

STATE OF NEW MEXICO
LEGISLATIVE EDUCATION STUDY COMMITTEE

REPRESENTATIVES

Rick Miera, Vice Chair
Nora Espinoza
Jimmie C. Hall
Dennis J. Roch
Sheryl M. Williams Stapleton
Mimi Stewart

State Capitol North, 325 Don Gaspar, Suite 200
Santa Fe, New Mexico 87501
Phone: (505) 986-4591 Fax: (505) 986-4338
<http://www.nmlegis.gov/lcs/lesc/lescdefault.aspx>



SENATORS

John M. Sapien, Chair
Craig W. Brandt
Gay G. Kernan
Howie C. Morales

ADVISORY

Alonzo Baldonado
Nathan "Nate" Cote
George Dodge, Jr.
David M. Gallegos
Stephanie Garcia Richard
Timothy D. Lewis
Tomás E. Salazar
James E. Smith
Christine Trujillo
Bob Wooley

ADVISORY

Jacob R. Candelaria
Lee S. Cotter
Daniel A. Ivey-Soto
Linda M. Lopez
John Pinto
William P. Soules
Pat Woods

Frances Ramírez-Maestas, Director

October 16, 2013

MEMORANDUM

TO: Legislative Education Study Committee

FR: Travis Dulany, Ian Kleats, and Candy Meza

RE: STAFF REPORT: CHILDHOOD OBESITY: POLICIES AND INTERVENTIONS

INTRODUCTION

For the 2013 interim, Legislative Education Study Committee (LESC) members requested a presentation/report on childhood obesity in New Mexico to include:

- a discussion of successful school-based interventions/policies aimed at improving child health, specifically when it comes to healthy lifestyles and selecting good food choices;
- an analysis of foods served in schools, including an evaluation of nutritional values;
- school meal nutrition best practices within New Mexico schools and other states; and
- district/state policies governing the availability and sale of soft drinks and high fat/sugar/processed carbohydrate snack foods in schools.

In researching this topic, it appears that the best practices and academic research place an equal emphasis on physical education (PE) and physical activity as they do nutrition. As a result, this staff report covers childhood obesity policies and interventions relating to:

- student physical fitness, including:
 - provisions in current statutory and administrative law regarding physical education;
 - National Association for Sport and Physical Education best practices; and
 - physical activity among New Mexico students; and
- student nutrition, including:
 - state and federal school nutrition programs;
 - food analysis;
 - other states' best practices; and
 - nutrition policy options for committee consideration.

Presenters

LESC staff have also arranged for testimony from the following individuals on this topic:

- Susan Scott, MD, JD, Professor Emerita of Pediatrics, Department of Pediatrics, University of New Mexico (UNM) School of Medicine will discuss issues related to nutrition;
- Dr. Chad Kerksick, Assistant Professor, Exercise Physiology, Department of Health Exercise and Sports Sciences, UNM College of Education; Ms. Ann Paulls-Neal, physical education teacher at John Baker Elementary School, Albuquerque Public Schools, and Executive Director of New Mexico American Alliance for Health, Physical Education, Recreation and Dance (AAHPERD); and Mr. Joshua Cales, AAHPERD Student Delegate, UNM, will discuss physical education; and
- Mr. Dean Hopper, Director of the School and Family Support Bureau of the Public Education Department (PED) will provide an overview of school nutrition programs at the state and federal level administered by PED, with special emphasis on nutritional requirements of those programs.

STUDENT PHYSICAL FITNESS

Provisions in Current Statutory and Administrative Law Regarding Physical Education Elementary Physical Education

In 2007, legislation was enacted (Laws 2007, Chapter 348) to include criteria for elementary PE programs in the state's public schools. Among its provisions, current statute:

- provides for the calculation of program units in the State Equalization Guarantee (SEG) by multiplying the number of K-6 students in elementary PE by a cost differential factor of 0.06;
- defines "physical education" as programs of education through which students participate in activities related to fitness education and assessment; active games and sports; and development of physical capabilities such as motor skills, strength, and coordination; and

- requires:
 - PED:
 - in granting approval for funding of elementary PE programs to provide that programs are first implemented in public schools that have the highest proportion of students most in need based on the percentage of students eligible for free or reduced-fee lunch or grade level schools that serve an entire school district and in public schools with available space; and
 - to compile the program results submitted by the school districts each year and make an annual report to the LESC and the Legislature¹; and
 - public schools to submit a program plan to PED that includes the program being taught and an evaluation component.

To comply with another section in current statute, the Legislature has included language in each *General Appropriation Act* since 2007 that requires the secretary of public education to “annually determine the programs and the consequent numbers of students in elementary physical education that will be used to calculate the number of elementary physical education program units.”

Since FY 06, the Legislature has appropriated \$4.375 million to PED for PE and anti-obesity programs and \$16.0 million to the SEG to fund elementary PE:

- \$1.425 million was appropriated to PED for PE/anti-obesity programs in FY 06;
- \$2.0 million in nonrecurring funding was appropriated to PED in FY 07 from the “education lockbox” for elementary school PE and anti-obesity programs;
- \$650,000 in recurring funding was appropriated in FY 08 for before- and after-school programs that include physical activity and nutrition;
- \$300,000 in recurring funding was appropriated in FY 09 for anti-obesity/before- and after-school programs that include physical activity and nutrition; and
- \$8.0 million was allocated in FY 08 and in FY 09 to the SEG, which, according to PED staff at the time, funded PE programs for over 65,000 students (approximately 37 percent) in public elementary schools².

Physical Education Graduation Requirements

For students who entered the ninth grade in school year 2009-2010 – the class of 2013 under a four year cohort – 24 high school academic units are required in order to receive a New Mexico Diploma of Excellence. Among these graduation requirements, students must complete one unit in PE. Additionally, for students who entered the eighth grade in school year 2012-2013 – the class of 2017 under a four year cohort – a course in health education is required prior to graduation. The health education course may be required in either middle school or high school, as determined by the school district.

¹ According to PED staff, these reports were not generated.

² LESC staff were unable to obtain an updated list of those schools still receiving SEG funds for elementary PE in time for inclusion in this staff report.

Public Education Department Administrative Code

PED rule specifies certain content standards with benchmarks and performance standards for grades K-4, grades 5-8, and grades 9-12. These standards and benchmarks can be found in **Attachment 1, Part 9 Physical Education**.

This rule also outlines competencies for entry-level PE teachers. These standards, which can be found in **Attachment 2, Part 14 Competencies for Entry-level Physical Education Teachers**, specify expectations for PE teachers in the following areas:

- content knowledge;
- growth and development;
- diverse learning;
- management and motivation;
- communication;
- planning and instruction;
- learner assessment;
- reflection and professional development; and
- collaboration.

National Association for Sport and Physical Education Best Practices

Physical Activity versus Physical Education

According to the National Association for Sport and Physical Education (NASPE), a distinction should be made between physical education and physical activity. The association draws the following distinction between the two:

- Physical Education programs offer the opportunity to provide physical activity to children and teach them the skills and knowledge needed to establish and sustain an active lifestyle. PE teachers assess student knowledge, motor and social skills, and provide instruction in a safe supportive environment. NASPE recommends that schools provide 150 minutes per week of instructional PE for elementary school students and 225 minutes per week for middle and high school students. Further, according to NASPE, PE should include:
 - the opportunity to learn;
 - appropriate instruction;
 - meaningful content; and
 - student and program assessment.
- Physical Activity is bodily movement of any type and may include recreational fitness and sport activities such as jumping rope, playing soccer, lifting weights, as well as daily activities such as walking to the store, taking the stairs, or household chores. NASPE and the US Department of Health and Human Services recommend at least 60 minutes of physical activity per day. This activity may include time spent in a PE class, classroom-

based movement, recess, walking or biking to school, and recreational sport and play that occurs before, during, or after school.

Physical Education Policies and Practices

In 2012, NASPE, along with the American Heart Association, issued the *Shape of the Nation Report*, highlighting 15 key state PE policies and practices. NASPE reported that New Mexico met nine criteria; namely that New Mexico actively supports the national board certification process and requires:

- elementary school PE;
- middle school/junior high school PE;
- high school PE;
- PE standards;
- student assessment in PE;
- all who teach elementary school PE to be certified/licensed;
- all who teach middle school/junior high school PE to be certified/licensed; and
- all who teach high school PE to be certified/licensed.

Criteria that New Mexico **did not** meet, according to the report, indicate that the state does not:

- grant exemptions/waivers to school districts regarding PE time or credit requirements;
- permit school districts or schools to allow students to substitute other activities for required PE credit;
- require PE grades to be included in students' grade point average;
- require professional development/continuing education to maintain/renew PE teacher certification/licensure;
- provide funding for professional development for PE teachers; and
- require a school district to have a licensed physical educator serving as a physical educator coordinator.

Physical Activity among New Mexico Students

In examining the NASPE recommendation that students achieve 60 minutes of physical activity per day, one way to understand physical activity achievement among New Mexico students is through the New Mexico Youth Risk and Resiliency Survey (YRRS), which is conducted by PED, the Department of Health, and the UNM School of Medicine Prevention Research Center. Data for physical activity from the 2011 survey for middle and high school students can be found below.

Middle School

According to the 2011 New Mexico YRRS, among middle school students:

- 31.7 percent engaged in 60 minutes of daily physical activity in the seven days prior to the survey;

- boys (37.1 percent) were more likely to be physically active every day than girls (26 percent);
- 17.4 percent were not physically active in the seven days prior to the survey; and
- American Indian (24.2 percent), African-American (19.3 percent), and Hispanic (18.4 percent) students had higher rates of days with no physical activity than whites (9.8 percent).

High School

According to the 2011 New Mexico YRRS, among high school students:

- 26.3 percent exercised at least 60 minutes every day during the seven days prior to the survey;
- exercising every day increased in prevalence from 2007 (22.1 percent) to 2011 (26.3 percent);
- the rate of students who exercise at least 60 minutes every day is lower than the US rate of 28.7 percent;
- exercising 60 minutes every day decreased with grade level, from 30.4 percent among ninth grade students to 21.7 percent among twelfth grade students;
- the prevalence of exercising every day increased with increased levels of parent education – among those whose parents had less than a high school education, 19.9 percent exercised every day versus 29.3 percent of those whose parents completed college or professional school; and
- students who earned mostly “A” or “B” letter grades in school were more likely to exercise every day than those who earned mostly “C,” “D,” or “F” letter grades.

Achieving 60 Minutes of Physical Activity Per Day

To achieve the recommended 60 minutes of physical activity each day, AAHPERD lists five components of a comprehensive school physical activity program:

1. **Physical Education** should provide standards-based instruction and include moderate-to-vigorous physical activity for at least 50 percent of the class time, but not at the expense of skill development or high-quality instruction. PE should furthermore follow appropriate instruction practices and be developmentally appropriate to students’ physical, cognitive, and social needs. AAHPERD notes that PE time in schools is an ideal way to increase physical activity, but might require funded state-level legislation.
2. **Physical Activity during the School Day** is necessary to help meet the recommended 60 minutes of physical activity per day. Physical activity breaks interspersed throughout the day can contribute to improved cognitive skills and enhanced concentration. Some examples provided by AAHPERD include:
 - daily recess for at least 20 minutes;
 - school-wide special events such as walking programs;
 - three to five minute active transition activities between classroom tasks;

- providing the option to walk during study hall time; and
- integrating movement into academic content.

3. **Physical Activity Before and After School** may include:

- intramural activities (e.g. sports, walking/jogging, karate, or dance);
- interscholastic sports (i.e. competitive team sports such as soccer or softball);
- active transport to school (e.g. biking or walking);
- activity clubs;
- youth sports; and
- before- and after-school programs.

4. **Staff Involvement** in a school physical activity program includes both programs incorporated by school staff to increase the physical activity levels of students *and* programs incorporated to increase the physical activity levels of school staff members. This can include walking programs, personal training sessions, and group fitness classes. Ideally, school staff members would be able to use school facilities to participate in such group physical activity opportunities.

5. **Family and Community Engagement** can bring to bear the most significant impact on lifetime physical activity in students, according to AAHPERD, and engages parents and families to provide opportunities for physical activity within school and community events such as health fairs, road races, or recreational nights.

STUDENT NUTRITION

State and Federal School Nutrition Programs

Federal Nutrition Programs

According to the PED Student Nutrition Bureau website, the federal government funds and oversees the following school nutrition programs through the US Department of Agriculture (USDA), which are then administered by PED in accordance with USDA regulations and guidance on these programs for the state-level administrator to follow. These programs include:

- the National School Lunch Program (NSLP), which includes:
 - the Afterschool Snack Program; and
 - the Seamless Summer Program;
- the School Breakfast Program (SBP); and
- the Fresh Fruit and Vegetable Program.

Federal Nutrition Guidelines

The federal *Healthy, Hunger-Free Kids Act of 2010* (HHFKA):

- reauthorized the USDA's school nutrition programs through the federal *Child Nutrition Act*;
- allocated \$4.5 billion over 10 years nationwide in order to:
 - increase the number of low-income children who are eligible for free or reduced-price school meals; and
 - expand a program that provided after-school meals to at-risk children.

Among its other provisions, the federal HHFKA introduced certain changes to the *Child Nutrition Act* related to student nutrition and childhood obesity, among them that:

- The USDA has the authority to establish national nutrition standards for all food products sold on school grounds – vending machines, lunch lines, and school stores.
- The USDA must develop new meal patterns and nutrition standards for meals and snacks in schools, which must be consistent with recommendations of authoritative agencies and current nutrition science. Standards must be reassessed every 10 years or sooner.
- Water must be available and free of charge during school meals.
- Schools will be eligible for performance-based incentives – an increase of the federal reimbursement for school meals, of six cents per meal – for supplying breakfast and lunches that meet nutrition standards outlined in bill.
- Federal funds are to be allocated for school gardens and farm to school programs in which schools partner with local farms to provide nutritious, local foods for meals.
- Funding will be available for state agencies and local community organizations to promote nutrition education and obesity prevention including education on healthy food choices and physical fitness programs, with participating programs receiving consultation from nutrition education professionals, academic and research experts, and community organizations that serve low-income populations.
- The USDA and federal Health and Human Services Department must establish programs to promote healthy eating and reduce childhood obesity, with a focus on using the principles of behavioral economics research to influence healthy choices from a young age.

The timeline for implementation of the USDA rules complying with the requirements of the HHFKA has been included as **Attachment 3, *Implementation Timeline for Final Rule, Jan. 2012***, and the new meal patterns have been included as **Attachment 4, *Final Rule Nutrition Standards in the National School Lunch and School Breakfast Programs – Jan. 2012***.

State Nutrition Programs

In addition to administering the federal nutrition programs listed above, the State has modified the core, federal school breakfast program and provides for locally sourced produce in school lunches:

- Breakfast after the Bell
 - Legislative appropriations provide funding for schools to serve breakfast to students in accordance with the federal School Breakfast Program.
 - Statute requires that food service occur after the instructional day has begun, but PED rules further require “that instruction occurs simultaneously when breakfast is served or consumed.”
 - The Legislature appropriated about \$1.92 million for this program in FY 14, and has provided over \$19.6 million in funding since FY 06.
- New Mexico Produce in Schools
 - The Legislature appropriated \$100,000 for the purchase of New Mexico grown fresh fruits and vegetables for school meal programs.
 - The appropriation is not tied to any nutritional standards.

In 2006, PED promulgated rules related to the nutritional content of competitive food sales, which includes sales from vending machines and fundraisers. **Attachment 5, Part 5 Nutrition: Competitive Food Sales**, details those requirements.

Legislation from the 2013 Legislative Session

Senate Bill (SB) 75, *Healthy School Lunch Rules*, from the 2013 legislative session dealt specifically with nutrition standards for school food services. SB 75, which did not pass, would have required that the PED rules for school lunch programs provide:

- minimum nutritional standards for all lunches served, including amounts of:
 - calories;
 - saturated and unsaturated fat;
 - sodium;
 - sugar;
 - fiber; and
 - vitamins and minerals.
- that New Mexico-grown fresh fruits and vegetables be part of all school lunch programs; and
- that food be purchased from New Mexico vendors, where feasible.

Food Analysis

It appears from documents on the PED Student Nutrition Bureau website that food analysis of school meals can take several forms. In practice, the USDA regulations employ an approach that combines:

- the use of weekly meal patterns, which require a minimum or maximum number of servings from certain food groups; and
- detailed nutritional breakdown, which examines the caloric value and sodium, fat, sugar, or fiber content of meals.

According to the LESC analysis of SB 75 (2013), these regulations are largely based on the recommendations of the Institute of Medicine of the National Academies, which has advocated the use of meal patterns to enhance student diet and promote healthier food choices while restricting the fat, trans fat, and sodium content of meals.

Other States' Best Practices

The Education Commission of the States (ECS) State Policy Database provides an avenue to view the best practices of other states related to student nutrition dating back to 2004, including legislation, changes to rules and regulations, and executive orders. Notable policies that have been passed and signed into law include:

- Louisiana, H.B. 1088, Coordinated School Health Program, May 2012 (see **Attachment 6a** for a brief summary of the legislation's provisions);
- Missouri, H.B. 344, Healthy Cafeteria Offerings, July 2011 (see **Attachment 6b**); and
- District of Columbia, L.B. 18-564, Healthy Foods, July 2010 (see **Attachment 6c**).

Policy Options

For the committee's consideration, LESC staff have included the following nutrition policy options:

Provide an additional subsidy to schools adhering to federal nutrition standards.

The USDA currently provides an additional six cents per meal through the National School Lunch Program (NSLP) to assist schools in meeting the new federal nutrition standards. Assuming one lunch each day in a 180-day school year, this would result in additional annual funding of \$10.80 per student, which might not be sufficient to cover the additional cost of implementing the nutrition standards. Moreover, the federal six cents increase does not appear to apply to reimbursement rates for breakfasts or after-school snacks, which are subject to the same increased nutrition standards. Based on the state's NSLP eligibility data for school year 2012-2013, the state could match the federal rate increase with its own six cents subsidy for lunches in public schools at a cost of about \$3.5 million.

The committee may wish to include a \$3.5 million appropriation of six cents per lunch, or extend the per-meal subsidy to breakfasts and after-school snacks, for schools adhering to the federal NSLP nutrition standards in its FY 15 Public School Support (PSS) recommendations.

Integrate reporting of schools' weekly meal plans into the online nutrition claims system currently maintained by PED.

The committee may wish to discuss with PED the possible integration of weekly meal plan reporting into PED's online nutrition claims system. This discussion could result in an appropriation in the LESC FY 15 PSS recommendations if additional resources are necessary to achieve such functionality.

Provide an appropriation for nutrition analysis software to assist districts in complying with federal nutrition guidelines.

Nutrition analysis software, such as the NUTRIKIDS Menu Planning and Nutritional Analysis base program can be purchased for roughly \$750, and licensed for \$295 per additional computer. When districts have multiple schools with non-standard meal plans, such software could improve the efficiency of school nutrition staff in ensuring that weekly meal plans comply with federal nutrition guidelines. The cost of providing this software at the state level could range from approximately \$67,000 on the basis of one program per school district, to over \$500,000 on the basis of one program per school.

The committee may wish to include an appropriation to PED for the purpose of purchasing nutrition analysis software for school districts and charter schools in its FY 15 PSS recommendations. Alternatively, the committee might consider an appropriation to PED to integrate a nutrition analysis application within its current online nutrition claims system.

**PART 9
PHYSICAL EDUCATION**

- 6.29.9.1 ISSUING AGENCY
- 6.29.9.2 SCOPE
- 6.29.9.3 STATUTORY AUTHORITY
- 6.29.9.4 DURATION
- 6.29.9.5 EFFECTIVE DATE
- 6.29.9.6 OBJECTIVE
- 6.29.9.7 DEFINITIONS
- 6.29.9.8 CONTENT STANDARDS WITH BENCHMARKS AND PERFORMANCE STANDARDS FOR PHYSICAL EDUCATION, Grades K-4
- 6.29.9.9 CONTENT STANDARDS WITH BENCHMARKS AND PERFORMANCE STANDARDS FOR PHYSICAL EDUCATION, Grades 5-8
- 6.29.9.10 CONTENT STANDARDS WITH BENCHMARKS AND PERFORMANCE STANDARDS FOR PHYSICAL EDUCATION, Grades 9-12

6.29.9.1 ISSUING AGENCY:

Public Education Department, hereinafter the department.

[6.29.9.1 NMAC - N, 6-30-2009]

6.29.9.2 SCOPE:

All public schools, state educational institutions and educational programs conducted in state institutions other than New Mexico military institute.

[6.29.9.2 NMAC - N, 6-30-2009]

6.29.9.3 STATUTORY AUTHORITY:

A. Section 22-2-2 NMSA 1978 grants the authority and responsibility for the assessment and evaluation of public schools, state-supported educational institutions and educational programs conducted in state institutions other than New Mexico military institute.

B. Section 22-2-2 NMSA 1978 directs the department to set graduation expectations and hold schools accountable. Section 22-2C-3 NMSA 1978 requires the department to adopt academic content and performance standards and to measure the performance of public schools in New Mexico.

[6.29.9.3 NMAC - N, 6-30-2009]

6.29.9.4 DURATION:

Permanent.

[6.29.9.4 NMAC - N, 6-30-2009]

6.29.9.5 EFFECTIVE DATE:

June 30, 2009, unless a later date is cited at the end of a section.

[6.29.9.5 NMAC - N, 6-30-2009]

6.29.9.6 OBJECTIVE:

New Mexico content standards with benchmarks and performance standards for physical education are mandated for students in grades K-12. The New Mexico content standards with benchmarks for physical education were adopted in March 1997 as part of 6 NMAC 3.2; the benchmarks and performance standards were revised in June 2007.

[6.29.9.6 NMAC - N, 6-30-2009]

6.29.9.7 DEFINITIONS:

[Reserved]

6.29.9.8 CONTENT STANDARDS WITH BENCHMARKS AND PERFORMANCE STANDARDS FOR PHYSICAL EDUCATION, Grades K-4:

A. Content standard 1: Demonstrates competency in many movement forms and proficiency in a few movement forms. Students will:

- (1) grades K-4 benchmark 1: demonstrate competency in selected motor skills;
 - (a) grades K-2 performance standards:
 - (i) travel in a variety of locomotor patterns (i.e., hop, skip, jump, gallop, slide, etc.) using mature form;
 - (ii) demonstrate skills of chasing, fleeing and dodging to avoid others;
 - (iii) demonstrate smooth transitions between sequential motor skills (i.e., running into a jump);
 - (b) grades 3- performance standards:
 - (i) demonstrate mature form in all locomotor patterns;
 - (ii) while traveling, avoid or catch an object or individual;
 - (iii) develop patterns and combinations of movements into repeatable sequences;
- (2) grades K-4 benchmark 2: demonstrate competency in selected non-motor patterns;
 - (a) grades K-2 performance standards:
 - (i) roll sideways and forwards without hesitating or stopping using control;
 - (ii) balance demonstrating momentary stillness in symmetrical and asymmetrical shapes on a variety of body parts;
 - (iii) form round, narrow, wide and twisted body shapes alone and with a partner;
 - (b) grades 3-4 performance standards:
 - (i) transfer weight from feet to hands using controlled movement;
 - (ii) balance with control on a variety of objects;
 - (iii) develop and refine a gymnastics sequence demonstrating smooth transitions;
- (3) grades K-4 benchmark 3: demonstrate competency in selected skills utilizing age-appropriate equipment;
 - (a) grades K-2 performance standards:
 - (i) repeatedly jump a self-turned rope and a rope turned by others;
 - (ii) continuously dribble a ball, using hands or feet, without losing control;
 - (iii) receive and send an object in a continuous motion (i.e., throwing/catching, kicking/trapping, striking, volleying, etc.);
 - (b) grades 3-4 performance standards:
 - (i) travel into and out of a rope turned by others;

(ii) hand-dribble and foot-dribble a ball and maintain control while traveling within a group;

(iii) throw, catch and kick using mature motor patterns;

(iv) strike a softly-thrown lightweight ball using a bat, paddle or a variety of body parts.

B. Content standard 2: Applies movement concepts and principles to the learning and development of motor skills. Students will:

(1) grades K-4 benchmark 1: demonstrate concepts of body, effort, space and relationships in movement;

(a) grades K-2 performance standards:

(i) travel, changing speed, direction and pathway, quickly and safely without falling; travel while demonstrating a variety of relationships with objects (i.e., over, under, behind, alongside, through, etc.);

(ii) place a variety of body parts into high, medium and low levels;

(b) grades 3-4 performance standards:

(i) design and perform movement sequences that combine traveling, balancing and weight transfer into smooth sequences with intentional changes in direction (i.e., gymnastics, dance, etc.);

(ii) consistently receive and send an object in an intended direction and height;

(2) grades K-4 benchmark 2: demonstrate motor skills, motor behaviors and motor learning concepts in increasingly complex movement situations;

(a) grades K-2 performance standards:

(i) use concepts of space awareness and relationships to others to run, hop and skip in different pathways and directions in a large group without bumping into others or falling;

(ii) recognize similar movement concepts in a variety of skills;

(b) grades 3-4 performance standards:

(i) adapt motor skills to the demands of a dynamic and unpredictable environment;

(ii) identify ways movement concepts can be used to refine movement skills;

(iii) explain how appropriate practice improves performance;

(3) grades K-4 benchmark 3: demonstrate critical elements of fundamental and specialized movement skills; grades K-4 performance standards:

(a) repeat cue words for selected motor skills and demonstrate/explain what is meant by each;

(b) refine movement errors in response to positive information and corrective information feedback;

(c) demonstrate the application of critical cues in selected motor skills;

(d) accurately recognize critical elements of selected skills made by a fellow student and provide positive information and corrective information feedback to that student.

C. Content standard 3: Exhibits knowledge and ability to participate in a physically active lifestyle. Students will:

(1) grades K-4 benchmark 1: select and participate regularly in health-related physical activities for enjoyment;

(a) grades K-2 performance standards:

(i) engage in moderate to vigorous physical activity most days of the week;

(ii) participate regularly in a variety of non-structured and minimally-organized physical activities outside of physical education class (i.e., ball play, tag, hide and seek, skipping, etc.);

(b) Grades 3-4 performance standards:

(i) participate in moderate to vigorous physical activity outside of physical

education most days of the week;

(ii) use information from a variety of sources, internal and external, to regulate their activity participation;

(2) grades K-4 benchmark 2: identify the benefits gained from regular physical activity;

(a) grades K-2 performance standard: experience and recognize different types of physical activities and their healthful benefits;

(b) grades 3-4 performance standard: describe how participation in physical activity affects health.

D. Content standard 4: Achieves and maintains a health-enhancing level of physical fitness. Students will:

(1) grades K-4 benchmark 1: match different types of physical activities with health-related physical fitness components;

(a) grades K-2 performance standards:

(i) recognize that health-related physical fitness consists of several components;

(ii) identify activities designed to improve health-related fitness components;

(b) grades 3-4 performance standard: select activities designed to improve and maintain levels of fitness in each component of health-related fitness;

(2) grades K-4 benchmark 2: participate in moderate to vigorous physical activities in a variety of settings;

(a) grades K-2 performance standards:

(i) participate in a variety of games and activities that increase respiration and heart rate;

(ii) demonstrate sufficient muscular strength to be able to bear body weight for climbing, hanging and momentary body support on the hands;

(iii) sustain activity for increasingly longer periods of time;

(b) grades 3-4 performance standard: participate in a variety of physical activities in order to improve each component of health-related fitness;

(3) grades K-4 benchmark 3: begin to interpret the results and demonstrate understanding of the significance of information provided by measures of physical fitness;

(a) grades K-2 performance standards:

(i) recognize physiological signs and benefits associated with participation in moderate to vigorous physical activity;

(ii) recognize personal strengths and weaknesses based on participation in various physical activities;

(b) grades 3-4 performance standards:

(i) explain the relationship of body weight, body composition and participation in regular physical activity;

(ii) develop strategies to show progress towards at least one personal fitness goal as determined by health-related fitness assessments.

E. Content standard 5: Demonstrates responsible personal and social behavior in physical activity settings. Students will:

(1) grades K-4 benchmark 1: utilize safety principles in physical activity settings;

(a) grades K-2 performance standards:

(i) use space and equipment safely and properly;

(ii) recognize that personal space and emotional safety will be protected;

(b) grades 3-4 performance standards:

(i) recognize importance of equipment placement and usage during physical

education class;

- (ii) initiate the appropriate use of space in game and activity settings;
- (2) grades K-4 benchmark 2: work cooperatively and productively with a partner or small group;
 - (a) grades K-2 performance standards:
 - (i) invite a peer to take his turn at a piece of apparatus before repeating turn;
 - (ii) assist partner by sharing observations about skill performance during practice;
 - (b) grades 3-4 performance standards:
 - (i) work productively with a partner to improve selected motor skills by using the critical elements of the process;
 - (ii) demonstrate the ability to teach an activity or skill to a group of classmates;
- (3) grades K-4 benchmark 3: recognize the influence of peer pressure and identify ways of resolving conflict;
 - (a) grades K-2 performance standards:
 - (i) demonstrate the elements of socially acceptable conflict resolution;
 - (ii) demonstrate effective communication skills;
 - (b) grades 3-4 performance standard: identify and avoid the negative influence of peers;
- (4) grades K-4 benchmark 4: work independently and on-task for short periods of time;
 - (a) grades K-2 performance standard: demonstrate independent work habits during short-term activity;
 - (b) grades 3-4 performance standard: honestly report the results of independent work;
- (5) grades K-4 benchmark 5: recognize classroom and activity rules; grades K-4 performance standards:
 - (a) consistently comply with the physical education classroom rules to ensure the physical and emotional safety for all;
 - (b) distinguish between compliance and non-compliance with game rules and fair play;
 - (c) accept consequences of personal choices.

F. Content standard 6: Demonstrates understanding and respect for differences among people in physical activity settings. Students will:

- (1) grades K-4 benchmark 1: explore cultural/ethnic self-awareness through participation in physical activity; grades K-4 performance standard: articulate cultural/ethnic self awareness through written, oral or physical expression;
- (2) grades K-4 benchmark 2: recognize the talents that individuals with differences can bring to group activities;
 - (a) grades K-2 performance standard: work productively with a variety of partners;
 - (b) grades 3-4 performance standard: recognize and value the role of each individual in a small group;
- (3) grades K-4 benchmark 3: experience differences and similarities among people of different backgrounds by participating in activities of national, cultural and ethnic origins;
 - (a) grades K-2 performance standard: accept all playmates without regard to personal differences (i.e., age, race, ethnicity, gender, ability level, etc.);
 - (b) grades 3-4 performance standard: demonstrate the ability to successfully work in a variety of cultural or ethnic activities;
- (4) grades K-4 benchmark 4: recognize how the media, particularly advertising, influences the perception of ideal body types;
 - (a) grades K-2 performance standard: identify the three human somatotypes (endomorph, ectomorph and mesomorph) and recognize own healthy body type;

(b) grades 3-4 performance standards:
(i) differentiate between body type presented in the media and own healthy body type;
(ii) identify lifestyle factors that can be controlled and their impact on health and wellness.

G. Content standard 7: Understands that physical activity provides opportunities for enjoyment, challenge, self-expression and social interaction. Students will:

- (1) grades K-4 benchmark 1: identify physical activities that are enjoyable;
 - (a) grades K-2 performance standard: identify several individual and dual physical activities that they find personally enjoyable;
 - (b) grades 3-4 performance standard: explain the enjoyable characteristics of small group physical activities;
 - (2) grades K-4 benchmark 2: practice physical activities to increase skills;
 - (a) grades K-2 performance standards:
 - (i) willingly try new activities;
 - (ii) continue to participate when not successful on the first attempt;
 - (b) grades 3-4 performance standards:
 - (i) willingly try new activities;
 - (ii) voluntarily initiate skill practice to improve performance;
 - (3) grades K-4 benchmark 3: demonstrate interaction with others while participating in physical activities;
 - (a) grades K-2 performance standards:
 - (i) celebrate personal successes and achievements and those of others;
 - (ii) cooperate and share with partners in physical activities;
 - (b) grades 3-4 performance standards:
 - (i) celebrate personal successes and achievements and those of others;
 - (ii) interact with others by helping them successfully complete their small- group physical activity challenges;
 - (4) grades K-4 benchmark 4: use physical activity as a measure of self-expression;
 - (a) grades K-2 performance standard: create movement sequences that are personally interesting and satisfying;
 - (b) grades 3-4 performance standard: design a movement sequence/game that includes all members of the group in the success of the activity.
- [6.29.9.8 NMAC - Rp, 6.30.2.20 NMAC, 6-30-2009]

6.29.9.9 CONTENT STANDARDS WITH BENCHMARKS AND PERFORMANCE STANDARDS FOR PHYSICAL EDUCATION, Grades 5-8:

A. Content standard 1: Demonstrates competency in many movement forms and proficiency in a few movement forms. Students will:

- (1) grades 5-8 benchmark 1: demonstrate proficiency in combining basic skills for participating in a variety of physical fitness activities: aquatics, dance, outdoor pursuits, individual activities/sports and team activities/sports;
 - (a) grades 5-6 performance standards:
 - (i) using basic team sport skills, students will reproduce sequences of combined skills in practice situations and modified games (i.e., basketball: pivot and shoot; receive a pass and dribble; soccer: receive and control; dribble and shoot; baseball/softball: run and slide; catch and throw,

etc.);

(ii) using basic individual activity skills, students will reproduce sequences of combined skills in practice situations and modified activities (i.e., table tennis: stance, grip, serve, return-forehand/backhand; aerobic: in rhythm high step, squat step, boxes, grapevine, low march; roller blades: stand up, “V” push, turn, stop, etc.);

(b) grades 7-8 performance standards:

(i) using basic team sport skills, students will display a combination of skills in response to a variety of game situations (i.e., basketball: receive, pivot, dribble, shoot; soccer: receive, control, dribble, pass/shoot; baseball/softball: batting, base running, sliding, etc.);

(ii) using basic individual activity skills, students will display a combination of skills in response to a variety of activity situations (i.e., tennis: serve, center court, forehand; golf: drive, chip, pitch, putt determined by lay of the ball; wall climbing: “on belay,” 3-point contact, climb with legs, stabilize with arms, etc.);

(2) grades 5-8 benchmark 2: demonstrate proficiency using basic offensive and defensive strategies while playing a modified version of a learned team and individual sport;

(a) grades 5-6 performance standards:

(i) for team sports, in a practice situation, defensive players will show and maintain proper position and techniques while offensive players use practiced plays and deception to attempt to move to open space;

(ii) for dual sports, during practice and game situations, students will reproduce sequences of basic techniques and skills consisting of: foot work, court position, offensive and defensive strokes, placement of projectile and court position in relation to partner;

(b) grades 7-8 performance standards:

(i) for team sports, in a game situation, defensive players will show and maintain proper position and techniques while offensive players use practiced plays and deception to move to open space;

(ii) for dual sports, during game situations, students will reproduce sequences of basic techniques and skills consisting of: foot work, court position, offensive and defensive strokes, placement of projectile and court position in relation to partner.

B. Content standard 2: Applies movement concepts and principles to the learning and development of motor skills. Students will:

(1) grades 5-8 benchmark 1: demonstrate competency in the use of the concepts of body, effort, space and relationships in movement;

(a) grades 5-6 performance standard: describe how changing effort affects the outcome of a sport skill (i.e., tennis: smash versus lob; basketball: lay up versus three-point shot; track: long distance run versus sprint, etc.);

(b) grades 7-8 performance standard: describe how spatial relationships with other players affect outcomes during playing situations (i.e., badminton: up and back or side by side position; basketball: one on one or zone; soccer: outcomes of passing and receiving, etc.);

(2) grades 5-8 benchmark 2: demonstrate competency in the use of motor skills, motor behaviors and motor learning concepts in increasingly complex movement situations;

(a) grades 5-6 performance standard: use increasingly complex skills and movements to achieve the desired level of motor skill and performances (i.e., progress from dribbling without opposition to dribbling with opposition to dribbling in a game situation, etc.);

(b) grades 7-8 performance standards:

(i) detect and correct errors in personal performance, based on knowledge of results, while participating in selected activities;

(ii) analyze a task to identify movement skills, how they are sequenced and how they are applied to produce a desired outcome;

(3) grades 5-8 benchmark 3: demonstrate competency in the use of critical elements of fundamental and specialized movement skills; grades 5-8 performance standards:

(a) apply knowledge of results to correct and improve future performance;

(b) demonstrate ability to analyze a movement pattern by using knowledge of its critical elements (i.e., self-analysis and peer observation, etc.).

C. Content standard 3: Exhibits knowledge and ability to participate in a physically active lifestyle. Students will:

(1) grades 5-8 benchmark 1: be able to set personal physical activity goals and participate in individualized programs of physical activity and exercise;

(a) grades 5-6 performance standards:

(i) list and describe the benefits of setting personal fitness goals;

(ii) maintain heart rate within the target heart rate zone (i.e., demonstrate proper technique of taking heart rate, explain target heart rate zone, etc.);

(iii) choose physical activities with the intent to improve and or maintain each of the following health-related fitness components: muscular strength (i.e., push-ups, thera-bands, weights, pull-ups, tumbling, etc.); endurance (i.e., running, aerobic activities, etc.); flexibility (i.e., stretching/warm-up, cool-down activities, tumbling, etc.); cardiovascular (i.e., running and aerobic activities, etc.); body composition (i.e., toning activities, aerobic/anaerobic activities, weight training, etc.);

(b) grades 7-8 performance standards:

(i) analyze and interpret personal fitness data in order to establish personal fitness/activity goals;

(ii) maintain heart rate within the target heart rate zone (i.e., apply personal target heart rate data into an individualized personal physical activity, etc.);

(iii) choose and record levels of participation in physical activities with the intent to improve and or maintain each of the following components of health-related fitness: muscular strength (i.e., push-ups, thera-bands, weights, pull-ups, tumbling, etc.); endurance (i.e., running, aerobic activities, etc.); flexibility (i.e., stretching/warm-up, cool-down activities, tumbling, etc.); cardiovascular (i.e., running and aerobic activities, etc.); body composition (i.e., toning activities, aerobic/anaerobic activities, weight training, etc.).

(2) grades 5-8 benchmark 2: determine long-term benefits that may result from regular participation in physical activity;

(a) grades 5-6 performance standards:

(i) comprehend the benefits of physical activity (i.e., list and describe the health risks associated with an inactive lifestyle, list and describe the benefits of active lifestyles, etc.);

(ii) recognize the difference between anaerobic and aerobic fitness activities;

(b) grades 7-8 performance standards:

(i) analyze and illustrate the benefits of physical activity (i.e., differentiate inactive versus active lifestyles;

(ii) outline the health risk factors associated with an inactive lifestyle versus an active lifestyle, etc.);

(iii) compare and contrast the difference between aerobic and anaerobic fitness activities.

D. Content standard 4: Achieves and maintains a health-enhancing level of physical fitness. Students will:

- (1) grades 5-8 benchmark 1: participate in physical activities that address each health-related physical fitness component;
 - (a) grades 5-6 performance standards:
 - (i) engage in appropriate physical activity that results in the development of cardiovascular endurance;
 - (ii) select appropriate fitness activities that require muscular strength and muscular endurance;
 - (iii) comprehend the benefits of flexibility;
 - (iv) explain the benefits of a healthy body composition;
 - (b) grades 7-8 performance standards:
 - (i) analyze appropriate physical activities that result in the development of cardiovascular endurance;
 - (ii) demonstrate and identify fitness activities that require muscular strength and muscular endurance;
 - (iii) select appropriate flexibility activities;
 - (iv) identify the benefits of a healthy body composition versus the risks of an unhealthy body composition;
 - (2) grades 5-8 benchmark 2: assess personal fitness status within each health-related physical fitness component;
 - (a) grades 5-6 performance standard: comprehend personal fitness data and recognize individual strengths and weaknesses;
 - (b) grades 7-8 performance standard: analyze personal fitness data and evaluate individual strengths and weaknesses;
 - (3) grades 5-8 benchmark 3: interpret the results of physical fitness assessments and use this information to develop individualized physical fitness goals with guidance from the teacher;
 - (a) grades 5-6 performance standards:
 - (i) comprehend personal fitness data and recognize individual strengths and weaknesses;
 - (ii) choose appropriate physical activities to maintain and or improve strengths and weaknesses;
 - (b) grades 7-8 performance standards:
 - (i) analyze personal fitness data and evaluate individual strengths and weaknesses;
 - (ii) generate an appropriate physical fitness plan to maintain and or improve strengths and weaknesses;
 - (4) grades 5-8 benchmark 4: evaluate the effectiveness of exercise and other factors to obtain personal fitness goals;
 - (a) grades 5-6 performance standard: identify the components of a fitness program and apply them to personal fitness plans (i.e., include more aerobic activities, adjust sets and reps in strength programs, etc.);
 - (b) grades 7-8 performance standard: analyze the effectiveness of current fitness programs and revise physical fitness activities to meet fitness goals (i.e., include more aerobic activities, adjust sets and reps in strength programs, etc.).
- E. Content standard 5: Demonstrates responsible personal and social behavior in physical activity settings. Students will:
- (1) grades 5-8 benchmark 1: select and utilize safety principles in physical activity settings; grades 5-8 performance standards:
 - (a) use equipment appropriately (i.e., use specific equipment for intended purposes,

proper care and management of equipment, etc.);

(b) follow general classroom and specific activity rules (i.e., treat each other with respect, honor specific boundaries, use appropriate personal contact, positive response to teachers' instruction/comments, distinguish between compliance and non-compliance with rules and regulations and apply agreed-upon consequences when officiating, etc.);

(c) follow established emergency procedures (i.e., first aid, fire drills, etc.); wear appropriate activity attire properly (i.e., shoes and socks, clothing specific to activity, clothing specific to school and district rules, no potentially harmful accessories, etc.);

(2) grades 5-8 benchmark 2: exhibit appropriate personal and group conduct while engaging in physical activity; grades 5-8 performance standards:

(a) identify a bullying situation and respond appropriately (i.e., refer to specific district "bully proofing" programs/parameters, go to a safe adult when in an unsafe situation, etc.);

(b) identify a sexual harassment situation and respond appropriately (i.e., refer to specific district regulations/policies, go to a safe adult when in an unsafe situation, demonstrate use of appropriate language and personal contact during physical activities, etc.);

(c) accept responsibility for own actions and modify behaviors accordingly (i.e., take self out of negative situation, go to a safe adult in an unsafe situation, etc.);

(3) grades 5-8 benchmark 3: recognize the influence of peer pressure and make appropriate decisions using problem-solving techniques to resolve conflict; grades 5-8 performance standards:

(a) identify/make positive choices in a variety of physical education settings (i.e., no teasing, name calling - use positive language, follow physical safety rules, follow all game/activity rules, etc.);

(b) recognize and ignore poor behavior choices of peers (i.e., identify bullying behaviors, identify sexual harassment behaviors, etc.);

(c) list coping skills for dealing with negative behaviors (i.e., bully proofing, sexual harassment awareness, peer mediation, conflict resolution, etc.);

(d) when in conflict, use appropriate problem-solving techniques (i.e., conflict mediation, cooperative discipline techniques, small group discussion/processing, etc.);

(e) identify and list components of sportsmanship (i.e., differentiate between positive and negative sportsmanship, fair play, respect referee's decision, understand importance of following rules, adhere to good sportsmanship concepts/ideas, etc.);

(f) demonstrate ability to apply concepts of good sportsmanship (i.e., as participant, as spectator, as referee, as coach, etc.);

(4) grades 5-8 benchmark 4: work cooperatively with a group to achieve group goals; grades 5-8 performance standards:

(a) explain aspects of cooperative activities;

(b) participate positively in team building/cooperative activities;

(c) apply listening skills;

(d) explain different styles of leadership skills;

(e) demonstrate importance of positive attitudes (i.e., communication, body language and listening skills, etc.);

(f) explain what it means to be a good team player;

(g) analyze cause and effect during physical activities.

F. Content standard 6: Demonstrates understanding and respect for differences among people in physical activity settings. Students will:

(1) grades 5-8 benchmark 1: identify the contribution that physical activity plays in multicultural/ethnic awareness and in the acceptance of all peers;

- (a) grades 5-6 performance standards:
 - (i) identify/explain the role of games, sports and dance in getting to know and understand various cultures;
 - (ii) distinguish the differences between varying cultures and their “native” sports/activities;
- (b) grades 7-8 performance standards:
 - (i) describe why certain sports/dances/activities are more prevalent in specific countries/cultures;
 - (ii) describe why “I” (student) participate in certain sports/dance/activities based on my culture;
 - (iii) research and present an unfamiliar game or dance from another country;
- (2) grades 5-8 benchmark 2: acknowledge all people of different gender, culture, ethnicity and disability and seek to learn more about both similarities and differences; grades 5-8 performance standards:
 - (a) understand the need for game modifications to allow persons with special needs to participate;
 - (b) recognize the diverse attributes of age, race, ethnicity, gender and ability level and acknowledge how these differences can enhance group activities;
 - (c) participate in games/activities in which handicapping conditions are simulated (i.e., wheelchair basketball, etc.);
 - (d) describe the social dynamics that occur when peers participate with partners in cooperative activities;
- (3) grades 5-8 benchmark 3: analyze how the media, particularly advertising, influences the perception of ideal body types; grades 5-8 performance standards:
 - (a) initiate discussion of media influences on behavior choices (i.e., print, radio, TV, etc.);
 - (b) explain/describe how media influences our consumer choices and personal/physical self-concept;
 - (c) describe differences between healthy bodies and media-generated bodies;
 - (d) produce a media advertisement that promotes the benefits of an active and healthy lifestyle.
- G. Content standard 7: Understands that physical activity provides opportunities for enjoyment, challenge, self-expression and social interaction. Students will:
 - (1) grades 5-8 benchmark 1: participate in physical activity; grades 5-8 performance standards:
 - (a) identify a variety of physical activities that will provide satisfaction and lead to continued participation;
 - (b) choose to participate consistently in games, sports, dance and outdoor activities, both in and out of school, based on individual interests and capabilities (i.e., at school during self-selection times, after-school free time, teams, lessons, family recreation, etc.);
 - (c) identify benefits of participating in physical activities throughout one’s lifetime (i.e., discussion, lists, outline, role playing, etc.);
 - (d) show a desire to improve one’s own physical ability, fitness level and performance (i.e., fitness journals, activity calendars, fitness level assessments, etc);
 - (2) grades 5-8 benchmark 2: participate in new and challenging physical activities;
 - (a) grades 5-6 performance standards:
 - (i) identify opportunities in school and community that encourage/allow for regular

participation in physical activity (i.e., community bulletin boards, online searches, class discussions, etc.);

- (ii) actively choose and join in on new activities in and out of the school environment (i.e., recess, self-selection times, after-school clubs, family recreation time, etc.);

- (b) grades 7-8 performance standards:
 - (i) develop a matrix of available school and community physical activity resources;
 - (ii) demonstrate a willingness to try an unfamiliar position within the context of a practice or a game situation (i.e., offense versus defense, guard versus forward, catcher versus pitcher, etc.);
- (3) grades 5-8 benchmark 3: identify the social benefits of participation in physical activity; grades 5-8 performance standards:
 - (a) identify basic ideals of fair play, acceptance of rules and group communication (i.e., give appropriate feedback to partners and teammates, etc.);
 - (b) appreciate the challenging aspects of competition with self and others (i.e., praise opponents, accept teammates' and opponents' contributions, enjoy physical activity for its own sake, etc.);
 - (c) sharing feelings of satisfaction felt as a result of physical activity (i.e., improved individual self-esteem, good feelings gained from being part of a team, activity journals, class discussions, etc.);
- (4) grades 5-8 benchmark 4: practice and demonstrate physical activity as a vehicle for self-expression; grades 5-8 performance standards:
 - (a) identify and use a variety of physical activities and movements to communicate ideas and feelings (i.e., dance, sports, gymnastics, intensity levels, etc.);
 - (b) demonstrate aesthetic appreciation of skilled movement of the body (i.e., create body silhouettes, etc.);
 - (c) identify and describe personal feelings resulting from participation in physical activity (i.e., journals, activity calendars, peer mentoring, class discussions, etc.);
 - (d) exhibit appropriate protocol during dance, fine arts or other physical activity events.

[6.29.9.9 NMAC - Rp, 6.30.2.20 NMAC, 6-30-2009]

6.29.9.10 CONTENT STANDARDS WITH BENCHMARKS AND PERFORMANCE STANDARDS FOR PHYSICAL EDUCATION, Grades 9-12:

A. Content standard 1: Demonstrates competency in many movement forms and proficiency in a few movement forms. Students will: grades 9-12 benchmark: demonstrate proficiency in at least one activity from three of the six following categories of activities: aquatics, dance, outdoor pursuits, individual activities/sports and team activities/sports; grades 9-12 performance standards:

- (1) identify the critical elements contained in the preparatory, action and follow-through phases of movement;
- (2) analyze the critical elements contained in the preparatory, action and follow-through phases of movement;
- (3) evaluate skill based on self, peer and teacher feedback while utilizing sound principles of biomechanics;
- (4) modify and transition future skill performances based on self, peer and teacher feedback while utilizing sound principles of biomechanics to guide skill improvement.

B. Content standard 2: Applies movement concepts and principles to the learning and development of motor skills. Students will: grades 9-12 benchmark: apply scientific principles to learn and improve skills; grades 9-12 performance standards:

- (1) explain and demonstrate motor learning cues to help regulate their physical performance;
- (2) explain the principles of exercise science and demonstrate the understanding of physiological changes that occur to the body due to the efficiency of movement, training and the aging process;
- (3) apply biomechanical concepts while identifying basic biomechanical principles of movement (i.e., leverage, torque, transfer of energy and angular velocity, mass and momentum, net joint torque, etc.);
- (4) identify and utilize biomechanical, motor development, exercise physiology and motor learning concepts to learn and improve skills.

C. Content standard 3: Exhibits knowledge and ability to participate in a physically active lifestyle. Students will:

(1) grades 9-12 benchmark 1: participate in physical activities which contribute to the attainment of personal goals and the maintenance of wellness; grades 9-12 performance standards:

- (a) identify realistic personal fitness goals based on a pre-assessment;
- (b) maintain a personal fitness program by using exercise strategies (i.e., goal statements, graphs, charts, software, log books, etc.);

(2) grades 9-12 benchmark 2: monitor exercise, eating and other behaviors related to a healthy lifestyle; grades 9-12 performance standard: demonstrate an understanding of chronic sedentary diseases and at-risk behaviors (i.e., smoking, alcohol consumption, drug use, etc.) as they pertain to health-related fitness (i.e., track, identify and draw conclusions about personal nutrition and physical activity and how it relates to one's personal health, etc.);

(3) grades 9-12 benchmark 3: understand how activity participation patterns are likely to change throughout life and identify strategies to deal with those changes; grades 9-12 performance standards:

(a) identify and explain the physiological challenges and metabolic changes that occur to the human body across the lifespan;

(b) create a physical activity and nutrition plan for the different stages of life based on personal health history, areas of interest and desired individual outcomes;

(4) grades 9-12 benchmark 4: use scientific knowledge to analyze personal characteristics that relate to participation in physical activities; grades 9-12 performance standards:

(a) use technology and scientific methods to collect data in order to analyze personal physical activity patterns (i.e., pedometers, heart rate monitors, activity-gram, etc.);

(b) analyze different physical activities to determine a well-balanced health-related fitness program to help enhance overall fitness (i.e., cardiovascular, muscular endurance, muscular strength, flexibility activities, etc.).

D. Content standard 4: Achieves and maintains a health-enhancing level of physical fitness. Students will:

(1) grades 9-12 benchmark 1: recognize the importance of participation in physical activity on a regular basis; grades 9-12 performance standard: maintain a personal fitness program by using exercise strategies (i.e., goal statements, graphs, charts, software, log books, etc.);

(2) grades 9-12 benchmark 2: demonstrate independence in assessing, achieving and maintaining personal health-related fitness goals; grades 9-12 performance standard: demonstrate the ability and knowledge to self-assess health-related fitness levels (i.e., resting heart rate, recovery heart rate, target heart rate, heart rate zone, muscular strength, endurance, flexibility, body composition, etc.) based upon health-related fitness criteria (i.e., develop strategies for achieving and maintaining a personal fitness program);

(3) grades 9-12 benchmark 3: design personal fitness programs that encompass all

health-related physical fitness components; grades 9-12 performance standards:

- (a) provide rationale for the use of scientific concepts in the development of one's fitness program;
- (b) provide rationale for the principles of frequency, intensity, time and type;
- (c) demonstrate a knowledge base on training principles (i.e., progression, overload, specificity, etc.);
- (d) create a scientifically-based personal fitness program that encompasses cardiovascular, muscular strength, muscular endurance, flexibility and body composition principles in the fitness plan.

E. Content standard 5: Demonstrates responsible personal and social behavior in physical activity settings. Students will:

(1) grades 9-12 benchmark 1: identify and evaluate risks and safety factors that may affect physical activity choices throughout the life cycle; grades 9-12 performance standards:

- (a) adhere to the general classroom and specific activity rules as well as assisting with the care of the equipment and facilities;
- (b) apply appropriate etiquette in all activities;

(2) grades 9-12 benchmark 2: initiate independent and responsible personal behavior in physical activity settings; grades 9-12 performance standard: follow general classroom and specific activity rules to insure physical and emotional safety;

(3) grades 9-12 benchmark 3: recognize the influence of peer pressure and exhibit appropriate strategies for conflict resolution; grades 9-12 performance standards:

- (a) demonstrate the ability to make responsible decisions regardless of peer pressure;
- (b) accept consequences of personal choices;
- (c) openly discuss conflicts with the teacher and others involved while using conflict resolution skills;

(4) grades 9-12 benchmark 4: accept leadership responsibility and a willingness to follow, as appropriate, in order to accomplish group goals; grades 9-12 performance standard: distinguish between group member roles (e.g. leader, follower, etc.) and act accordingly to accomplish group goals.

F. Content standard 6: Demonstrates understanding and respect for differences among people in physical activity settings. Students will:

(1) grades 9-12 benchmark 1: identify the effects of age, gender, race, ethnicity, socioeconomic standing and culture upon physical activity choices and participation; grades 9-12 performance standards:

- (a) discuss why social differences and other aspects keep young adults from participating in an active lifestyle;
- (b) acknowledge the attributes that individuals with differences bring to a group;

(2) grades 9-12 benchmark 2: develop strategies for including persons of diverse backgrounds and abilities in physical activity; grades 9-12 performance standards:

- (a) recognize the importance of working cooperatively with persons of diverse backgrounds and abilities during any activity;
- (b) display a sensitive attitude and a willingness to participate with others in physical activities;

(3) grades 9-12 benchmark 3: evaluate how the media, particularly advertising, influence the perception of the ideal body types; grades 9-12 performance standards:

- (a) recognize that media messages are trying to sell products;
- (b) know that billboards, magazines and television will show idealistic body types;
- (c) critically analyze advertising messages; create print ads endorsing healthy lifestyles.

- G. Content standards 7: Understands that physical activity provides opportunities for enjoyment, challenge, self-expression and social interaction. Students will:
- (1) grades 9-12 benchmark 1: Maintain and improve physical fitness, motor skills and knowledge about physical activity; grades 9-12 performance standards:
 - (a) select activities that are enjoyable and promote fitness;
 - (b) identify activities that best fit their individual needs;
 - (c) choose activities outside of school that provide challenges and social interaction;
 - (d) recognize intrinsic value of physical activity;
 - (2) grades 9-12 benchmark 2: evaluate the importance of physical activity and healthy nutrition as part of one's lifestyle; grades 9-12 performance standards:
 - (a) identify key reasons to develop and maintain physical activity and healthy eating habits;
 - (b) recognize the connections with lifestyle choices regarding activity and nutrition and the impact on health;
 - (3) grades 9-12 benchmark 3: analyze time, cost and accessibility factors related to regular participation in physical activities; grades 9-12 performance standards:
 - (a) identify barriers and enablers to regular physical activity specific to his or her situation;
 - (b) create a time management plan to facilitate regular physical activity participation;
 - (4) grades 9-12 benchmark 4: recognize the feelings that result from physical activity participation; grades 9-12 performance standards:
 - (a) reflect on reasons for choosing to participate in selected physical activity;
 - (b) create self rewards for achieving personal fitness goals;
 - (c) experience the feeling of satisfaction about personal fitness accomplishments;
 - (d) evaluate the physical, social and psychological benefits of a healthy and active lifestyle.
- [6.29.9.10 NMAC - Rp, 6.30.2.20 NMAC, 6-30-2009]

HISTORY OF 6.29.9 NMAC:

Pre-NMAC HISTORY: The material in this part is derived from that previously filed with the State Records Center:

SDE 74-17, (Certificate No. 74-17), Minimum Educational Standards for New Mexico Schools, filed April 16, 1975.

SDE 76-9, (Certificate No. 76-9), Minimum Education Standards for New Mexico Schools, filed July 7, 1976.

SDE 78-9, Minimum Education Standards for New Mexico Schools, filed August 17, 1978.

SBE 80-4, Educational Standards for New Mexico Schools, filed September 10, 1980.

SBE 81-4, Educational Standards for New Mexico Schools, filed July 27, 1981.

SBE 82-4, Educational Standards for New Mexico Schools, Basic and Vocational Program Standards, filed November 16, 1982.

SBE Regulation No. 83-1, Educational Standards for New Mexico Schools, Basic and Vocational Program Standards, filed June 24, 1983.

SBE Regulation 84-7, Educational Standards for New Mexico Schools, Basic and Vocational Program Standards, filed August 27, 1984.

SBE Regulation 85-4, Educational Standards for New Mexico Schools, Basic, Special Education, and Vocational

Programs, filed October 21, 1985.

SBE Regulation No. 86-7, Educational Standards for New Mexico Schools, filed September 2, 1986.

SBE Regulation No. 87-8, Educational Standards for New Mexico Schools, filed February 2, 1988.

SBE Regulation No. 88-9, Educational Standards for New Mexico Schools, filed October 28, 1988.

SBE Regulation No. 89-8, Educational Standards for New Mexico Schools, filed November 22, 1989.

SBE Regulation No. 90-2, Educational Standards for New Mexico Schools, filed September 7, 1990.

SBE Regulation No. 92-1, Standards for Excellence, filed January 3, 1992.

History of Repealed Material:

6.30.2 NMAC, Standards for Excellence, filed November 2, 2000 - Repealed effective June 30, 2009.

NMAC History:

6 NMAC 3.2, Standards for Excellence, filed October 17, 1996.

6.30.2 NMAC, Standards for Excellence, November 2, 2000, replaced by 6.29.1 NMAC, General Provisions; 6.29.2 NMAC, Arts Education; 6.29.3 NMAC, Career and Technical Education; 6.29.4 NMAC, English Language Arts; 6.29.5 NMAC, English Language Development; 6.29.6 NMAC, Health Education; 6.29.7 NMAC, Mathematics; 6.29.8 NMAC, Modern, Classical and Native Languages; 6.29.9 NMAC, Physical Education; 6.29.10 NMAC, Science; 6.29.11 NMAC, Social Studies; effective June 30, 2009.

PART 14
COMPETENCIES FOR ENTRY-LEVEL PHYSICAL EDUCATION TEACHERS

- 6.64.14.1 ISSUING AGENCY
- 6.64.14.2 SCOPE
- 6.64.14.3 STATUTORY AUTHORITY
- 6.64.14.4 DURATION
- 6.64.14.5 EFFECTIVE DATE
- 6.64.14.6 OBJECTIVE
- 6.64.14.7 DEFINITIONS: [RESERVED]
- 6.64.14.8 REQUIREMENTS
- 6.64.14.9 COMPETENCIES FOR ENTRY-LEVEL PHYSICAL EDUCATION TEACHERS
- 6.64.14.10 IMPLEMENTATION

6.64.14.1 ISSUING AGENCY:

Public Education Department (PED)

[6.64.14.1 NMAC - N, 07-01-02; A, 06-30-06; A, 10-31-07]

6.64.14.2 SCOPE:

All persons seeking an endorsement in physical education to a New Mexico educator license.

[6.64.14.2 NMAC - N, 07-01-02]

6.64.14.3 STATUTORY AUTHORITY:

Sections 22-2-1, 22-2-2, and 22-10A-3, NMSA 1978.

[6.64.14.3 NMAC - N, 07-01-02; A, 09-30-03]

6.64.14.4 DURATION:

Permanent

[6.64.14.4 NMAC - N, 07-01-02]

6.64.14.5 EFFECTIVE DATE:

July 1, 2002, unless a later date is cited in the history note at the end of a section.

[6.64.14.5 NMAC - N, 07-01-02]

6.64.14.6 OBJECTIVE:

This rule establishes entry-level competencies that are based on what beginning physical education teachers must know and be able to do to provide effective physical education programs in New Mexico schools. The competencies were developed to ensure alignment with the New Mexico's content standards and benchmarks, the 1999 initial physical education standards of the national council for accreditation of teacher education (NCATE), and the national standards of the American alliance for health, physical education, recreation, and dance and must be used by New Mexico institutions of higher education to establish physical education

preparatory programs.

[6.64.14.6 NMAC - N, 07-01-02; A, 06-30-06]

6.64.14.7 DEFINITIONS: [RESERVED]

[6.64.14.7 NMAC - N, 07-01-02]

6.64.14.8 REQUIREMENTS:

A. Beginning teachers seeking an endorsement in physical education to an initial level 1 New Mexico teaching license, must satisfy all of the requirements of the license as provided in (PED) rule for that license, which includes, among other requirements, 24-36 semester hours in physical education.

B. Teachers seeking to add an endorsement in physical education to an existing New Mexico teaching license of any level shall meet one of the following requirements:

(1) pass the content knowledge test(s) of the New Mexico teacher assessments if provided in Subsection B of 6.60.5.8 NMAC, or predecessor New Mexico teacher licensure examination or accepted comparable licensure test(s) from another state in physical education; or

(2) successfully complete an undergraduate academic major (24-36 semester hours), or coursework equivalent to an undergraduate major or a graduate degree in physical education; or

(3) obtain certification in physical education for the appropriate grade level of New Mexico licensure from the national board for professional teaching standards.

[6.64.14.8 NMAC - N, 07-01-02; A, 09-30-03; A, 06-30-06; A, 10-31-07]

6.64.14.9 COMPETENCIES FOR ENTRY-LEVEL PHYSICAL EDUCATION TEACHERS:

A. Content knowledge: A physical education teacher understands and demonstrates physical education content, disciplinary concepts and tools of inquiry related to discovery and the development of a physically educated person. The physical education teacher:

(1) identifies critical elements for basic motor skills and develops appropriate sequences;

(2) models with competence basic motor skills, rhythms, physical activities (sports, games, outdoor pursuits, aquatics and dance;)

(3) describes and demonstrates concepts and strategies related to skill movement and physical activity;

(4) incorporates interdisciplinary learning experiences that allow learners to integrate knowledge and skills from multiple subject areas;

(5) describes and applies scientific and technological concepts of anatomy, physiology, biomechanics, motor learning, and motor development;

(6) analyzes current physical activity issues;

(7) employs concepts, assumptions, and debates central to the process of inquiry in the study of physical activity;

(8) creates and uses appropriate instructional cues and prompts for basic motor skills, rhythms, and physical activity.

B. Growth and development: A physical education teacher understands how individuals learn and develop and can provide opportunities that support their psychomotor, cognitive, affective, and fitness development. The physical education teacher:

(1) assesses individual and group performance in order to design safe instruction that meets learner developmental needs in the psychomotor, cognitive, affective and fitness domains;

(2) identifies, selects, and implements appropriate learning/ practice opportunities based on

expected progressions;

(3) demonstrates and applies knowledge of age and developmentally appropriate psychomotor and cognitive activities;

(4) stimulates learner reflection in prior knowledge, experiences, and skills and based on this reflection, encourages them to assume responsibility for their own learning.

C. Diverse learners: A physical education teacher plans and implements learning experiences that are sensitive to diverse learners. The physical education teacher:

(1) identifies, selects, and implements appropriate instruction that is sensitive to the strengths/weaknesses, multiple needs, learning styles, and experiences of learners;

(2) uses appropriate strategies, services, and resources to meet special and diverse learning needs;

(3) creates a learning environment which respects and incorporates learner's personal, family, cultural, and community experiences.

D. Management and motivation: A physical education teacher uses a variety of strategies to institute active engagement in learning and behavioral change, manage resources, promote mutual respect and self-responsibility and motivate students in a safe learning environment. The physical education teacher:

(1) uses a variety of developmentally appropriate practices to motivate learners to participate in physical activity inside and outside of the school setting;

(2) uses strategies to help learners demonstrate responsible personal and social behaviors that promote positive relationships and a productive environment;

(3) uses strategies to promote mutual respect, support, safety, and cooperative participation;

(4) uses managerial and instructional routines which create smoothly functioning learning experiences;

(5) organizes, allocates, and manages resources (i.e. time, space, equipment, activities, and teacher/student interaction) to provide active and equitable learning experiences;

(6) uses strategies to help learners become self-motivated in their learning;

(7) describes strategies to teach learners various behavioral change techniques;

(8) supports and encourages learner expression through movement.

E. Communication: A physical education teacher demonstrates the use of assorted media and technology for presentation of lessons, demonstrates sensitivity to all learners and models appropriate behavior, and illustrates communication strategies for building a community of learners. The physical education teacher demonstrates effective verbal, nonverbal, and multi-media communication techniques to foster inquiry, collaboration, and engagement in physical activity settings. The physical education teacher:

(1) communicates in ways that demonstrate sensitivity to all learners;

(2) demonstrates the use of assorted instructional information in a variety of ways including the use of bulletin boards, music, task cards, posters, video, and computer technology;

(3) describes and models various communication strategies for use with learners, the school, colleagues, parents/guardians and the community;

(4) uses computers and other technologies to communicate, network, and foster inquiry;

(5) describes and implements strategies for building a community of learners within a physical activity setting.

F. Planning and instruction: A physical education teacher plans and implements a variety of developmentally appropriate instructional strategies to develop physically educated individuals. This standard deals specifically with pedagogical knowledge and application. The core of this standard will be a series of sequential and progressive field experiences that allow physical education teachers to refine,

extend, and apply their teaching skills. The physical education teacher:

- (1) identifies, develops, and implements instructional and program goals that align with state content standards with benchmarks;
- (2) selects and implements appropriate instructional strategies based on developmental levels, learning styles, and safety issues for diverse populations;
- (3) applies content and pedagogical knowledge in developing and implementing safe learning environments and experiences;
- (4) selects and implements teaching resources and curriculum materials based on their comprehensiveness, accuracy, utility, and safety;
- (5) uses curricula which encourages learners to observe, question, and interpret physical activity from diverse perspectives;
- (6) designs and implements learning experiences that are safe, appropriate, realistic, and relevant based on principles of effective instruction. Such instruction shall activate learners' prior knowledge, anticipate preconceptions, encourage exploration and problem solving, and build on skills and experiences;
- (7) uses demonstrations and explanations to link physical activity concepts to appropriate learning experiences;
- (8) selects and utilizes varied roles in the instructional process based on content, purpose of instruction, and the needs of learners;
- (9) develops short- and long-term plans that are linked to learner needs and to performance, instructional, and program goals, and adapts them to ensure learner progress, motivation, and safety;
- (10) selects and models instructional tasks that facilitate learning in the physical activity setting;
- (11) asks questions and poses scenarios to stimulate interactive learning opportunities such as helping learners articulate ideas, promoting risk taking, and developing critical thinking, problem solving, and decision making skills, which aid in becoming physically educated.

G. Learner assessment: A physical education teacher understands and uses formal and informal assessment strategies to foster psychomotor, cognitive, affective, and fitness development of learners in physical activity. The physical education teacher explores the use of various forms of authentic and formal assessment to guide instruction, provide feedback to students, and evaluate teaching. The physical education teacher:

- (1) uses a variety of formal and informal assessment techniques to assess learner performance, provide feedback and communicate learner progress;
- (2) uses assessment strategies to involve learners in self-assessment;
- (3) selects and uses developmentally appropriate assessment strategies and instruments congruent with physical activity learning goals aligned with state content standards with benchmarks;
- (4) identifies key components of various types of assessments, describes appropriate and inappropriate use, and addresses issues of validity, reliability, and bias;
- (5) uses and interprets performance data to make informed instructional decisions.

H. Reflection and professional development: A reflective physical education teacher continually evaluates the effects of his/her actions on self and others, including learners, parents and guardians, and professionals in the learning community, and seeks opportunities to grow professionally. The physical education teacher:

- (1) reflects upon and revises within the learning environment practice based on observation of learners' performance;
- (2) reflects on appropriateness of program design on the development of physically educated individuals;

- (3) consults professional literature, colleagues, and other resources to develop professionally;
- (4) participates in the professional physical education community at the local, state, district, and national levels and within the broader education field;
- (5) reflects on appropriateness of program design on the development of physically educated individuals.

I. Collaboration: A physical education teacher fosters relationships with colleagues, parents/guardians, and community agencies to support learners' growth and well-being. The physical education teacher:

- (1) uses strategies to become an advocate in the school and community for the purpose of promoting a variety of physical activity opportunities;
- (2) solicits community resources and agencies to enhance physical activity opportunities;
- (3) establishes productive partnerships with parents/ guardians, counselors, and other school health personnel to support learner growth and well-being;
- (4) is culturally sensitive and identifies signs of learner distress and seeks help as appropriate;
- (5) participates in collegial activities designed to make the school a more productive learning environment;
- (6) has knowledge of state and federal laws and non-compliance consequences related to learner rights and teacher responsibilities.

[6.64.14.9 NMAC - N, 07-01-02]

6.64.14.10 IMPLEMENTATION:

Institutions of higher education that prepare teachers shall deliver the competencies in a PED approved endorsement program within a range of twenty-four (24) to thirty-six (36) semester hours of credit. For secondary and pre K-12 licensed teachers, a minimum of twelve (12) semester hours must be upper division credit.

[6.64.14.10 NMAC - N, 07-01-02; A, 06-30-06]

HISTORY OF 6.64.14 NMAC: [RESERVED]

Implementation Timeline for Final Rule

“Nutrition Standards in the National School Lunch and School Breakfast Programs”

Implementation of most meal requirements in the NSLP begins SY 2012-2013. In the SBP, the meal requirements (other than milk) will be implemented gradually beginning SY 2013-2014.

NEW REQUIREMENTS	Implementation (School Year)						
	for NSLP (L) and SBP (B)						
	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2022/23
FRUITS COMPONENT							
• Offer fruit daily	L						
• Fruit quantity increase to 5 cups/week (minimum 1 cup/day)			B				
VEGETABLES COMPONENT							
• Offer vegetables subgroups weekly	L						
GRAINS COMPONENT							
• Half of grains must be whole grain-rich	L	L,B					
• All grains must be whole-grain rich			L, B				
• Offer weekly grains ranges	L	B					
MEATS/MEAT ALTERNATES COMPONENT							
• Offer weekly meats/meat alternates ranges (daily min.)	L						
MILK COMPONENT							
• Offer only fat-free (unflavored or flavored) and low-fat (unflavored) milk	L, B						
DIETARY SPECIFICATIONS (to be met on average over a week)							
• Calorie ranges	L	B					
• Saturated fat limit (no change)	L, B						
• Sodium Targets <ul style="list-style-type: none"> o Target 1 o Target 2 o Final target 			L, B			L, B	L, B
• Zero grams of <u>trans</u> fat per portion	L	B					
MENU PLANNING							
• A single FBMP approach	L	B					
AGE-GRADE GROUPS							
• Establish age/grade groups: K-5, 6-8, and 9-12	L	B					
OFFER VS. SERVE							
• Reimbursable meals must contain a fruit or vegetable (1/2 cup minimum)	L		B				
MONITORING							
• 3-year adm. review cycle		L, B					
• Conduct weighted nutrient analysis on 1 week of menus	L	B					

Final Rule Nutrition Standards in the National School Lunch and School Breakfast Programs – Jan. 2012

	Breakfast Meal Pattern			Lunch Meal Pattern		
	Grades K-5 ^a	Grades 6-8 ^a	Grades 9-12 ^a	Grades K-5	Grades 6-8	Grades 9-12
Meal Pattern	Amount of Food^b Per Week (Minimum Per Day)					
Fruits (cups)^{c,d}	5 (1)^e	5 (1)^e	5 (1)^e	2½ (½)	2½ (½)	5 (1)
Vegetables (cups)^{c,d}	0	0	0	3¾ (¾)	3¾ (¾)	5 (1)
Dark green^f	0	0	0	½	½	½
Red/Orange^f	0	0	0	¾	¾	1¼
Beans/Peas (Legumes)^f	0	0	0	½	½	½
Starchy^f	0	0	0	½	½	½
Other^{f,g}	0	0	0	½	½	¾
Additional Veg to Reach Total^h	0	0	0	1	1	1½
Grains (oz eq)ⁱ	7-10 (1)^j	8-10 (1)^j	9-10 (1)^j	8-9 (1)	8-10 (1)	10-12 (2)
Meats/Meat Alternates (oz eq)	0^k	0^k	0^k	8-10 (1)	9-10 (1)	10-12 (2)
Fluid milk (cups)^l	5 (1)	5 (1)	5 (1)	5 (1)	5 (1)	5 (1)
Other Specifications: Daily Amount Based on the Average for a 5-Day Week						
Min-max calories (kcal)^{m,n,o}	350-500	400-550	450-600	550-650	600-700	750-850
Saturated fat (% of total calories)^{n,o}	< 10	< 10	< 10	< 10	< 10	< 10
Sodium (mg)^{n,p}	≤ 430	≤ 470	≤ 500	≤ 640	≤ 710	≤ 740
Trans fat^{n,o}	Nutrition label or manufacturer specifications must indicate zero grams of <u>trans</u> fat per serving.					

^aIn the SBP, the above age-grade groups are required beginning July 1, 2013 (SY 2013-14). In SY 2012-2013 only, schools may continue to use the meal pattern for grades K-12 (see § 220.23).

^bFood items included in each food group and subgroup and amount equivalents. Minimum creditable serving is ⅛ cup.

^cOne quarter-cup of dried fruit counts as ½ cup of fruit; 1 cup of leafy greens counts as ½ cup of vegetables. No more than half of the fruit or vegetable offerings may be in the form of juice. All juice must be 100% full-strength.

^dFor breakfast, vegetables may be substituted for fruits, but the first two cups per week of any such substitution must be from the dark green, red/orange, beans and peas (legumes) or “Other vegetables” subgroups as defined in §210.10(c)(2)(iii).

^eThe fruit quantity requirement for the SBP (5 cups/week and a minimum of 1 cup/day) is effective July 1, 2014 (SY 2014-2015).

^fLarger amounts of these vegetables may be served.

^gThis category consists of “Other vegetables” as defined in §210.10(c)(2)(iii)(E). For the purposes of the NSLP, “Other vegetables” requirement may be met with any additional amounts from the dark green, red/orange, and beans/peas (legumes) vegetable subgroups as defined in §210.10(c)(2)(iii).

^hAny vegetable subgroup may be offered to meet the total weekly vegetable requirement.

ⁱAt least half of the grains offered must be whole grain-rich in the NSLP beginning July 1, 2012 (SY 2012-2013), and in the SBP beginning July 1, 2013 (SY 2013-2014). All grains must be whole grain-rich in both the NSLP and the SBP beginning July 1, 2014 (SY 2014-15).

^jIn the SBP, the grain ranges must be offered beginning July 1, 2013 (SY 2013-2014).

^kThere is no separate meat/meat alternate component in the SBP. Beginning July 1, 2013 (SY 2013-2014), schools may substitute 1 oz. eq. of meat/meat alternate for 1 oz. eq. of grains after the minimum daily grains requirement is met.

^lFluid milk must be low-fat (1 percent milk fat or less, unflavored) or fat-free (unflavored or flavored).

^mThe average daily amount of calories for a 5-day school week must be within the range (at least the minimum and no more than the maximum values).

ⁿDiscretionary sources of calories (solid fats and added sugars) may be added to the meal pattern if within the specifications for calories, saturated fat, trans fat, and sodium. Foods of minimal nutritional value and fluid milk with fat content greater than 1 percent milk fat are not allowed.

^oIn the SBP, calories and trans fat specifications take effect beginning July 1, 2013 (SY 2013-2014).

^pFinal sodium specifications are to be reached by SY 2022-2023 or July 1, 2022. Intermediate sodium specifications are established for SY 2014-2015 and 2017-2018. See required intermediate specifications in § 210.10(f)(3) for lunches and § 220.8(f)(3) for breakfasts.

PART 5
NUTRITION: COMPETITIVE FOOD SALES

- 6.12.5.1 ISSUING AGENCY
- 6.12.5.2 SCOPE
- 6.12.5.3 STATUTORY AUTHORITY
- 6.12.5.4 DURATION
- 6.12.5.5 EFFECTIVE DATE
- 6.12.5.6 OBJECTIVE
- 6.12.5.7 DEFINITIONS
- 6.12.5.8 REQUIREMENTS FOR COMPETITIVE FOODS SOLD TO STUDENTS

6.12.5.1 ISSUING AGENCY:

Public Education Department
[6.12.5.1 NMAC - N, 02-28-06]

6.12.5.2 SCOPE:

This rule applies to public schools in New Mexico unless otherwise expressly limited.
[6.12.5.2 NMAC - N, 02-28-06]

6.12.5.3 STATUTORY AUTHORITY:

This rule is adopted pursuant to Sections 22-2-1 and 9-24-8, NMSA 1978.
[6.12.5.3 NMAC - N, 02-28-06]

6.12.5.4 DURATION:

Permanent
[6.12.5.4 NMAC - N, 02-28-06]

6.12.5.5 EFFECTIVE DATE:

February 28, 2006, unless a later date is cited at the end of a section.
[6.12.5.5 NMAC - N, 02-28-06]

6.12.5.6 OBJECTIVE:

This rule addresses the sale of competitive food sold to children attending public schools in New Mexico.
[6.12.5.6 NMAC - N, 02-28-06]

6.12.5.7 DEFINITIONS:

- A. "A la carte" means a beverage or food product sold in schools to students during the lunch period that is not part of the United States department of agriculture school meal program.
- B. "Competitive food" means a food or beverage sold at school other than one served as part of the United States department of agriculture school meal program. The term includes any item sold

in vending machines, a la carte or through other school fundraising efforts.

C. "Fund raisers" means beverage or food products sold to raise money that are not sold in vending machines, a la carte sales or as part of the United States department of agriculture school meal program.

D. "Vended beverages and foods" means a beverage or food product sold in vending machines to students in schools.

[6.12.5.7 NMAC - N, 02-28-06]

6.12.5.8 REQUIREMENTS FOR COMPETITIVE FOODS SOLD TO STUDENTS:

A. Vended foods and beverages:

(1) Elementary schools:

(a) Beverages sold in vending machines to students in elementary schools shall only be sold after the last lunch period is completed and shall only include:

- (i) milk with a fat content of 2 percent or less;
- (ii) soy milk; and
- (iii) water.

(b) Carbonated beverages shall not be sold in vending machines to students in elementary schools.

(c) Food products shall not be sold in vending machines to students in elementary schools.

(2) Middle schools:

(a) Beverages sold in vending machines to students in middle schools shall only include:

- (i) milk with a fat content of two percent or less;
- (ii) soy milk;
- (iii) water; and
- (iv) 100 percent fruit juice that has no added sweeteners and no more than 125

calories per container and a serving size not to exceed 20 ounces.

(b) Carbonated beverages shall not be sold in vending machines to students in middle schools.

(c) Food products sold in vending machines to students in middle schools are subject to the following requirements:

(i) Nuts, seeds, cheese, yogurt, and fruit may be sold in vending machines in middle schools at any time and are not subject to the restrictions in item (ii) of this subparagraph.

(ii) Food products other than those listed in item (i) of this subparagraph shall only be sold after the last lunch period is completed and are subject to the following restrictions: shall contain no more than 200 calories per container or per package or amount served and shall contain no more than 8 grams of fat per container or per package or amount served with no more than 2 grams of fat from saturated and trans-fats and shall contain no more than 15 grams of sugar per package or amount served.

(3) High schools:

(a) Beverages sold in vending machines to students in high schools at any time shall only include:

- (i) milk with a fat content of 2 percent or less;
- (ii) soy milk;
- (iii) water; and
- (iv) juice that is at least 50 percent fruit and that has no added sweeteners and a

serving size not to exceed 20 ounces.

(b) Beverages sold in vending machines to students in high schools after the last lunch period is completed shall only include the items in subparagraph (a) and:

- (i) carbonated soft drinks that are both sugar free and caffeine free;
- (ii) non-carbonated flavored water with no added sweeteners; and
- (iii) sports drinks.

(c) Food products sold in vending machines to students in high schools may be sold at any time subject to the following requirements:

(i) Nuts, seeds, cheese, yogurt, and fruit may be sold in vending machines in high schools at any time and are not subject to the restrictions in item (ii) of this subparagraph.

(ii) Food products other than those listed in item (i) of this subparagraph are subject to the following restrictions: shall contain no more than 200 calories per container or per package or amount served and shall contain no more than 8 grams of fat per container or per package or amount served with no more than 2 grams of fat from saturated and trans-fats and shall contain no more than 15 grams of sugar per container or per package or amount served.

B. A la carte offerings must meet the following requirements:

(1) Beverages sold in a la carte offerings may only be sold during lunch period and shall only include:

(a) Elementary schools:

- (i) milk with a fat content of 2 percent or less;
- (ii) soy milk; and
- (iii) water.

(b) Middle schools:

- (i) milk with a fat content of two percent or less;
- (ii) soy milk;
- (iii) water; and
- (iv) 100 percent fruit juice that has no added sweeteners and no more than 125

calories per container and a serving size not to exceed 20 ounces.

(c) High schools:

- (i) milk with a fat content of 2 percent or less;
- (ii) soy milk;
- (iii) water; and
- (iv) juice that is at least 50 percent fruit and that has no added sweeteners and a

serving size not to exceed 20 ounces.

(2) Carbonated beverages or soft drinks, non-carbonated flavored water and sports drinks shall not be sold in a la carte offerings.

(3) Food products sold in a la carte offerings may only be sold during lunch and are subject to the following requirements:

(a) Nuts, seeds, cheese, yogurt, and fruit are not subject to the restrictions in subparagraph (b) of this paragraph.

(b) Food products other than those listed in subparagraph (a) of this paragraph are subject to the following restrictions:

(i) shall contain no more than 400 calories per container or per package or amount served; and

(ii) shall contain no more than 16 grams of fat per container or per package or amount served, of which no more than 2 grams come from saturated and trans fats combined; and

(iii) shall contain no more than 30 grams of total sugar per package or amount served.

C. Fund raisers:

(1) Beverages and food products may be sold as fund raisers at any time during normal school hours except during the lunch period and are subject to the following requirements and limitations:

(a) Elementary schools:

(i) Beverages sold shall only include: milk with a fat content of 2 percent or less; soy milk; and water. Carbonated beverages shall not be sold.

(ii) Food products shall not be sold as fund raisers to students in elementary schools.

(b) Middle schools:

(i) Beverages sold shall only include: milk with a fat content of 2 percent or less; soy milk; water; and one hundred percent fruit juice that has no added sweeteners and no more than 125 calories per container and a serving size not to exceed 20 ounces. Carbonated beverages shall not be sold.

(ii) Food products sold are subject to the following requirements: nuts, seeds, cheese, yogurt, and fruit may be sold and are not subject to restrictions; food products other than nuts, seeds, cheese, yogurt and fruit shall contain no more than 200 calories per container or per package or amount served and shall contain no more than 8 grams of fat per container or per package or amount served with no more than 2 grams of fat from saturated and trans-fats and shall contain no more than 15 grams of sugar per container or per package or amount served.

(c) High schools:

(i) Beverages sold shall only include: milk with a fat content of 2 percent or less, soy milk, water and juice that is at least 50 percent fruit and that has no added sweeteners and a serving size not to exceed 20 ounces.

(ii) Food products sold are subject to the following requirements: nuts, seeds, cheese, yogurt, and fruit may be sold and are not subject to restrictions; food products other than nuts, seeds, cheese, yogurt and fruit shall contain no more than 200 calories per container or per package or amount served and shall contain no more than 8 grams of fat per container or per package or amount served with no more than 2 grams of fat from saturated and trans-fats and shall contain no more than 15 grams of sugar per container or per package or amount served.

(2) Beverages and food products may be sold as fund raisers outside of normal school hours provided that at least 50 per cent of the offerings meet the following requirements:

(a) Beverages: milk with a fat content of 2 percent or less; soy milk, water and juice that is at least 50 percent fruit and that has no added sweeteners and a serving size not to exceed 20 ounces.

(b) Food products: nuts, seeds, cheese, yogurt, and fruit may be sold and are not subject to restrictions; food products other than nuts, seeds, cheese, yogurt and fruit shall contain no more than 200 calories per container or per package or amount served and shall contain no more than 8 grams of fat per container or per package or amount served with no more than 2 grams of fat from saturated and trans-fats, and shall contain no more than 15 grams of sugar per container or per package or amount served.

[6.12.5.8 NMAC - N, 02-28-06]

History of 6.12.5 NMAC: [Reserved]

Equipping Education Leaders, Advancing Ideas



Louisiana H.B. 1088

Coordinated School Health Program

Establishes a targeted coordinated school health program for the purpose of reducing childhood obesity and a related grant program. The program brings together several state agencies, school administrators, teachers, other school employees, students, families, and community members to assess health needs, set priorities, and plan, implement, and evaluate school health activities directed toward this purpose. The program can be related, but not limited to: health education; physical education; health services; nutrition services; counseling, psychological, and social services; a healthy and safe school environment; health promotion for school employees; and family and community involvement.

<http://www.legis.state.la.us/billdata/streamdocument.asp?did=802804>

Source:

<http://www.legis.state.la.us>

Status: Signed into law

Status Date: 05/17/2012

Equipping Education Leaders, Advancing Ideas



Missouri H.B. 344**Healthy Cafeteria Offerings**

Establishes the Farm-to-Table Advisory Board consisting of at least one representative from the University of Missouri-Extension Service; the departments of Agriculture, Corrections, Economic Development, and Elementary and Secondary Education; and the Office of Administration. The Director of the Department of Agriculture will appoint one person who is actively engaged in the practice of small agribusiness. The representative from the Department of Agriculture will serve as chair of the board and coordinate meetings. The board must hold at least two meetings but may hold more if necessary to fulfill its requirements.

Purpose of the Advisory Board is to provide recommendations for strategies that allow schools and state institutions to more easily incorporate locally grown agricultural products into their cafeteria offerings, salad bars, and vending machines and that increase public awareness of local agricultural practices and the role that local agriculture plays in sustaining healthy communities and supporting healthy lifestyles.

<http://www.house.mo.gov/billtracking/bills111/sumpdf/HB0344T.pdf>

Source:

<http://www.house.mo.gov>

Status: Signed into law

Status Date: 07/01/2011

Equipping Education Leaders, Advancing Ideas



District of Columbia L.B. 18-564 - Healthy Foods

Healthy Foods

Establishes a Healthy Schools Fund to, among other purposes, (1) provide additional funding for healthy school meals; (2) provide free breakfasts in charter schools; (3) eliminate the reduced-price copayment; (4) provide resources to implement the breakfast-in-the-classroom program; and (5) encourage local foods to be served in schools (public schools and charter schools will receive an additional 5 cents per lunch meal reimbursement when at least one component of a reimbursable lunch meal is comprised entirely of locally grown and unprocessed foods). Permits the office of the state superintendent of education to increase the amounts reimbursable to public schools and charter schools for the aforementioned activities to further improve the quality and nutrition of school meals.

Directs public schools and charter schools to serve healthy and nutritious meals to students, and strongly encourages schools to consider serving vegetarian options each week. Strongly encourages public schools and charters to participate in the U.S. Department of Agriculture's HealthierUS School Challenge program and achieve Gold Award Level certification. Requires all breakfast, lunch, and after-school meals served to students in public schools and charter schools or by organizations participating in the Afterschool Meal Program to meet or exceed specified federal nutritional standards. Additionally requires breakfast and lunch meals to meet or exceed (1) local standards enumerated in the legislation and (2) the serving requirements of the U.S. Department of Agriculture's HealthierUS School Challenge program at the Gold Award Level for vegetables, fruits, whole grains, milk, and other foods served in school meals.

Requires public schools to participate in federal meal programs whenever possible. Establishes several additional requirements for public school meals, including that schools (1) solicit input from students, faculty, and parents, through taste tests, comment boxes, surveys, a student nutrition advisory council, or other means, on nutritious meals that appeal to students; (2) promote healthy eating to students, faculty, staff and parents; and (3) provide at least 30 minutes for students to eat lunch. Encourages schools to make cold, filtered water available free to students, through water fountains or other means, when meals are served to students.

Directs the D.C. Public Schools to establish a central kitchen facility to (1) prepare, process, grow, and store nutritious foods for schools and nonprofit organizations; (2) support nutrition education programs; and (3) provide job-training programs for students and District residents. Requires that charter schools be given reasonable access to this facility. Requires food service providers to provide schools and charter schools with specified information on foods they provide, including the nutritional content and

ingredients of each menu item, the location where fruits and vegetables served in schools are grown and processed, and whether growers are engaged in sustainable agriculture practices. Requires that this information be posted in the school's office and on the school Web site, if one exists. Requires public schools and charter schools to inform families that vegetarian options and milk alternatives are available upon request.

Requires all foods provided through public school and charter school vending machines, fundraisers, snacks, after-school meals, or other means, or sold in stores in schools and charter schools, meet the requirements of the U.S. Department of Agriculture's HealthierUS School Challenge program at the Gold Award Level for competitive foods. Provides exceptions. Prohibits third parties (other than school-related organizations and school meal service providers) from selling food and beverages on school property from 90 minutes before the school day begins until 90 minutes after the school day ends. Prohibits foods that do not meet the standards of the U.S. Department of Agriculture's HealthierUS School Challenge program at the Gold Award Level for competitive foods from being (1) used as incentives, prizes, or awards in public schools or charter schools; or (2) advertised or marketed in public schools and charter schools through posters, signs, book covers, scoreboards, supplies, equipment or other means. Establishes penalties for violations of these provisions related to healthy vending, fundraising and prizes in public schools.

Directs the Healthy Schools and Youth Commission to review school nutrition and the aforementioned requirements of this title at least every 3 years and recommend improvements to the mayor and the council.

Establishes a farm-to-school program. Directs schools and charter schools to serve locally grown, locally processed and unprocessed foods whenever possible. Requires programs such as a local flavor week and a harvest of the month. Requires an annual report and recommendations on farm-to-school initiatives. Pages 1-9 of 19: <http://www.dccouncil.us/images/00001/20100510112429.pdf>

Source:

www.dccouncil.us

Status: Adopted

Status Date: 07/27/2010