

**ADOPTED REGULATION OF THE  
STATE BOARD OF EDUCATION**

**LCB File No. R062-13**

Effective February 26, 2014

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §§1-5, NRS 385.080, 385.110, 389.0185 and 389.520.

A REGULATION relating to education; revising the performance standards for courses of physical education offered in public schools; and providing other matters properly relating thereto.

**Section 1.** NAC 389.2425 is hereby amended to read as follows:

389.2425 By the end of the second grade, pupils must know and be able to do everything required in the previous grades for courses in physical education offered in public schools.

Instruction in ~~the~~ *kindergarten, first grade and* second grade in physical education must be designed so that pupils meet the following performance standards by the completion of the second grade:

1. ~~Apply concepts relating to movement to the knowledge and development of motor skills;~~ *Demonstrate competency in the motor skills, patterns of movement and safety practices needed to perform a variety of physical activities*, as demonstrated by the ability of the pupil to:
  - (a) ~~Understand the vocabulary of simple patterns of movement;~~
  - ~~(b) Identify~~ *Demonstrate* the basic elements of forms of movement ; ~~including, without limitation, opposition;~~
  - ~~(c) Identify and respond to cues that enhance skill performance, including, without limitation, to look, reach and give when catching an object; and~~

~~—(d) Identify the physiological signs of moderate physical activity, including, without limitation, a fast heart rate and heavy breathing.~~

~~—2. Demonstrate competency in many forms of movement and proficiency in a few forms of movement, as demonstrated by the ability of the pupil to:~~

~~—(a) Combine in a sequence two or more locomotor or nonlocomotor skills;]~~

~~(b) Perform a variety of basic manipulative skills in isolation; **and**~~

~~—(c) Demonstrate a combination of two simple movements relating to weight transfer and balance.~~

~~—3. Understand dance through the use of skills, techniques and choreography, and as a form of communication, as demonstrated by the ability of the pupil to:~~

~~—(a) Create shapes at high, medium and low levels in a sequence of movement;~~

~~—(b) Use locomotor movements in varying directions and pathways;~~

~~—(c) Apply qualities of movement;~~

~~—(d) Create, with or without a prop, a sequence of movement that has a beginning, a middle and an end;~~

~~—(e) Demonstrate a quality of relationship between forms of movement, including, without limitation, imitation through echoing or mirroring, “close/near” or “over/under” movements and contrasting movements;~~

~~—(f) Discuss and demonstrate how dance is used to communicate to other persons;~~

~~—(g) Perform, with or without a prop and with few errors, various locomotor and nonlocomotor movements to a steady beat; and~~

~~—(h) Perform simple folk dances or social dances, or both.]~~

***(c) Perform simple motor skills and patterns of movement; and***

*(d) Demonstrate safe practices while participating in physical activities.*

*2. Apply concepts, principles and strategies relating to movement, performance and safety while participating in physical activities, as demonstrated by the ability of the pupil to:*

*(a) Recognize the basic elements of forms of movement;*

*(b) Demonstrate basic game strategies while participating in physical activities; and*

*(c) Identify appropriate safety practices concerning spatial awareness with regard to oneself and other persons.*

*3. Participate regularly in physical activities, as demonstrated by the ability of the pupil to:*

*(a) Demonstrate the difference between sedentary, light, moderate and vigorous physical activity;*

*(b) Apply healthy patterns of activity by participating regularly in physical activity; and*

*(c) Demonstrate various ways to be physically active on a daily basis.*

4. Achieve and maintain a health-enhancing level of ~~individual fitness for an active lifestyle,~~ *physical fitness*, as demonstrated by the ability of the pupil to:

~~(a) Identify~~ *Practice* health-related components of fitness ~~including, aerobic endurance, muscular strength, muscular endurance and flexibility;~~ *in various physical activities; and*

~~(b) Identify those health-related components which are addressed in selected exercises;~~

~~(c) Engage in moderate, daily, structured physical activity; and~~

~~(d) Perform various structured exercises in a safe manner.~~

~~5. Practice personal responsibility, positive social interaction and respect for diversity in settings in which physical activities occur, as demonstrated by the ability of the pupil to:~~

~~(a) Apply class rules, procedures and safe practices, with reinforcement from a teacher;~~

- ~~—(b) Engage in physical activity involving cooperation and sharing;~~
- ~~—(c) Show respect for other pupils during activities, regardless of personal differences; and~~
- ~~—(d) Participate in multicultural activities.~~ *the physiological signs of light, moderate and vigorous physical activity.*

**Sec. 2.** NAC 389.2946 is hereby amended to read as follows:

389.2946 By the end of the fifth grade, pupils must know and be able to do everything required in the previous grades for courses in physical education offered in public schools. Instruction in ~~the~~ *third grade, fourth grade and* fifth grade in physical education must be designed so that pupils meet the following performance standards by the completion of the fifth grade:

1. ~~Understand and apply concepts relating to movement to the knowledge and development of motor skills, as demonstrated by the ability of the pupil to:~~
  - ~~—(a) Use vocabulary correctly to differentiate between more complex gamelike strategies, including, without limitation, strategies for offense and for defense;~~
  - ~~—(b) Identify the intermediate elements of forms of movement;~~
  - ~~—(c) Apply simple strategies to gamelike situations;~~
  - ~~—(d) Identify the characteristics of a skilled performance in a few forms of movement; and~~
  - ~~—(e) Explain the physiological factors affecting individual differences in levels of physical fitness.~~
- ~~2.]~~ Demonstrate competency in ~~many forms of movement and proficiency in a few forms of~~ *motor skills, patterns of movement* ~~and~~ *and safety practices needed to perform a variety of physical activities*, as demonstrated by the ability of the pupil to:
  - (a) Use locomotor and nonlocomotor movements in physical activities;

(b) ~~{Execute a combination}~~ *Perform simple combinations* of manipulative skills ; ~~{in a new dynamic environment; and}~~

(c) ~~{Create and perform a sequence of movement, alone or within a group, that combines movements relating to weight transfer and balance.~~

~~—3. Understand dance through the use of skills, techniques and choreography, and as a form of communication, as demonstrated by the ability of the pupil to:~~

~~—(a) Create, within a group, sequences of movement which clearly demonstrate the use of shapes, levels and pathways;~~

~~—(b) Perform a range of qualities of movement clearly;~~

~~—(c) Observe and identify actions and elements of movement within brief sequences of movement;~~

~~—(d) Create and perform, with or without rhythmic accompaniment, a brief sequence of movement which has an identifiable beginning, middle and end;~~

~~—(e) Apply one partner skill while creating a sequence of movement with another person;~~

~~—(f) Create a brief movement phrase, accurately repeat the phrase and then vary the phrase by making changes in time, space or qualities of movements, or any combination thereof;~~

~~—(g) Recognize the elements of movement found in dance, sport and everyday activities;~~

~~—(h) Create a sequence of movement to express an idea or a concept;~~

~~—(i) Discuss interpretations and reactions to a sequence of movement;~~

~~—(j) Create and perform, within a group and with or without a prop, various movements to a steady beat;~~

~~—(k) Move to a musical beat and respond to changes in tempo; and~~

~~—(1) Perform more technically complex folk dances or social dances, or both, from various cultures, and identify the cultural and historical context of the folk or social dance.~~ **Perform**

*simple and moderately difficult motor skills and patterns of movement; and*

*(d) Demonstrate safe practices while participating in physical activities.*

*2. Apply concepts, principles and strategies relating to movement, performance and safety while participating in physical activities, as demonstrated by the ability of the pupil to:*

*(a) Recognize the critical elements of forms of movement;*

*(b) Explain how game strategies are used in physical activities; and*

*(c) Explain the importance of rules and procedures relating to safety with regard to oneself and other persons while participating in physical activities.*

*3. Participate regularly in physical activities, as demonstrated by the ability of the pupil to:*

*(a) Participate in a variety of moderate to vigorous physical activities;*

*(b) Apply healthy patterns of activity by participating regularly in physical activity; and*

*(c) Identify opportunities at school for participation in physical activities on a regular basis.*

*4. Achieve and maintain a health-enhancing level of ~~individual fitness for an active lifestyle,~~ physical fitness, as demonstrated by the ability of the pupil to:*

*(a) ~~Create personal goals related to an assessment of his or her physical fitness;~~*

~~—(b) Maintain a continuous aerobic activity for a specified time;~~

~~—(c) Engage in physical activity at a target heart rate for a specified time;~~

~~—(d) Identify~~ **Participate in various physical activities using** the health-related components of fitness in ~~various~~ **those physical** activities; and

- ~~{(e) Use proper techniques for warming-up, conditioning and cooling-down.~~
  - ~~—5. Practice personal responsibility, positive social interaction and respect for diversity in settings in which physical activities occur, as demonstrated by the ability of the pupil to:~~
    - ~~—(a) Make correct decisions in applying rules and procedures and using proper etiquette;}~~
    - ~~(b) {Respond in a positive manner to challenges, successes and failures in physical activity;~~
    - ~~—(c) Manage conflict positively, regardless of differences with other persons, with reinforcement from a teacher;~~
    - ~~—(d) Demonstrate teamwork and positive sportsmanship while interacting with other persons, regardless of differences; and~~
    - ~~—(e) Identify similarities of and differences between games, sports and dances from different cultures.}~~
- Explain the long-term health and fitness benefits of participating in physical activities.*

**Sec. 3.** NAC 389.386 is hereby amended to read as follows:

389.386 By the end of the eighth grade, pupils must know and be able to do everything required in the previous grades for courses in physical education offered in public schools. Instruction in ~~{the}~~ *sixth grade, seventh grade and* eighth grade in physical education must be designed so that pupils meet the following performance standards by the completion of the eighth grade:

1. ~~{Pupils must understand and be able to apply concepts relating to movement to the learning and development of motor skills, as demonstrated by the ability of the pupil to:~~
  - ~~—(a) Describe, using the appropriate vocabulary, strategies relating to movement and games;~~
  - ~~—(b) Describe and apply the advanced elements of forms of movement and game strategies;~~
  - ~~—(c) Evaluate forms of movement for the improvement of skills; and~~

~~—(d) Recognize the physical benefits of exercise during and after physical activity.~~

~~—2.] Demonstrate competency in [many forms of movement and proficiency in a few forms of movement,] *the motor skills, patterns of movement and safety practices needed to perform a variety of physical activities*, as demonstrated by the ability of the pupil to:~~

(a) ~~[Refine]~~ *Apply* locomotor and nonlocomotor movements ~~[in a sports setting,] while participating in physical activities;~~

(b) ~~[Refine previously learned manipulative skills;~~

~~—(c)] Demonstrate [the basic elements of more advanced] manipulative skills [; and~~

~~—(d) Explain how scientific principles apply to movements relating to weight transfer and balance.~~

~~—3.— Understand dance through the use of skills, techniques and choreography, and as a form of communication, as demonstrated by the ability of the pupil to:~~

~~—(a) Identify and demonstrate basic dance steps, positions and patterns from two different theatrical styles or traditional styles, or both theatrical and traditional styles;~~

~~—(b) Observe and describe the actions and qualities of movement in a dance sequence, using appropriate vocabulary relating to movement;~~

~~—(c) Accurately transfer a rhythmic pattern from the aural, verbal or visual form, or any combination thereof, to a kinesthetic form, with some assistance from a teacher; and~~

~~—(d) Perform traditional style dance or theatrical style dance, or both, from different times, periods or cultures, and describe the differences in the steps and style of movement.] *in a variety of environments and under several different conditions;*~~

(c) *Execute moderately difficult and complex motor skills and patterns of movement while participating in physical activities; and*



*(d) Demonstrate safe practices while participating in physical activities.*

*2. Apply concepts, principles and strategies relating to movement, performance and safety while participating in physical activities, as demonstrated by the ability of the pupil to:*

*(a) Apply concepts relating to critical elements of forms of movement to specialized skills while participating in physical activities;*

*(b) Carry out multiple game strategies while participating in physical activities; and*

*(c) Carry out appropriate practices relating to safety with regard to oneself and other persons while participating in physical activities.*

*3. Participate regularly in physical activities, as demonstrated by the ability of the pupil to:*

*(a) Participate in a variety of moderate to vigorous physical activities;*

*(b) Apply healthy patterns of activity by participating regularly in physical activity; and*

*(c) Identify opportunities at school for participation in physical activities on a regular basis.*

4. Achieve and maintain a health-enhancing level of ~~individual fitness for an active lifestyle,~~ *physical fitness*, as demonstrated by the ability of the pupil to:

~~(a) Design a personal health-related program of fitness based on an accurately assessed profile of fitness;~~

~~—(b) Understand~~ *Develop a plan for physical activity that uses* principles of training or conditioning ~~{and apply those principles to regular activities for}~~ *to improve his or her physical fitness;*

~~(c) Identify or participate in, or both identify and participate in, a variety of health-related activities in both the school and the community; and~~

- ~~—(d) Compare exercises which are safe with exercises which are unsafe, and demonstrate exercises which are safe.~~
  - ~~—5. Practice personal responsibility, positive social interaction and respect for diversity in settings in which physical activities occur, as demonstrated by the ability of the pupil to:~~
    - ~~—(a) Analyze potential consequences when confronted with a choice in behavior;~~
    - ~~—(b) Work cooperatively within a group to achieve goals in cooperative and in competitive situations;~~
    - ~~—(c) Engage in behaviors that are supportive and inclusive of all levels of abilities of other persons in settings in which physical activities occur; and~~
    - ~~—(d) Demonstrate a sport, dance or game, or any combination thereof, from another culture.]~~
- and*

*(b) Monitor the physiological effects during various physical activities and levels of intensity of those physical activities.*

**Sec. 4.** NAC 389.485 is hereby amended to read as follows:

389.485 By the end of ~~{the 12th grade,}~~ *high school*, pupils must know and be able to do everything required in the previous grades for courses in physical education offered in public schools. Instruction in ~~{the 12th grade}~~ *high school* in physical education must be designed so that pupils meet the following performance standards by the completion of ~~{the 12th grade:~~

- ~~—1. Understand and apply concepts relating to movement to the learning and development of motor skills, as demonstrated by the ability of the pupil to:~~
  - ~~—(a) Apply appropriate vocabulary to design a class or schoolwide activity;~~
  - ~~—(b) Integrate knowledge specific to a particular physical activity to new physical activities;~~

~~—(c) Analyze the pupil’s personal performance and apply the results of that analysis to improve his or her performance; and~~

~~—(d) Analyze health and fitness benefits arising from various physical activities.~~

~~—2.† *high school:*~~

~~1. Demonstrate competency in ~~{many forms of movement and proficiency in a few forms of} *motor skills, patterns of* movement ~~{†} and safety practices needed to perform a variety of physical activities,~~ as demonstrated by the ability of the pupil to:~~~~

~~(a) Demonstrate proficiency in ~~{at least three} *multiple* forms of movement ~~{in two or more sports; and~~~~~~

~~—(b) Apply scientific principles to movements relating to weight transfer and balance.~~

~~—3. Understand dance through the use of skills, techniques and choreography, and as a form of communication, as demonstrated by the ability of the pupil to:~~

~~—(a) Identify and demonstrate, with consistency, complex combinations of steps and patterns from different theatrical and traditional styles of dance;~~

~~—(b) Observe and analyze the actions and qualities of movement in dances, using the appropriate vocabulary relating to movement;~~

~~—(c) Demonstrate rhythmic acuity with consistency; and~~

~~—(d) Perform traditional styles of dance or theatrical styles of dance, or both traditional and theatrical styles of dance, from different times, periods or cultures, and compare and contrast the steps and styles of movement of those dances.† *while participating in physical activities;*~~

~~(b) *Perform manipulative skills in combination with locomotor or nonlocomotor movements in a variety of environments and under several different conditions;*~~

*(c) Execute complex motor skills and various patterns of movement while participating in physical activities; and*

*(d) Demonstrate safe practices while participating in physical activities.*

*2. Apply concepts, principles and strategies relating to movement, performance and safety while participating in physical activities, as demonstrated by the ability of the pupil to:*

*(a) Analyze complex motor skills while participating in physical activities;*

*(b) Analyze game strategies used while participating in physical activities to improve skills relating to movement; and*

*(c) Demonstrate appropriate practices relating to safety with regard to oneself and other persons while participating in physical activities.*

*3. Participate regularly in physical activities, as demonstrated by the ability of the pupil to:*

*(a) Participate in a variety of moderate to vigorous physical activities;*

*(b) Apply lifelong healthy patterns of activity by participating regularly in physical activity; and*

*(c) Identify opportunities at school for participation in physical activities on a regular basis.*

*4. Achieve and maintain a health-enhancing level of ~~individual fitness for an active lifestyle,~~ physical fitness, as demonstrated by the ability of the pupil to:*

*(a) ~~Refine health-related goals as defined by a formal guideline;~~*

*~~(b) Engage independently in physical activities that address fitness and wellness throughout life;~~*

~~—(c) Analyze a personal lifestyle which is healthy, independent of intervention by a teacher; and~~

~~—(d) Evaluate physical activities for the potential of injury which may occur while}~~ *Develop a plan for exercise and physical activity that uses data related to the pupil's individual fitness to improve his or her physical fitness; and*

*(b) Analyze health and fitness benefits arising from* participating in ~~{those}~~ *various* physical activities.

~~{5. Practice personal responsibility, positive social interaction and respect for diversity in settings in which physical activities occur, as demonstrated by the ability of the pupil to:~~

~~—(a) Anticipate and avoid potentially dangerous outcomes and consequences that may occur while participating in physical activity;~~

~~—(b) Accept the responsibility for taking a leadership role; and~~

~~—(c) Discuss the changing needs of physical activity within a diverse society.}~~

**Sec. 5.** NAC 389.283 is hereby repealed.

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### TEXT OF REPEALED SECTION

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**389.283 Physical education. (NRS 385.080, 385.110, 389.0185, 389.520)** By the end of the third grade, pupils must know and be able to do everything required in the previous grades for courses in physical education offered in public schools. Instruction in the third grade in physical education must be designed so that pupils meet the following performance standards by the completion of the third grade:

1. Understand and apply concepts relating to movement to the knowledge and development of motor skills, as demonstrated by the ability of the pupil to:

(a) Use a vocabulary relating to movement for manipulative, locomotor and nonlocomotor movement activities correctly;

(b) Apply the basic elements of a form of movement in a dynamic environment;

(c) Identify simple cues in the performance of the pupil's peers; and

(d) Monitor physiological changes which occur during moderate physical activity.

2. Demonstrate competency in many forms of movement and proficiency in a few forms of movement, as demonstrated by the ability of the pupil to:

(a) Maintain a mature form in all locomotor and nonlocomotor movements with a partner;

(b) Perform a variety of manipulative skills in a dynamic environment; and

(c) Sequence combinations of more complex movements relating to weight transfer and balance.

3. Understand dance through the use of skills, techniques and choreography, and as a form of communication, as demonstrated by the ability of the pupil to:

(a) Create, with a partner and with few errors, shapes at high, medium and low levels in a sequence of movement;

(b) Perform, with a partner, locomotor movements in varying directions and pathways;

(c) Demonstrate the qualities of movement with a partner;

(d) Create, with a partner and with or without a prop, a sequence of movement with a beginning, a middle and an end;

(e) Use appropriate skills with a partner;

(f) Express emotion through movement;

(g) Observe and discuss how dance differs from and is the same as sports and everyday activities;

(h) Perform, with a partner and with or without a prop, various movements to a steady beat;

(i) Move to a steady beat at various tempos; and

(j) Perform folk dances or social dances, or both, from various cultures.

4. Achieve and maintain a health-enhancing level of individual fitness for an active lifestyle, as demonstrated by the ability of the pupil to:

(a) Describe the implications of the results of health-related assessments of fitness;

(b) Sustain moderate physical activity that will promote the development of the health-related components of fitness;

(c) Engage in activities that promote the development of the health-related components of fitness; and

(d) Identify proper techniques for warming up, conditioning and cooling down, and state the reasons for using those techniques.

5. Practice personal responsibility, positive social interaction and respect for diversity in settings in which physical activities occur, as demonstrated by the ability of the pupil to:

(a) Apply class rules, procedures, safety practices and etiquette with limited reinforcement from a teacher;

(b) Identify acceptable responses to challenges, successes and failures in physical activity;

(c) Understand the purpose for modifying activities with regard to diversity in physical activity; and

(d) Understand the connection between a dance, game or sport and the culture in which the dance, game or sport originates.

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS—NRS 233B.066**  
**Informational Statement**  
**LCB File No. R062-13**

**Proposed Amendments to NAC 389.2425 Second Grade: Physical Education; NAC 389.2946 Fifth Grade: Physical Education; NAC 389.386: Eighth Grade: Physical Education; NAC 389.485 Physical Education; Deletion of NAC 389.283**

**1. A clear and concise explanation of the need for the adopted regulation.**

The need and purpose of the proposed changes to NAC 389.2425, NAC 389.2946, NAC 389.386, NAC 389.485 and complete deletion of NAC 389.283 is to update the current Nevada Academic Content Standards for Physical Education in Kindergarten through Twelfth Grade. The updates/revisions to the standards reflect the value of physical education to standards based reports cards in Nevada's school districts, a movement towards promoting physical activity in schools as well as updated language in line with other states and national standards. The beneficial effect would be more clarity in the Nevada Academic Content Standards for Physical Education for Nevada's school districts to implement standards based report cards and promoting physical activity in schools.

**2. Description of how public comment was solicited, a summary of public response, and an explanation of how other interested persons may obtain a copy of the summary.**

The Notice of Intent to Act Upon a Regulation for public hearing and adoption of Proposed Amendments was filed at the following locations on November 6, 2013: The offices of the Nevada Department of Education in Carson City and Las Vegas, at the 17 Nevada School District Superintendent's Offices, the 17 county main public libraries, the Nevada State Library and Archives, the Department of Education website and the Legislative Council Bureau website.

A summary may be obtained by contacting Karen Johansen, Administrative Assistant, Nevada Department of Education, 775-687-9225 or by writing to the Nevada Department of Education, 700 East Fifth Street, Carson City, Nevada 89701-5096.

**3. The number of persons who:**

- (a) Attended each hearing: 53**
- (b) Testified at each hearing: 0**
- (c) Submitted written comments: 3 (please see attached)**

**4. For each person identified in paragraphs (b) and (c) of number 3 above, the following information if provided to the agency conducting the Hearing: (Please see attached)**

- (a) Name:**
- (b) Telephone number;**
- (c) Business Address;**
- (d) Business telephone number;**
- (e) Electronic mail address;**



**(f) Name of entity or organization represented**

- 5. A description of how comment was solicited from affected businesses, a summary of their response and an explanation of how other interested persons may obtain a copy of the summary.**

The Notice of Intent to Act Upon a Regulation for public hearing and adoption of Proposed Amendments was filed at the following locations on November 6, 2013: The offices of the Nevada Department of Education in Carson City and Las Vegas, at the 17 Nevada School District Superintendent's Offices, the 17 county main public libraries, the Nevada State Library and Archives, the Department of Education website and the Legislative Council Bureau website.

A summary may be obtained by contacting Karen Johansen, Administrative Assistant, Nevada Department of Education, 775-687-9225 or by writing to the Nevada Department of Education, 700 East Fifth Street, Carson City, Nevada 89701-5096.

- 6. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.**

The proposed regulations were adopted as submitted as the public input supported the proposed regulations.

- 7. The estimated economic effect of the regulation on the business which it is to regulate and on the public:**

**(a) Estimated economic effect on the businesses which they are to regulate**

None.

**(b) Estimated economic effect on the public which they are to regulate**

None.

- 8. The estimated cost to the agency for enforcement of the proposed regulation: None**

- 9. A description of any regulations of other State of governmental agencies which the regulation overlaps or duplicates and a statement explaining why the duplication or overlap is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency. None.**

- 10. If the regulation includes provisions that are more stringent than a federal regulation that regulates the same activity, a summary of such provisions. None.**

- 11. If the regulation provides a new fee or increases an existing fee, the total annual amount of the agency expects to collect and the manner in which the money will be used. None.**