

POSITION STATEMENT

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Providing School-Sponsored Interscholastic Sports/Athletics for Students with Disabilities

Position Statement: Equal Opportunity for All Students

School districts and their athletic programs are required by federal laws to provide equal opportunities for students with disabilities to benefit from and to participate in extracurricular programs (i.e., interscholastic sports/athletics and intramural programs) in the same manner provided for students without disabilities. Equal opportunities may include having equal access to facilities and other resources such as practice and game space, uniforms, equipment, and transportation to competition, pay for coaches like nondisabled sports, earning athletic letters or awards like students without disabilities.

Purpose

This position statement addresses the responsibilities of school districts and their athletic programs for providing sport/athletic programs for students with disabilities in a similar manner provided for students without disabilities. All students should benefit from the social and health-enhancing aspects of school-sponsored sports/athletics. Sports/athletics is part of a comprehensive educational experience for students without disabilities; the same should be true for students with disabilities. Students with and without disabilities sharing the same sporting experiences will enhance social relationships and foster an appreciation of each other's skill sets.

Intended Audiences

The audiences for this position statement are many and include school district administrators (i.e., special education supervisors, athletic directors, and principals), general and adapted physical educators, special and general education classroom teachers, related service personnel, paraprofessionals, sport coaches, parents, state level interscholastic athletic associations, and others working with students with disabilities in educational settings.

Legislative Background and Supporting Information

Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. §794 et seq. (Rehabilitation Act, 1973) was one of the first civil rights laws for individuals with disabilities. The purpose of this law was to include individuals with disabilities in our country through equal opportunity and address discrimination according to disability to help put an end to unequal treatment (42 U.S.C. § 12101(a) (7), (Americans with Disabilities Act, 1990). The Americans with Disabilities Act (ADA) of 1990 and the Individuals with Disabilities Education Act of 2004 (IDEA) addressed discrimination in education similar to laws that ensure the right to vote, attend any school, or same sex marriage. According to the United States Government Accountability Office Report (2010) an unlawful exclusion of students with disabilities has been brought about by the failure of schools, and their athletic programs to include students with disabilities, which is a breach of the students' equal educational experiences.

Extracurricular activities (to include sports and athletics) are a required part of a student's special education program and IDEA guarantees a free and appropriate public education (FAPE). Providing a comprehensive FAPE includes the responsibility of providing sports and athletics for students with disabilities in schools that receive federal funding for special education services. School programs or activities receiving federal financial assistance must provide equal opportunities for participation of students' with disabilities to include interscholastic, club, or intramural athletics that are comparable opportunities for students without disabilities. The regulations mandate that students with disabilities participate in extracurricular activities, as in all education programs, with students without disabilities to the maximum extent possible (34 C.F.R. § 104.37(c) (2008).

In an attempt to assess the status of this equal opportunity in public schools, Congress in 2008 requested the Government Accountability Office (GAO) to determine how physical education and extracurricular athletic opportunities for students with disabilities were provided in schools. The results were reported to Congress, and disseminated through U.S. Department of Education's Office of Civil Rights via a Dear College Letter (DCL).

"On January 24, 2013 the Office for Civil Rights issued a Dear Colleague Letter clarifying school's obligations under the Rehabilitation Act of 1973 to provide extracurricular athletic opportunities for students with disabilities. The 2013 Dear Colleague Letter encourages schools to comply with the Rehabilitation Act and work proactively to include students with disabilities in athletic programs to satisfy their civil rights regarding equal educational opportunities" (pg 20. Arnhold, Young, & Lakowski, 2013).

Specific findings of the GAO report were:

1. Schools do provide students with and without disabilities similar opportunities to attend physical education classes, but face challenges in integrating students with disabilities in general physical education.
2. Students with disabilities participate in extracurricular athletics at consistently lower rates than students without disabilities.
3. Officials from school districts and state athletic associations said they lacked information and training that would help them provide athletic opportunities for students with disabilities.
4. Officials also requested guidance from the Department of Education on school responsibilities under law.
5. The U.S. Department of Education (Department) currently provides little support and guidance on physical education and extracurricular athletics to schools for students with disabilities. (GAO, 2010).

Congress's Response to the GAO Findings

Response to Findings 1 and 2 – Address accessibility to the environment and provide safe, effective use of sport equipment.

Response to Finding 3 – Provide training of highly qualified adapted physical education teachers and adapted sport coaches.

Response to Findings 4 and 5 – Teaching and coaching on a more individualized basis and address stronger behavior management techniques.

Response to Findings 6 and 7 – Create more program options such as alternative sport opportunities and adapted curriculums designed to meet the individual needs of students with disabilities.

Response to Finding 8 – Implement assessment strategies that meet the needs of students with disabilities (do not use generalizations about type of disability to make decisions).

Core Issue

The NCPEID believes that based on the findings from the GAO report, most school districts need assistance to include students with disabilities into extracurricular sports/athletics. In an effort to assess individual state profiles regarding the status of interscholastic extracurricular sports for students with disabilities, three state wide surveys were conducted among high school athletic directors and P-12 physical educators. Each of these revealed needs for staffing training and more adapted sport programs.

Ross, Felix, and Tymeson conducted a survey of Wisconsin athletic directors in 2012 which focused on the availability of sports for students with disabilities at the high school level. The survey was conducted within two months after the issuance of the OCR Dear Colleague Letter. Their findings from over 230 school districts revealed the following: (a) there were very few school-sponsored sport opportunities for students with disabilities in Wisconsin; (b) track and field, basketball, and wrestling were the sports most offered for students with disabilities; (c) athletic directors were not planning to offer sport programs for students with disabilities; (d) parents of children with disabilities represented the largest group to contact athletic directors with concerns on the issue of interscholastic sports for their children; and (e) lack of funding was rated as the greatest barrier to establishing sports programming by athletic directors .

Russell and Arnhold replicated the Wisconsin study in Pennsylvania in 2013 and found many similar results: (a) over 65% of the schools responding indicated they did not offer sports for students with disabilities; (b) track and field was the sport most frequently offered; (c) over 60% of the schools responding were not planning to offer sport programs for students with disabilities; (d) parents were the largest group to contact athletic directors on the issue of interscholastic sports for their children; and (e) lack of funding and participation on the part of students with disabilities were the top barriers for implementing sport programs for students with disabilities.

Davis (2013) surveyed members (n = 115) of the Texas physical education state organization to assess awareness and understanding of the OCR Dear Colleague Letter (DCL) and its impact on sports/athletics for students with disabilities (SWD). Results indicated that less than 20% were familiar with the GAO report, and less than 10% were aware of the DCL. Almost 55% reported not being familiar at all with the DCL. When asked if their school or school district had interscholastic sport for SWD, over 80% indicated no. In terms of deterrents (barriers) for having a sports program for SWD, budget was the leading response, followed by facilities, travel, securing coaches, developing schedules, and recruiting athletes. When asked about suggested solutions for establishing a sports program for SWD, using nondisabled mentors and teammates to promote participation and develop programming were the top two recommendations. Other suggestions for promoting development of programs included securing local sponsors, creating regional teams, requesting funds from existing extracurricular budgets, and using out of season referees to officiate competitions.

As vividly indicated by these three state surveys, there is an immediate need to move school-sponsored or school-sanctioned extracurricular sport/athletic programs for students with disabilities to the level required by the federal law. School district administrators (athletic directors and Special Education Supervisors), principals, educators (general and adapted physical education, classroom special educators), sport coaches, and support personnel (paraeducators) have a responsibility to provide these opportunities for all students, including those with disabilities.

Emerging Questions and NCPEID Responses

To address the need for implementation and clarification, the following questions are presented as guidance: General Question: How can school districts provide equal sport/athletic opportunities for students with disabilities?

Response: The NCPEID believes the following general suggestions will help school districts to expand sport/athletic program opportunities for students with disabilities:

- Organize programs within a district or school building that includes students with and without disabilities on the same team (i.e., the Special Olympics Unified Sport Model).
- Combine with other school buildings, districts, to develop regional or “coop” teams. This “coop” team concept is widely used in nondisabled and adapted school-sponsored programs.
- Collaborate with community-based adapted sport programs to share resources and to meet needs.
- Have students with disabilities consider joining an intramural team that does not have a competitive cut off.
- Proactively work with parents to determine individual student needs and implement meaningful sport/athletic programs.

Specific Question: How can school districts provide free appropriate public education (FAPE), to include meaningful extracurricular sports and athletics for students with disabilities as identified in the Individuals with Disabilities Education Act (IDEA) and Section 504 of PL 93-112 Rehabilitation Act?

Response: The NCPEID recommends starting a school-sponsored sport program for students with disabilities by reviewing and evaluating existing school based models such as:

Wisconsin - Mississippi Valley Conference Adapted Sport League (La Crosse, Onalaska, and Holmen School Districts)

- Afterschool adapted sport program - planning participants included administrators, teachers, and students receiving adapted physical education. Sports include indoor soccer, floor hockey, and whiffle ball.
- Steps taken to establish the program: 1) preparation by adapted physical education teachers to present to district administration; 2) presentation to the school board; and

3) format of program same as traditional school-based programs, program is 12 months, boys and girls grades 7-12th, and funded school district extracurricular funds (e.g. approximately 1.2% or ~\$4800).

- Program was modeled after the Minnesota State Adapted Sport League. Georgia (Atlanta)
- Presentation to local school district administration and athletic directors by the adapted physical educators in collaboration with coaches to identify reasonable modification to ensure equal opportunity for participation,
- Organized the Cherokee Ability Games to focus on bocce, bowling, and disc golf; a second inclusive program is the Special Olympics Unified Sport Program.
- Students earn Varsity Letters and certificate presented at a yearly sport banquet

Maryland (St. Mary's County Public Schools)

- Two component program: 1) Corollary Sports and 2) Life Enrichment Field Trip or LEFT. The purpose of these two programs is to address equality in sports from within a school setting or outside the school setting or community-based.
- Corollary sport programs offer sitting volleyball, goalball, beep baseball, wheelchair basketball, boccia and cycling. This program has existed since 2008. The intent of the LEFT program is to enhance students' knowledge, sportsmanship, and increased participation in adapted sports. This setting allows students with and without disabilities to participate as teammates.
- These programs are credited with increasing socialization, independence, developing leadership skills and physical fitness.

Specific Question: Are school districts required to provide separate alternative athletic services to students with disabilities?

Response: According to the regulations stated in the Rehabilitation Act, the answer is "no"; unless separate or different programs are needed to ensure those students receive services that are equal to programs for students without disabilities (34 C.F.R. § 104.4(b) (1) (ii) and (iv), 2008). However, school districts should make every effort to comply with the Rehabilitation Act. (What about a reference here?)

Specific Question: What are the challenges of coaching athletes with disabilities; what should a coach do to prepare?

Response: The NCPEID suggests the following to help coaches better prepare to coach students with disabilities in their extracurricular sport/athletic programs:

- Take proactive steps to learn more about the student's disability (e.g., work closely with the adapted physical education and special education teachers and parents).
- Assess the experience and interests of potential athletes; have they played community sports? What sports make the most sense for active participation and carryover after school?
- Work to change your attitude and willingness to work with students with a disabilities and view all "sport to be sport".

- View this as an opportunity to show that there are “more similarities than differences” between traditional sport and adapted sport; seek local resources to help you (e.g., US Paralympic Sport clubs) www.usparalympic.org; colleges/universities, Special Olympics

Summary

The NCPEID believes it is the school districts’ responsibility to establish extracurricular athletic programs for students with disabilities by following the mandates and guidelines from the Individuals with Disabilities Education Act (IDEA), and the general requirements stated in Section 504 of the Rehabilitation Act of 1973. The NCPEID further supports the use of assessment to identify the students’ ability to perform in the sports program and not rely on generalizations or stereotypes of the students’ disability for inclusion or exclusion to a team. The NCPEID strongly encourages parents to work collaboratively with school districts and to request sport and athletics, adapted if necessary, on the Individual Education Programs (IEP) for their children in part to fulfill the mandate of a free and appropriate public education (FAPE) that includes extracurricular activities. Students with disabilities should be participating in and benefitting from extracurricular activities, not sitting on the sidelines.