

# POLICY

SOMERSET COUNTY  
BOARD OF EDUCATION

<b>Date Submitted:</b> 01/28/10	<b>Number:</b> 500-38
<b>Date Reviewed:</b> 02/16/10	
<b>Subject:</b>  Physical Education and Athletic program for Students with Disabilities	<b>Date Approved:</b> March 16, 2010  <b>Date Effective:</b> March 16, 2010

## I. PURPOSE

To set forth the procedures for promoting and protecting the inclusion of students with disabilities into physical education and athletic programs.

## II. BACKGROUND

The Board of Education believes in the importance of offering physical education and athletic programs to all students. It is the policy of the Board of Education that all students with disabilities have equivalent opportunities for participation in mainstream physical education interscholastic athletic programs. Appropriate and reasonable accommodations for students with disabilities shall be provided. The following administrative regulations set forth the procedures for providing adapted physical education programs and corollary athletic programs in Somerset County Public Schools.

## III. PROCEDURES

### A) Physical Education

1. All students with disabilities shall have an equal opportunity to participate in mainstream physical education.
2. Somerset County Public Schools shall provide adapted physical education for students as required by individual education plans (IEP) and 504 plans.

### B) Interscholastic Athletics

1. Student Eligibility Determination
  - a) All students who meet state and local eligibility criteria have an equal opportunity to try out for the mainstream interscholastic athletic program. Among those criteria are enrolled student status, age, academic eligibility, attendance eligibility, conduct eligibility, medical approval, and parent permission.
  - b) Students with disabilities who meet the eligibility requirements shall not be excluded from the tryout unless inclusion presents an objective safety risk to the student or others based on an individualized assessment of the student or fundamentally alters the nature of the mainstream athletic program.

- c) During the try out, a student with disabilities shall be allowed to use whatever modification of aids he/she usually uses to play the sport. Such modifications might include racing wheelchairs, artificial limbs, interpreters for deaf students, changes in position, or special equipment. A student shall not be excluded from trying out merely for needing modifications or aids.
  - d) The head coach determines the final roster for his/her team. That determination is made as a result of skill testing, competitive demeanor, and the student's ability to function within a team environment.
2. Pathway To Play Committee
- a) Prior to the start of each athletic season, the school system shall convene a pathway to play committee to provide to the fullest extent possible opportunities for disabled students and provide guidance for coaches. The committee shall include:
    - (i) The supervisor of athletics
    - (ii) A school athletic director
    - (iii) An adapted physical education teacher
    - (iv) A special education representative
    - (v) A school-based administrator
  - b) Upon the request of a student, teacher, parent, coach, or administrator, any student with an IEP or 504 plan who wishes to participate in the mainstream interscholastic athletic program is referred to the pathway to play committee who will consider the eligibility of each student on a case-by-case basis. The committee shall conduct a review of the student and the sport, consult with the Maryland Public Secondary Schools Athletic Association (MPSSAA) as needed, and determine the accommodations or modification necessary to enable the individual student's participation.
  - c) To make its determination, the committee shall apply the following four point criteria: do the accommodations or modifications:
    - (i) Fundamentally alter the sport?
    - (ii) Provide a competitively advantage to the student?
    - (iii) Competitively disadvantage other participants?
    - (iv) Significantly increase the risk of injury for the student or other athletes?
  - d) The pathway to play committee shall render one of the following determinations for each student referred:
    - (i) The student is able to participate in the interscholastic athletic program with accommodations.
    - (ii) The student Is able to participate against or alongside other athletes in individual interscholastic events with allowable accommodations or modifications.
    - (iii) The student is unable to participate in individual or team sports because of the necessary accommodations. The student shall be offered the opportunity to participate in the corollary athletic program.
- C) Corollary(Intramural) Athletic Program

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1. Somerset County Public Schools shall offer a corollary (intramural) athletic program in each of the fall, winter, and spring seasons. The dates of these seasons do not need to match the dates prescribed in Comar 13a.06.03. The sport season for the corollary(intramural) athletic program shall be limited to a maximum of 12 consecutive weeks.
2. The corollary (intramural) athletic program shall include teams comprised of disabled and non-disabled students who meet eligibility requirements.
3. Somerset County Public Schools shall provide:
  - a. Rules, guidelines, and modifications for each activity or sport to ensure greater student participation and success within the program.
  - b. Corollary(intramural) athletic program instructors..
  - c. Game equipment.
  - d. Transportation for teams to travel in order to compete, if appropriate.
4. Students must meet the following criteria in order to be eligible to participate in the corollary athletic program:
  - a. Are secondary school students in grades 8-12.
  - b. Are officially registered and attend a Somerset County Public School.
  - c. Meet all high school eligibility requirements regarding academics, attendance, and conduct.
  - d. Submit a parent/guardian permission form for participation.
  - e. Submit a medical approval form.
  - f. Are making satisfactory progress toward graduation with a Maryland High School Diploma or school completion with a Maryland High School Certificate of Program Completion.
  - g. Have not participated on an interscholastic athletic team in the same sport. If a student acquires a disability during his/her years of participation in interscholastic sports, an exception to (f) may be made.

#### **IV. COMPLAINTS**

- A) Parents, guardians, or legal representatives of students with disabilities may file a written complaint with the local superintendent of schools regarding an alleged violation of this chapter.
- B) The written complaint shall:
  1. State the alleged violation;
  2. Contain a brief statement of facts necessary to understand the complaint;
  3. Contain a brief statement of relief sought;
  4. Be filed within 30 days of the discovery of the alleged violation.
- C) The appeals process set forth in the §4-205(c) of the Education Article, Annotated Code of Maryland, including an appeal to the state board of education from a local board's decision on the complaint, shall govern the processing of the complaint.