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September 2018

Dr. Ravo Root, Superintendent  
Members of the Board of Education  
Camden Central School District  
51 Third Street  
Camden, NY 13316

Report Number: S9-18-15

Dear Dr. Root and Members of the Board of Education:

We conducted an audit of 10 school districts throughout New York State.<sup>1</sup> The objective of our audit was to determine whether school districts are providing physical education classes consistent with the regulations of the Commissioner of the New York State Education Department (Commissioner). We included the Camden School District (District) in this audit. Within the scope of this audit, we examined schedules, attendance and the physical education plan for the period July 1, 2016 through June 30, 2017. This audit was conducted pursuant to Article V, Section 1 of the State Constitution and the State Comptroller's authority as set forth in Article 3 of the New York State General Municipal Law.

This report of examination letter contains our findings and recommendations specific to the District. We discussed the findings and recommendations with District officials and considered their comments, which appear in Appendix A, in preparing this report. District officials generally agreed with our recommendations and indicated they planned to initiate corrective action. At the completion of our audit of the 10 school districts, we prepared a global report that summarizes the significant issues we identified at all of the school districts audited.

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<sup>1</sup> Baldwinsville Central School District, Binghamton City School District, Brockport Central School District, Camden Central School District, Corning City School District, East Ramapo Central School District, Kenmore-Town of Tonawanda Union Free School District, Plattsburgh City School District, South Colonie Central School District, South Huntington Union Free School District

## Summary of Findings

The District did not comply with the Commissioner's regulations<sup>2</sup> regarding the New York State Education Department's (SED) physical education (PE) classes for students in grades K-4 (elementary school). The District's PE plan was not filed with SED as required and did not address or correctly address all items required by the State's regulation.

While the District scheduled all students for PE and students generally attended classes, elementary school students (grades K-4) did not receive the required amount. The District is required to provide elementary school students with 120 PE minutes each week, but provided on average 108 PE minutes (10 percent less than the minimum required). In addition, the District also must provide students with a specified number of PE classes each week. While the District almost provided grade 4 students with the required number of PE classes, on average, students in grades K-3 were provided with approximately half of the required PE classes.

## Background and Methodology

The District serves the Towns of Annsville, Camden, Florence, Lee and Vienna in Oneida County; the Town of Constantia in Oswego County; and the Town of Osceola in Lewis County. It operates five schools (three elementary schools, one middle school and one high school) with 2,189 students and 638 employees. District appropriations totaled \$51.7 million for the 2016-17 fiscal year, including approximately \$770,000 for physical education. The District has 10 certified PE teachers.

A seven-member Board of Education (Board) governs the District. The Board's primary responsibilities are assisting in the determination of the need for and the provision of facilities, personnel, supplies and materials to maintain the educational program required by law. The Director of Athletics, Physical Education and Health (Director) is responsible for the day-to-day operations of the PE program.

New York State Education Law<sup>3</sup> generally directs that school districts should provide PE to elementary and secondary school students, under the direction of the Commissioner. As a result, the New York Codes, Rules and Regulations (NYCRR)<sup>4</sup> require a PE plan to be prepared and filed with SED, indicate what should be in the plan and set the time requirements for students on a grade-by-grade basis.

The federal Centers for Disease Control and Prevention<sup>5</sup> reviewed multiple studies and released a report<sup>6</sup> indicating there is evidence that physical activity can improve academic achievement, including grades and standardized test scores. In 11 of 14 studies reviewed, increasing PE time improved students' academic achievement while three studies found that it had no significant

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<sup>2</sup> Chapter 11 of the New York Code of Rules and Regulations (NYCRR), section 135.4

<sup>3</sup> New York State Education Law Section 803

<sup>4</sup> New York Codes, Rules and Regulations Section 135.4

<sup>5</sup> A federal agency that conducts and supports health promotion, prevention and preparedness activities in the United States, with the goal of improving overall public health

<sup>6</sup> "The association between school-based physical activity, including physical education, and academic performance" (Centers for Disease Control and Prevention, U.S. Department of Health and Human Services), 2010

associations with academic achievement. Additionally, PE is important for a student's health and wellbeing as childhood obesity continues to be a serious problem in the United States. The prevalence of obesity has remained fairly stable, between 2003-2004 and 2011-2012, at 17 percent and affects 12.7 million children and adolescents.<sup>7</sup>

To complete our audit objective, we reviewed the PE plan, interviewed staff, reviewed student schedules, calculated student attendance and verified compliance with PE regulations. We conducted this performance audit in accordance with generally accepted government auditing standards (GAGAS). More information on the standards and the methodology used in performing this audit are included in Appendix B of this report. Unless otherwise indicated in this report, samples for testing were selected based on professional judgment, as it was not the intent to project the results onto the entire population. Where applicable, information is presented concerning the value and/or size of the relevant population and the sample selected for examination.

## **Audit Results**

Physical Education Plans – The Commissioner's regulations state that the Board of Education is responsible for developing and implementing school district plans to provide PE experiences for students. Such plans should be kept on file in the school district office and shall be filed with the SED Division of Physical Education, Fitness, Health, Nutrition and Safety Services. In addition, the NYCRR indicates specific items that the PE plan should address, such as program plans, required instruction, attendance, personnel, facilities and administrative procedures.

The District has a PE plan available for the public to view; however, it was not filed with SED<sup>8</sup> and was insufficient, as it did not provide students with the required number of PE opportunities each week. Positively, District officials require that all students be scheduled for PE, that student PE grades and notes be maintained each year, and that teachers ensure students are attending PE classes. We confirmed students are scheduled for PE classes and that students generally attend the classes.

We reviewed secondary school student class records and schedules to determine whether PE classes are scheduled for students in accordance with District statements, the PE plan and master schedules and found no issues.

The Director told us he was aware of SED's regulations and requirements but our audit found that he was not familiar with all the specific PE plan requirements. By not maintaining a comprehensive PE plan for guiding staff and monitoring the program, District officials risk not complying with regulations and not providing adequate PE for students. This could harm student academic performance and increase the potential for obesity.

Compliance With Physical Education Regulations – The Commissioner's regulations set forth minimum standards for PE programs. This includes a minimum number of times and minutes per week that a student should receive PE (Figure 1). The regulations also allow adjustments for

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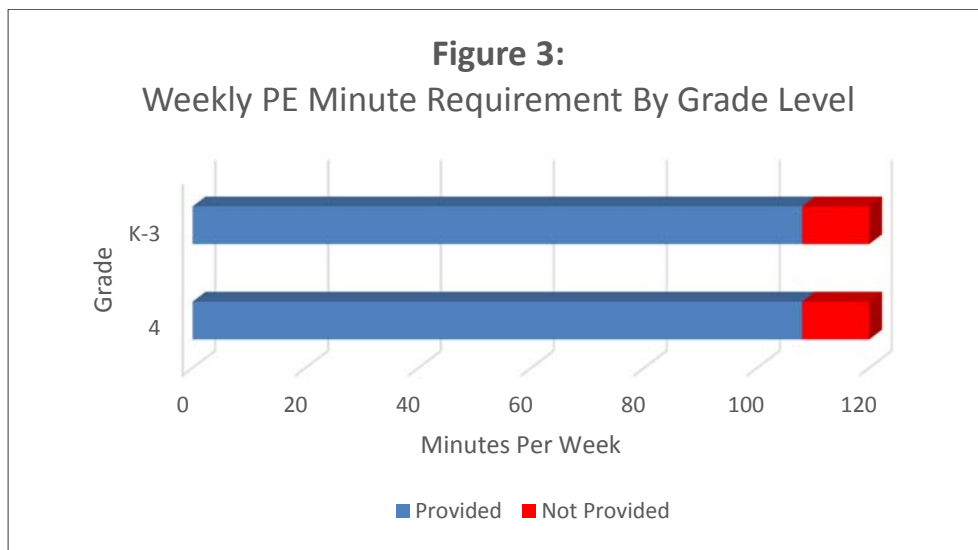
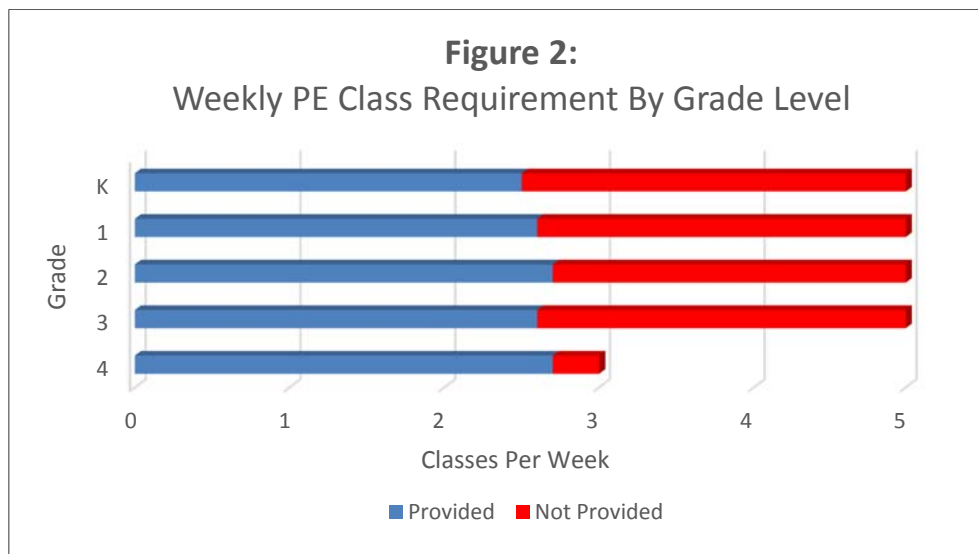
<sup>7</sup> Ogden CL, Carroll MD, Fryar CD, Flegal KM. "Prevalence of obesity among adults and youth: United States, 2011–2014." NCHS data brief no. 219 (National Center for Health Statistics), 2015

<sup>8</sup> The PE plan was also not approved by the Board.

districts to tailor the PE program to their own needs. For example, fifth graders can be subject to elementary school or secondary school standards depending on which school they attend.

<b>Figure 1: Regulation PE Requirements</b>		
<b>Grade</b>	<b>Total Minute Requirement</b>	<b>Times Per Week Requirement</b>
K-3	120 Minutes	5
4-6	120 Minutes 5 <sup>th</sup> and 6 <sup>th</sup> graders have option to meet secondary school standards (grades 7-8)	3
7-8	Three times per week one semester, two times per week second semester or a comparable time if school is organized in another pattern. Should average 90 minutes per week.	
9-12	Three times per week one semester, two times per week second semester or a comparable time if school is organized in another pattern. Should average 90 minutes per week	

For grades K-4, the students did not receive the required number of PE classes (Figure 2), or the minimum minutes required (Figure 3), as prescribed by SED:



The District provides a varying amount of PE to elementary school students depending on which school they attend. One of the District's elementary schools provided students with 3 PE classes each week, the remaining two schools provided PE classes twice a week and used a supplemental fitness program at varying intervals. As a result, kindergarten students were provided with an average of 2.5 classes per week, grade 1 students were provided 2.6 classes per week, grade 2 students were provided 2.7 classes per week and grade 3 students were provided 2.6 classes per week rather than the required five classes per week. Fourth grade students were scheduled for 2.7 days but they should have been scheduled for 3 PE days per week.

In addition, one elementary school provided 40-minute PE classes three times per week, a second school provided 42-minute PE classes twice per week and a 30-minute life fitness session once per week, while a third school provides 42-minute PE classes twice per week and a 30-minute life fitness<sup>9</sup> class every 22 days. As a result, students in grades K-3 averaged 108 minutes (12 minutes short) a week instead of the required 120 weekly minutes. The fourth grade students also averaged 108 minutes a week of the 120 minute requirement.

The Director explained that they lack the space to include more PE classes at one of their elementary schools, and additionally, they were unaware of the minimum number of times per week a student should receive PE. In addition, elementary school principals are responsible for constructing the master schedules in their own building, resulting in various levels of compliance.

The District provides students in grades 5-12 with the required amount of PE. Grades 5-12 with PE three times a week for 40 minutes per class one week and two times a week for 40 minutes per class the other week.

By not providing the required level PE for elementary students, the District is noncompliant with State regulations and risk negatively affecting its students' academic performance as well as contributing to childhood obesity.

## **Recommendations**

The Board should:

1. Develop and adopt a comprehensive PE plan that meets the Commissioner's regulations and file it with SED, as required.
2. Ensure that all students in the District receive the required amount of PE.

The Board has the responsibility to initiate corrective action. Pursuant to Section 35 of General Municipal Law, Section 2116-a (3)(c) of the New York State Education Law and Section 170.12 of the Regulations of the Commissioner of Education, a written corrective action plan (CAP) that addresses the findings and recommendations in this report must be prepared and forwarded to our office within 90 days. To the extent practicable, implementation of the CAP must begin by the end of the next fiscal year. For more information on preparing and filing your CAP, please

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<sup>9</sup> Life fitness is an additional class designed to help schools meet the 120-minute per week requirement.

refer to our brochure, *Responding to an OSC Audit Report*, which you received with the draft audit report. The Board should make the CAP available for public review in the District Clerk's office.

We thank the officials and staff of the Camden Central School District for the courtesies and cooperation extended to our auditors during this audit.

Sincerely,

Gabriel F. Deyo  
Deputy Comptroller

## **APPENDIX A**

### **RESPONSE FROM DISTRICT OFFICIALS**

The District officials' response to this audit can be found on the following page.

# CAMDEN

## CENTRAL SCHOOLS

July 17, 2018

**Dr. Ravo Root**  
Superintendent of Schools

Re: Camden Central School District Corrective Action Plan  
Physical Education Audit

To Whom It May Concern:

This document is Camden Central School District's response letter and Corrective Action Plan from Audit Report number S9-18-15. The Audit that was conducted was for the school year starting on July 1, 2016, and ending on June 30, 2017.

The summary findings showed that Camden did not provide daily physical education for grades kindergarten through third grade during the 2016-2017 school year. That has been rectified and every kindergarten through third grade student will now be receiving daily physical education during the 2018-2019 school year.

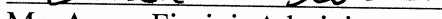
The Audit found that during the 2016-2017 school year on average, elementary students kindergarten through fourth grade were getting an average of 108 minutes of physical education per week. This was rectified during the 2017-2018 school year and every elementary student is now receiving 120 minutes of physical education per week.

The Camden Central School District Physical Education Plan will be forthcoming and filed with the State Education Department during the 2018-2019 school year.

Sincerely,

  
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Dr. Ravo Root, Superintendent

7-25-18  
Date

  
\_\_\_\_\_  
Mr. Aaron Firoini, Administrator for Interscholastic  
Athletics, Health, PE, & Health & Safety

7-25-18  
Date



## **APPENDIX B**

### **AUDIT METHODOLOGY AND STANDARDS**

To achieve our audit objective and obtain valid audit evidence, our audit procedures included the following:

- We interviewed District officials and staff to gain an understanding of the District's policies and procedures for PE.
- We obtained the District's PE plan and compared it to the NYCRR put forth by SED to determine whether the plan met the requirements of the regulation.
- We obtained a list of all District PE teachers and their certifications to determine whether they received certifications as physical education teachers.
- We obtained a list of all District students and selected a sample of 80 secondary school students (3.8 percent), using a random number generator, to determine whether they were scheduled the student for a PE class. If they were, we determined whether the schedule matched the PE plan, information shared by the District and the school's master schedule.
- We obtained the master schedules for each school that indicated the PE teacher, section ID,<sup>10</sup> days of the week attended and number of students in the class. We then obtained a list of all students' attendance of PE classes and determined the attendance percentage per grade and school based on total students per class, total days of class and total absences.
- We compared the District's PE class scheduling practices to the NYCRR to determine whether they were in compliance with the required amount of classes per week and total minutes per week.

We conducted this performance audit in accordance with GAGAS. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

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<sup>10</sup> The ID assigned to a class that identifies the grade, teacher and period (for secondary school).