

## EXHIBIT 1

**From:** Marcela Obregon Enriquez [mailto:MOregon@cde.ca.gov]  
**Sent:** Friday, January 30, 2009 3:52 PM  
**To:** Grier Terry  
**Cc:** Barbra Ruth; Phil Lafontaine  
**Subject:**

Hi Terry -

Education Code sections 35160 and 51225.3(b) provide LEAs with the legal authority to establish the modes by which a student can meet physical education graduation requirements.

Under existing education codes, LEAs have the capability of granting physical education credit for courses such as marching band and JROTC.

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