

EDUCATION AND LABOR CABINET

Kentucky Board of Education

Department of Education

(Amended at ARRS Committee)

704 KAR 4:010. Physical education.

RELATES TO: KRS 156.160(1)

STATUTORY AUTHORITY: KRS 156.070, 156.160

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 156.160(1)(h) requires the Kentucky Board of Education to adopt administrative regulations governing medical inspection, physical and health education and recreation, and other regulations 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 as adopted in 704 KAR 8:050 and in the minimum 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 signed statement of a properly licensed physician, advanced practice registered nurse, physician's assistant, psychologist, or psychiatrist to the effect that because of the child's physical condition participation in the required one-half (1/2) credit physical education course in high school is not in the best interest of the child or 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 may 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 the 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 it will reasonably accommodate the objections.

(704 KAR 004:010. 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; 52 Ky.R. 104, 566; eff. 10-14-2025.) COMPILER'S NOTE: 2025 RS HB 6, enacted by the General Assembly on March 27, 2025, altered the information to be provided at the time an administrative regulation is filed. Aside from formatting changes necessary to upload the regulation into the LRC's publication application, this regulation has been published as submitted by the agency.

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