Special Education, as defined in Public Law 94-142, includes instruction in physical education:

“Special education” means specially designed instruction, at no cost to the parent, to meet the unique needs of a child with disabilities, including classroom instruction, and instruction in hospitals and institutions.\(^1\)

Parents of children with disabilities should note that appropriate physical education is one of the curriculum areas specified in the law. Each child with disabilities should participate in a physical education program. According to Public Law 94-142:

Physical education services, specially designed, if necessary, must be made available to every child with disabilities receiving a free appropriate public education.

Each child with disabilities must be afforded the opportunity to participate in the regular physical education program available to children without disabilities unless: (1) The child is enrolled full-time in a separate facility; or (2) The child needs specially designed physical education, as prescribed in the child’s individualized education program.

If specially designed physical education is prescribed in a child’s individual education program, the public agency responsible for the education of that child shall provide the services directly, or make arrangements for it to be provided through other public or private programs.

The public agency responsible for education of a child with disabilities who is enrolled in a separate facility shall insure that the child receives appropriate physical education services (as delineated above).\(^2\)

Physical education services are required for all children. Physical education is routinely provided to all children who do not have a disability in elementary and secondary public schools. However, in the past, instruction in physical education for a child with disabilities has often been viewed as an “extra” or a “luxury.”

“Physical education” means the development of:

- physical and motor fitness
- fundamental motor skills and patterns; and skills in aquatics, dance, and individual group games and sports (including intramural and lifetime sports)
- the term includes special physical education, adapted physical education, movement education, and motor development.\(^3\)

Free play, free time, recess, and other non-instructional physical activities do not meet the requirements of a physical education program. Such activities should not be substituted for organized instruction in physical education. “Physical education is considered a legitimate need, with its own goals and objectives.”\(^4\)

Watching others participate, or keeping score for the class, does not meet the requirements of a physical education program.

Alternative placements must be made available to meet the needs of children with disabilities. Because instruction in physical education is a defined part of special education, alternative placements must include opportunities for instruction in regular classes, special classes, special schools, home instruction, and instruction in hospitals and institutions, or regular classes with supplementary services, such as resource room or itinerant instruction. Individualized planning committees or team staffings (which include parents) are expected to review motor, physical movement, and fitness needs of each child to determine whether specially
designed physical education programs are required. In this way, no doubt is left that physical fitness, motor proficiency, and other physical education activities have been discussed by the individualized planning committee (team staffing meeting).  

A child attending a regular school would be included in the school's regular physical education program unless a specially-designed program is spelled out in the IEP.  

Specially designed physical education programs. ...can be implemented in a regular class setting when this is the most normal setting appropriate for a particular child with disabilities at a given time.  

The needed accommodations can be developed by modifying rules, adapting equipment, using individualized teaching techniques and providing the teacher with extra help. With this kind of support, many children can take part in regular physical education classes.  

The terms adapted physical education and special physical education should not be confused with physical therapy. Physical therapy is a “related service” to special education. Related services are, as defined in Public Law 94-142, “developmental, corrective and other supportive services as are required to assist a child with disabilities to benefit from special education.” The services and goals of physical therapy differ from the instruction and goals in physical education.  

Since physical education programs must be provided for all children, if you have a child with disabilities who is in need of adapted physical education, your school district is obligated under law to provide an appropriate plan. This is a special education service, and an important part of your child's individual education plan (IEP). If these services are needed, but not provided in your district, “parents and parent groups must work with school administrators to see that these requirements are met.”

Portions of this paper have been taken from:  

(2) Public Law 94-142.  
(3) Public Law 94-142.  
(4) Stein, Julius, “New Laws Open the Field to the Handicapped.”  
(7) Stein, Julius, Amicus.  