

704 KAR 4:010. Physical education.

RELATES TO: KRS 156.031, 156.160

STATUTORY AUTHORITY: KRS 156.070, 156.160

NECESSITY, FUNCTION, AND CONFORMITY: KRS 156.031 requires that administrative regulations relating to statutes amended by the 1990 Kentucky Education Reform Act be reviewed, amended if necessary and resubmitted to the Legislative Research Commission prior to December 30, 1990; and KRS 156.160 requires the State Board for Elementary and Secondary Education to adopt administrative regulations governing course of study, medical inspection, physical and health education and recreation, and other rules and administrative regulations deemed necessary or advisable for the protection of the physical welfare and safety of the public school children. This administrative regulation implements that duty relative to health and physical education instruction.

Section 1. Elementary and secondary physical education programs or courses shall follow the descriptions and requirements recorded in the physical education section of the "Program of Studies for Kentucky Schools, Grades K-12," as adopted in 704 KAR 3:304, and in the minimum unit requirements for high school graduation set forth in 704 KAR 3:305.

Section 2. (1) A local board of education may authorize a child whose parents or guardian present a certificate from a licensed physician to the effect that because of the child's physical condition, participation in the required one-half (1/2) unit physical education course in high school is not in the best interest of the child, to substitute a physical education course which is within the capabilities of the child as specified by the child's physician.

(2)(a) A local board of education is authorized to exempt any child from the graduation requirements for physical education when the local board receives an affidavit from the parents of the child and the leader of a church certifying that the child is a member of the church or religious denomination, the teachings of which are opposed to the physical education curriculum or attire. The affidavit shall identify the church tenet giving rise to such conscientiously held opposition, and any exemption hereunder shall not reduce the total number of credits necessary for graduation under 704 KAR 3:305.

(b) The local school district may, in the alternative, maintain the requirement of physical education for graduation, by allowing for more modest dress or classes segregated by sex for those students having conscientious religious objections if such will reasonably accommodate such objections. (SBE 48.001, .002, .003, .004, .005, .006, .020, .030, .040, .050, .060, .070, .080; 1 Ky.R. 81; eff. 11-13-1974; 4 Ky.R. 195; eff. 6-7-1978; 5 Ky.R. 43; eff. 9-6-1978; 1086; eff. 8-1-1979; 8 Ky.R. 72; eff. 9-2-1981; 11 Ky.R. 1885; eff. 7-9-1985; 12 Ky.R. 963; 1341; eff. 2-4-1986; 17 Ky.R. 2056; eff. 2-7-1991; Crt eff. 11-16-2018.)