

**APPROVE APPLICATION FOR A TWO YEAR RENEWAL OF A SCHOOL CODE WAIVER
REGARDING PHYSICAL EDUCATION FOR ELEVENTH AND TWELFTH GRADE STUDENTS**

THE CHIEF EXECUTIVE OFFICER RECOMMENDS:

That the Board approve an application for a two year renewal of a waiver from Illinois School Code requirements regarding physical education for eleventh and twelfth grade students.

CURRENT WAIVER: The Board's current physical education ("P.E.") waiver for eleventh and twelfth grade students covers a five-year period commencing with the 2007-2008 school year expires at the end of the 2011-2012 school year.

PHYSICAL EDUCATION REQUIREMENT: The Illinois School Code requires daily P.E. but permits a school board to excuse, on an individual basis, eleventh and twelfth graders when he/she demonstrates any of the following:

1. ongoing participation in an interscholastic athletic program;
2. a need to enroll in academic classes for admission to an institution of higher learning, provided that failure to take such classes will result in the pupil being denied admission to the institution of his or her choice; or
3. a need to enroll in academic classes for graduation from high school, provided that failure to take such classes will result in the pupil being unable to graduate.

DISTRICT WAIVER REQUIREMENT: Section 2-3.25g of the School Code permits districts to request waivers of School Code mandates when the applicant district demonstrates that it can address the intent of the mandate in a more effective, efficient or economical manner or when necessary to stimulate innovation or improve student performance. The Illinois State Board of Education (ISBE) submits waivers requested by districts to the General Assembly. If the General Assembly fails to disapprove a waiver request within 60 days, the waiver is deemed granted. Effective January 1, 2008, Section 2-3.25g of the School Code restricts waivers of physical education mandates to a maximum of three two-year waiver periods.

PUBLIC HEARING AND NOTICES: Section 2-3.25g(c) of the Illinois School Code requires the Board to convene a Special Board Meeting to consider a P.E. waiver renewal application and hear testimony from staff as well as interested parents and students. Notice of this Special Board Meeting was published in a Chicago newspaper and provided to state legislators representing Chicago and collective bargaining agents at least seven days in advance of this meeting.

WAIVER TERM: The waiver application requests a two-year renewal period which covers the 2012-2013 and 2013-2014 school years.

DESCRIPTION OF WAIVER APPLICATION: The application enumerates the reasons for seeking the waiver, namely to improve student performance by providing access to higher level courses and opportunities to satisfy graduation requirements. Further, a two-year waiver renewal supports the CEO's goal of transitioning PE 3 and 4 into the longer school day model for high schools.

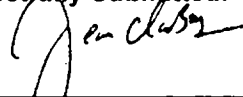
AUTHORIZATION: Authorize the Chief Executive Officer to execute the physical education waiver application described above and submit it to ISBE in accordance with Section 2-3.25g of the School Code.

Approved for Consideration:



Noemi Donoso
Chief Education Officer

Respectfully Submitted:



Jean-Claude Brizard
Chief Executive Officer

Within Appropriation:



Melanie E. Shaker
Interim Chief Financial Officer

Approved as to Legal Form:



Patrick J. Rocks
General Counsel