuant to Education Code section 60800, subdivision (b).

The reimbursement period for this mandate began July 1, 1995.

Reimbursable Mandated Activities

For each eligible claimant, the direct and indirect costs of labor, supplies and services incurred for the following mandate components are reimbursable:

1. Acquiring materials, supplies and equipment to administer the State Board of Education's designated physical performance test to students in grades 5, 7 and 9.

The following activities associated with the acquisition of any materials, supplies, and equipment required by the Prudential Fitnessgram testing program are eligible for reimbursement:

- contacting the test provider and negotiating the purchase of the materials, preparing contracts or purchase orders for the purchase of materials, administering the purchase of materials;

- purchasing the materials, supplies, and equipment, including test administration manuals, test materials, testing equipment, test scoring and reporting materials and related software; and
 - conducting an inventory of the purchased materials, and distributing materials.
2. Training to conduct the designated physical performance test to students in grades 5, 7, and 9.

The following activities associated with training teachers and other school district personnel to conduct, score, and process the physical performance tests and test results are eligible for reimbursement:

- reviewing the requirements of the testing program selected by the State Board of Education⁴ by administrators, teachers and other school district personnel;
- preparing policies and procedures;
- developing and preparing for training sessions;
- attending training sessions; and
- providing materials and supplies in training sessions.

Increased costs for substitute teacher time during the school day or for teacher stipends to attend training sessions outside the regular school day (after school or on Saturday) are eligible for reimbursement. However, the labor time of the teacher spent in attending training sessions during that teacher's normal classroom hours is not reimbursable.

3. Conducting the Physical Performance Tests

The following activity associated with conducting the physical performance tests is eligible for reimbursement:

- conducting the tests.

The Commission on State Mandates determined that the labor time of the teacher spent in conducting the tests during that teacher's normal classroom hours is not reimbursable.⁵

4. Processing and analyzing score data by school district personnel other than teachers.

The following activities associated with processing and analyzing test score data are eligible for reimbursement:

- re-recording raw test scores onto "scantron" or other score sheets used to process test scores, processing and analyzing test scores, and preparing and distributing personalized test score results; and
- data processing of test scores by the district, consultants, or other entities.

⁴ Currently the *Prudential Fitnessgram* testing program.

⁵ In sum, the Commission found that physical performance testing requires teachers to substitute the tests for other activities. The time to administer and score the tests is therefore *absorbed* into the school day with no resultant increased costs to the school district. To be eligible for reimbursement a school district must incur increased costs as a result of administering physical performance tests. However, because testing takes place in an environment that has an identifiable limit on the number of hours in a normal workday, and the normal workday has not been extended, the Commission found that teacher time to administer physical performance tests is not reimbursable. The Claimant disagrees.

The Commission on State Mandates determined that labor time of the teacher spent on these activities during that teacher's normal classroom hours is not reimbursable.⁶

5. Responding to requests by the California Department of Education for testing results pursuant to Education Code section 60800, subdivision (b).

The following activities associated with responding to a request by the California Department of Education for physical fitness test results are eligible for reimbursement:

- data processing and analysis, preparing reports, and filing reports.

Statewide Cost Estimate

Following is a breakdown of estimated total costs per fiscal year:

Fiscal Year	Total
1995-96	\$400,293
1996-97	\$1,166,588
1997-98	\$914,188
1998-99	\$944,801
1999-00	<u>\$990,993</u>
Total	\$4,416,863
Total (rounded)	\$4,417,000

⁶ See Footnote 5.