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Integration in Interscholastic Sport: What is still missing 23 years after ADA?

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Integration in Interscholastic Sport
What is still missing 23 years after ADA?

A Synthesis Project

Presented to the

Department of Kinesiology, Sport Studies, and Physical Education

The College at Brockport

State University of New York

In Partial Fulfillment

of the Requirements for the Degree

Master of Science in Education

Adapted Physical Education

by

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Spring 2013

STATE UNIVERSITY OF NEW YORK
COLLEGE AT BROCKPORT
BROCKPORT, NEW YORK

Department of Physical Education and Sport

Integration in Interscholastic Sport

What is still missing 23 years after ADA?

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ABSTRACT

On January 25, 2013, the United States Department of Education's Office for Civil Rights (OCR) published a guidance document clarifying that extracurricular activities are a component of the public education program under Section 504. In the years to come, creating opportunities for integrated participation in interscholastic sports will be essential. Research in Physical Education has shown positive attitudes from students with disabilities in regards to integrated settings and hesitancy from Physical Educators and coaches. There are questions as to whether or not the feelings about integration in an education setting and integration in a sports setting will parallel one another. Training for adults facilitating integration will be essential as the window for integration widens in interscholastic sports. A recommendation is to provide these adults with information in a minimum of three key areas: the legal obligations and compliance with the law; appropriate integration practices; and education about different types of disabilities.

CHAPTER 1

INTRODUCTION

For years there has been a push for integration of individuals with disabilities into classrooms and school-based activities, including Physical Education. Athletes with disabilities desire and deserve the same opportunities as those without disabilities. For decades, laws and regulations have passed that should assist advocates in gaining the proper services and rightful opportunities for those with disabilities. Now, twenty-three years after the Americans with Disabilities Act of 1990, we are seeing interscholastic athletics as an integrated setting for individuals with disabilities.

On January 25, 2013, the United States Department of Education's Office for Civil Rights (OCR) published a guidance document clarifying that extracurricular activities are a component of the public education program under Section 504 (Appendix A; Appendix D). Prior to 2013, no statement had been made by the United States that so explicitly offers guidance and advises school districts of what requirements are for students with disabilities who wish to participate in extracurricular activities and interscholastic sports. The OCR specifically outlines the expectations for schools on how to provide opportunities for qualified students with disabilities to participate in such extracurricular activities under The Americans with Disabilities Act of 1990 (Appendix C). While participation in athletics has always been a piece of this legislation, this document now offers some clarification.

Disability Trends

Never before has there been such a direct call from the government stating requirements for direct integration in athletics under the umbrella of public education. Over the years, we have watched as schools have made meager attempts to include individuals with disabilities in athletics (Kozub & Porretta, 1998). In efforts to provide opportunities for physical activity outside of the school setting, several organizations exist that offer separate extracurricular activities for individuals with disabilities, including Disabled Sports USA, The Adaptive Sports Foundation, and the National Sports Center for the Disabled, to name a few. However, many of these organizations only provide opportunities for individuals with physical disabilities. This leaves a large number of individuals with other disabilities, including those with mental, emotional, and learning disabilities without an outlet for physical activity.

While these sport organizations focus on individuals who have disabilities, schools across the United States are working with millions of children with disabilities as well. In 2011, schools serviced 6,530,552 children between the ages of 3-21 under the “Individuals with Disabilities Education Act” (IDEA). Over 2 million of these students serviced under IDEA are between the ages of 12-17, and of the age that would traditionally allow them the opportunity to participate in interscholastic sports (OSEP State Reported Data, 2011).

Interscholastic Athletics

According to the National Federation of State High School Association's 2009-10 High School Athletics Participation Survey 7,628,377 individuals overall participated as student athletes in interscholastic sports (NFHS, 2010). There is a belief that only a limited number of students serviced through IDEA participate as student athletes. The OCR's recently released statement should change the limited opportunities for those with disabilities in interscholastic sports. The requirements of school districts to comply with ADA requirements supersede any other rules in place by other clubs, leagues, or associations in existence already (OCR, 2013). The OCR is stipulating any qualified student with a disability is required to have an equal opportunity to participate in non-academic and extracurricular services, which include interscholastic sports under the existing ADA mandates (Appendix C). In the OCR's statement, it states that students with disabilities must be given the opportunity, with modifications, to participate in extracurricular activities, including interscholastic sport, as long as their participation does not fundamentally alter the sport. While this does not mean that students must be allowed to participate in a competitive or selective program, it does require the district to afford qualified students with disabilities, who wish to participate, an equal opportunity for participation in an integrated manner to the greatest extent fitting for the individual (OCR, 2013). If a student with a disability is unable to be included on an athletic team due to the competitive level of that particular team or if a modification cannot be made to

allow for their participation, the OCR is now clarifying that school districts should finance and provide a comparable program for the individual to participate in.

In addition to the OCR requiring schools to offer opportunities for individuals with disabilities to participate in athletics, the OCR is also stating that school districts must implement grievance procedures and due process standards that provide prompt resolutions of complaints or perceived violations of Section 504 (OCR, 2013). These ideas from the OCR are not new thoughts, but the series of guidelines recently released for implementation is. Winnick (1987) presented thoughts on an integration classification with a 5-level system. (See figure 1.)

Level	Participation
Level 1	Participation by an athlete with a disability without any accommodations. eg. an individual with a mental disability competing in a track and field event.
Level 2	Participation by an athlete with a disability participating with an accommodation, but the competition itself never changing.
Level 3	Participation by an athlete with a disability in a fully/partially integrated setting. eg. an individual using a wheelchair to compete in a running event or doubles partners in tennis in which one partner is in a wheelchair and the other is not.
Level 4	Participation by athletes in an event during which both able-bodied athletes and individuals with a disability compete in Adapted sport.
Level 5	Participation by athletes with disabilities in adapted sport in a totally segregated setting.

Figure 1. An Integration continuum for sport participation as presented by Winnick (1987).

Scope of Synthesis

Research for this synthesis will entail examining studies on individuals with disabilities that have been integrated in educational settings in the past, specifically in Physical Education. Other areas of consideration include the thoughts and feelings of students, parents, coaches and educators, including ways that integration practices may affect opportunities for physical activity and participation in interscholastic sport. Past practices will be examined, including means by which individuals with disabilities have been included in athletics and physical activity in the past, as well as thoughts and feelings on integration practices affecting participation in interscholastic sports.

Operational Definitions

Child with a disability. According to IDEA, a child with a disability is a child with mental retardation, hearing impairment including deafness, speech or language impairment, visual impairment including blindness, serious emotional disturbance, orthopedic impairment, autism, traumatic brain injury, learning disability, deafblindness, or multiple disabilities or other health impairments that require special education and related services (IDEA, § 602.3, 2004).

Infusion. Refers to when specific information is integrated across an education curriculum in order to achieve an added set of educational goals. The new subject matter becomes an integral and natural component of each course and intends to provide further knowledge and understanding in addition to current curriculum content (DePauw & Karp, 1994).

Integration. Primarily a legal term that carries over from civil right/desegregation legislation from the 1960's. It brings an overall implication of blending together in different environments. For schools this means finding ways for students with disabilities to be involved in social and academic environments altogether (Sailor, 1989).

Interscholastic. Existing, occurring, or carrying on between two or more schools (Merriam-Webster.com)

Summary

In spite of efforts made by private organizations to provide opportunities for physical activity and sport participation, there still remains a large hole in the provision of integrated sport by our schools and public education system. With the OCR now stating that schools more actively use integration practices in their sports programs, it is important to identify areas of concern that may arise as more students with disabilities are given opportunities to participate alongside their peers representing their schools as student athletes.

CHAPTER 2

METHODS

Using online data bases, including ERIC and SPORTDiscus, professional articles pertaining to Inclusion in Physical Education, physical activity and disability sport were obtained. These data bases were provided by the College of Brockport. The initial terms used for a search, “disability sport”, yielded a very broad range of articles receiving 4,599 hits. Searching the terms “Inclusion Physical Education” in the same manner received 1,542 results. In order to narrow down articles, the search was limited to professional journals only. Other terms searched on these databases included “disability sport”, “inclusion interscholastic athletics”, “athletes with disabilities”, “participation interscholastic sports disabilities”, “integration sport disability”, “inclusion coaches”, “inclusion Physical Education”, “integration disabilities sports”. Hard copies of professional journals were also reviewed and obtained in the Drake Memorial Library at the State University of New York at Brockport as well as at Nazareth College.

Articles included as sources met the following inclusion criteria. Articles selected for the critical mass of this work included those which studied issues related to disability sport and integration during Physical Education. The chosen articles focused on participation factors in different sports options and psychosocial impacts of integration. Issues related to the philosophical perspectives on inclusion were also included when disability sport was the focus. Articles were looked for over a span of years ranging from publication dates from

1985 to 2013. Studies are only included if they primarily dealt with participants in North America and the United States.

Articles selected included those which examined disability sport participation from the points of view of the participant, the parent, the educator, the coach, and the spectator, as well as articles with research pertaining to integration in physical activity and Physical Education. Conclusions will be based on research and findings from the information provided in the critical mass.

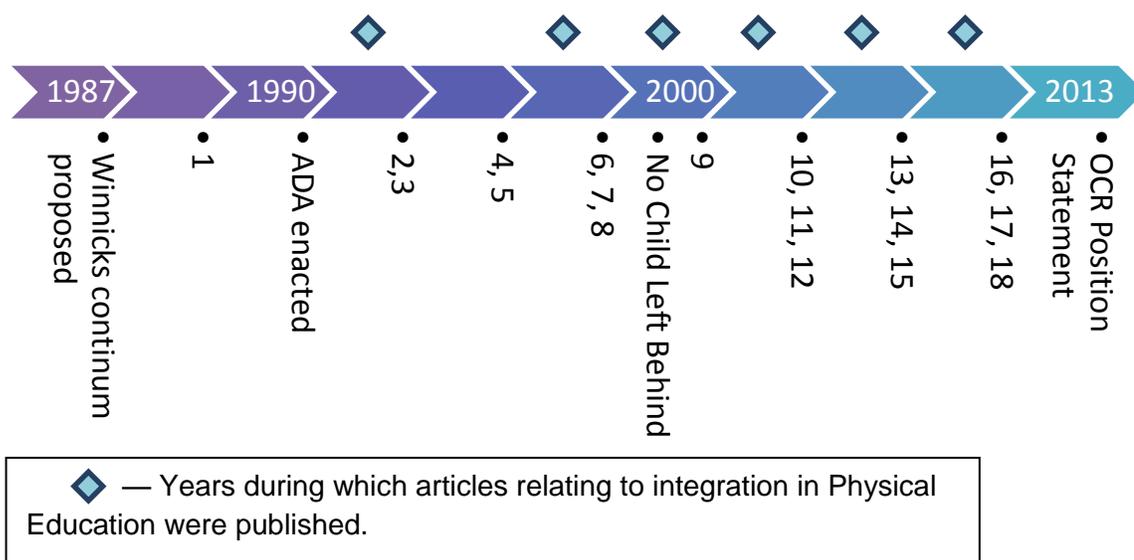
CHAPTER 3

RESULTS

Integration is not a new idea in education, but there has been newly issued guidance about the manner in which students with disabilities should be integrated in extracurricular activities and interscholastic sport (OCR, 2013). In anticipating needs during integration in interscholastic sport, research in similar areas where integration is practiced with physical activity is examined. This includes past practices and psychosocial implications of individuals with disabilities participating in Physical Education and recreational sport.

Continuum of Sports Participation

In 1987, Winnick published a proposed continuum for integration in interscholastic sport. This proposed continuum would allow students with disabilities to participate to different extents, depending on what level they were integrated at. Winnick's ideas were published at a time when The National Council on Disability was introducing ideas to both the U.S. Senate and the U.S. House of Representatives about versions of an act now known to be the Americans with Disabilities Act of 1990 (ADA). The ADA required more of public education than any other education legislation had in the past. Throughout the 1990's, we see an increase in the number of articles and case studies examining integration and participation of students with disabilities in extra-curricular activities, both within and outside of school settings, as well as inclusion in Physical Education. (See Figure 2.)



1. Integration of Disabled People in Mainstream Sports: Case Study of a Partially Sighted Child, 1989
2. Sport and Exercise Psychology and Research With Individuals With Physical Disabilities: Using Theory to Advance Knowledge, 1993
3. Terminology Usage: A Case for Clarity, 1993
4. Psychological Well-Being in Wheelchair Sport Participants and Nonparticipants, 1994
5. Promoting inclusive sport and leisure participation: Evaluation of the Paralympic Day, 1997
6. Attitudes on Inclusion of a Player With Disabilities in a Regular Softball League, 1998
7. Inclusion practices of effective elementary specialists, 1998
8. Interscholastic Coaches' Attitudes Toward Integration of Adolescents With Disabilities, 1998
9. Inclusive Physical Education From the Perspective of Students with Physical Disabilities, 2000
10. Reconceptualizing Inclusion: The Politics of University Sports and Recreation Programs for Students with Mobility Impairments, 2001
11. Students with disabilities: a national survey of participation in school activities, 2001
12. Athletic Eligibility and the Americans with Disabilities Act, 2002
13. Impact of Inclusion in General Physical Education on Students Without Disabilities, 2003
14. Social Inclusion of Students with Disabilities in Middle School Physical Education Classes, 2004
15. High School General Physical Education Teachers' Behaviors and Beliefs Associated with Inclusion, 2004
16. Physical Activity for youth with disabilities: A critical need in an underserved population, 2008
17. Inclusion Understood from the Perspectives of the Children with Disability, 2010
18. Enabling Integration in Sports for Adolescents with Intellectual Disabilities, 2012

Figure 2. Timeline of reviewed articles including legislation and pattern of articles published pertaining to integration in Physical Education.

Almost ten years after the ADA, the No Child Left Behind Act of 2001 was put into place with more requirements for integration in education based on a least restrictive environment. After over a decade of working to define inclusion and mainstreaming in education, the Office for Civil Rights released a statement in January of 2013 instructing schools to increase the integration of individuals with disabilities into interscholastic sports as a part of integration in education. This allows any qualified individual with a disability the opportunity to participate in extracurricular programming as an interscholastic athlete representing their school.

Although there have been ideas and thoughts about integration in sport, as well as legislation passed throughout the previous twenty-five years, until now there has never been specifically given guidance informing schools of the manner that they are required to allow students with disabilities to participate in interscholastic sports. In fact, professionals still find themselves disagreeing on what inclusive participation in education is intended to look like as an education mandate, including areas such as Physical Education (Porretta, Nesbitt & Labanowich, 1993).

Impacts of Integration

There have been debates about the interpretations of terminology in regards to integration (Porretta et al., 1993). Inclusion is refers to educational practices in which students with disabilities participate right alongside their non-disabled peers (LaMaster, Kinchin, Gall & Siedentop, 1998). It is understood that

physical activity is an important part of life for children (Rimmer & Rowland, 2008). Physical activity is particularly critical to special populations and individuals with disabilities (Rimmer & Rowland, 2008), making it important that opportunities to participate in physical activity are readily available. Lack of opportunities to participate with peers in physical and extracurricular activities can lead to feelings of inadequacy or social isolation (Promis, Erevelles & Matthews, 2001). While there can be social, emotion and physical challenges to inclusion, it has been determined that there are many benefits for both children with disabilities as well as for their families (Grandisson, Tétreault & Freeman, 2012). When compared to individuals with disabilities who do not participate in sports, individuals with disabilities who do participate in physical activity and sport show higher levels of psychological well-being including, self-esteem, mood and perceptions of health and well-being (Campbell & Jones, 1994). While integration may offer a mixed bag of pros and cons (Goodwin & Watkinson, 2000), there is evidence to support that integration and physical activity can positively impact individuals with disabilities (Obrusnikova, Valkova & Block, 2003). There may be appropriate ways to practice integration that could offer more benefits than others depending on whether the object of integration is for physical or social benefits (Nixon & Howard, 1989; Grandisson et al., 2012). Continuing to study integration and physical activity for individuals with disabilities may lead to more appropriate practices (Crocker, 1993) to ensure positive experiences.

Students' Feelings on Integration

Studies pertaining to inclusion and the legal standard of integration based on the least restrictive environment mostly examine integration in the Physical Education setting, but all relate to being included in situations where students with disabilities are participating in physical activity alongside non-disabled peers (Hodge, Ammah, Casebolt, LaMaster & O'Sullivan, 2004; LaMaster et al., 1998). Understanding how physical activity and integration impacts individuals with disabilities is important (Crocker, 1993) in offering ways to improve or alter opportunities for participation.

There are three themes that have emerged in the past relating to the feelings of students with disabilities about integration in Physical Education and physical activity (Spencer-Cavaliere & Watkinson, 2010). The first two of these themes include issues of social isolation or inclusion in the activity at hand and perceived differences or acceptance of their particular disability (Spencer-Cavaliere & Watkinson, 2010). The third of these themes is the ability of an individual with a disability to actively participate or feelings of restricted participation, due to lack of adaptations or accommodations (Goodwin & Watkinson, 2000). Other issues that students with disabilities felt contributed to positive or negative experiences when integration was practiced included: gaining entry to play or being invited versus being ignored by peers during physical activity, legitimately participating with their peers and having friends or meaningful relationships within an inclusive setting (Butler & Hodge, 2004; Spencer-Cavaliere et al., 2010).

In spite of inclusion philosophies and integration practices with the principles of least restrictive environment being practiced in classes, there is evidence that at times, students may simply be present in the same area and attempting to participate in the same activity, but seldom acknowledged by their peers (Butler & Hodge, 2004). On occasion, individuals with disabilities sometimes feel that extensive attempts to practice integration or encourage participation of peers in disability sport highlights their disabilities rather than allows them to simply participate with their peers (Wihite, Mushett, Goldenberg & Trader, 1997). While it appears that there is a self-conscious piece that plays a part in inclusion (Wihite et al., 1997), individuals with disabilities still have a desire to participate (Promis et al., 2001). When integration has been examined, interactions with peers and teammates tend to be positive and cooperative (Butler & Hodge, 2004). In 2000, (Goodwin & Watkinson) a study pertaining to children with disabilities who participated in regular Physical Education classes characterized “good days” and “bad days” dependent on situations and events during physical activity. Despite these feelings, children came to the conclusion that their experiences were positive and that they felt a sense of belonging in their classes (Goodwin & Watkinson, 2000). It is important that when integration is practiced, children feel as though they are legitimately being included and being given the opportunity to participate with their peers (Goodwin & Watkinson, 2000; Spencer-Cavaliere & Watkinson, 2010).

Regardless of the impact that integration in both Physical Education and other sport physical activity has on individuals with disabilities, evidence tends to

show that there is little impact on the learning of those students without disabilities (Obrunikova et al., 2003). Studies show contradicting results in the personal feelings about inclusion from students without disabilities (Butler & Hodge, 2004; Block & Malloy, 1998; Nixon & Howard, 1989; Wihite et al., 1997).

Adults' Feelings on Integration

Another important factor of integration during physical activity is the individuals that are facilitating these integrated environments. This refers to parents, teachers, coaches and adults influencing the environment in which integration is taking place. Data shows that parents, both parents of children with disabilities and parents of children without disabilities, have more positive feelings about integration than coaches do (Block & Malloy, 1998; Nixon & Howard, 1989). The hesitancy and negative feelings about integration from coaches and physical educators can be linked to a lack of support they feel (Hodge et al., 2004; Lamaster et al., 1998). Physical educators feel that they do not receive enough resources or support personnel to successfully teach inclusive classes (Lamaster, 1998). Negative feelings towards integration also stem from a lack of confidence about how to practice integration (Hodge et al., 2004). Figure 3 highlights findings from the critical mass that show feelings of lack of training provided in past professional preparation programs (Kozub & Poretta, 1998), or a lack of education or knowledge base about children with disabilities and how to appropriately integrate (Block & Malloy, 1998; LaMaster et al., 1998; Nixon & Howard, 1989).

Issues Encountered when practicing Integration

- Positively disposed to inclusion^{4, 3, 1}
- Encountered challenges establishing inclusive practices^{4, 3, 2, 1}
- Concern about student outcomes⁵
- Frustration^{4, 3}
- Felt inadequately prepared to teach inclusive classes^{4, 3}
- Struggled with feelings of inadequacy and guilt³
- There is a need for more training^{4, 3, 2}

¹. Enabling Integration in Sports for Adolescents with Intellectual Disabilities, 2012

². Interscholastic Coaches' Attitudes Toward Integration of Adolescents With Disabilities, 1998

³. Inclusion practices of effective elementary specialists, 1998

⁴. High School General Physical Education Teachers' Behaviors and Beliefs Associated with Inclusion, 2004

Figure 3. Issues Encountered by Coaches and Physical Educators when practicing integration

Most coaches tended to agree that students did “have a right to sport opportunities” (Kozub & Porretta, 1998). There are positive feelings about participation from coaching staff in the recreational setting, but they continue to feel inadequately trained to include individuals with disabilities on their teams (Block & Malloy, 1998; Nixon & Howard, 1989). Thoughts and feelings that there is a lack of support or training to practice appropriate integration for individuals with disabilities spans Physical Educators, recreational coaches and interscholastic coaches (Block & Malloy, 1998; Hodge et al., 2004; Kozub & Porretta, 1998; LaMaster et al., 1998). Even educators deemed as “effective” in previous studies, felt unprepared or lacked proper legal and educational knowledge about integration (LaMaster et al., 1998).

Evidence of Integration Practices

The OCR's recent released position statement on interscholastic sport is requiring provision of opportunities for individuals with disabilities to participate in sports as a part of education (OCR, 2013). There has been a dramatic increase in attempts to integrate over the past two decades leading to where our education systems are now. Despite the feelings of inadequacy amongst physical educators, integration in Physical Education classes is a wide-spread practice (Hodge et al., 2004; LaMaster et al., 2010; Obrusnikova et al., 2003). Students with disabilities are being included with their peers both during physical activity, and at other times during their school day, sometimes all day long (Simeonsson, Carlson, Huntington, McMillen & Brent, 2001). While there is evidence that some current opportunities for participation in recreational athletics exist for children with disabilities whose parents are willing to push for it, it may not always be done appropriately (Nixon & Howard, 1989). Prior to this guidance statement being issued by the OCR, there have been occasions in the past decade that parents have been required to take legal actions against schools in order for their children to have the opportunities to participate in interscholastic sport in spite of their disability (Hypes, Himmelstein & Faladeau, 2002). There is evidence that parents have pushed for their children to participate in recreational athletics, but little is found to support a large participation in interscholastic sport (Block & Malloy, 1998; Kozub & Porretta, 1998; Nixon & Howard, 1989; Spencer-Cavaliere & Watkinson, 2010). Those few parents that have successfully achieved opportunities for their children with disabilities to be included in

interscholastic sport with modifications have been required to fight for it (Hypes et al., 2002).

Summary

Studies have shown that integration practices in Physical Education have positive impacts on individuals with disabilities (Obrusnikova et al., 2003), and that a lack of participation in Physical Education can lead to feelings of inadequacy or social isolation (Promis et al., 2001). Individuals with disabilities have a desire to participate and be included with their peers (Promis et al., 2001) and it is important for their health, both physically and mentally, that these students be involved in physical activity (Campbell & Jones, 1994). Adults who are facilitating integration, whether it be coaches, parents, or Physical Educators, when examined, show that parents have more positive feelings towards integration than coaches (Block & Malloy, 1998; Nixon & Howard, 1989). Coaches and Physical Educators felt inadequately trained (Kozub & Porretta, 1998), that they were short resources and personnel to practice integration successfully (Lamaster et al., 1998), and that they lacked knowledge about children with disabilities or proper integration practices (Block & Malloy, 1998; Nixon & Howard, 1989; Lamaster et al., 1998). Overall there is evidence that integration in public education has improved in general (Simeonsson et al., 2001), but that it has been a struggle for students with disabilities to participate appropriately in sports (Hypes et al., 2002; Nixon & Howard, 1989).

CHAPTER 4

DISCUSSION

While there is evidence of attempts to increase integration in some areas of education, there lacks extensive research on specific variables that would help coaches and parents provide more integrated programming in sports. Recent OCR guidance states that interscholastic sport and extracurricular activities are a part of public education. If integration in extracurricular activities is the goal, certain things need to be put in place in order to successfully accomplish that. This includes an increase in participation opportunities on interscholastic sport teams, research on coaches and integration at an interscholastic sport level as opposed to Physical Education or Recreational sport, and the provision of adequate training for athletic directors and coaching staff to practice integration on their teams within an interscholastic sport setting.

Increased Opportunities Due to OCR Guidance

As the OCR has now clarified, interscholastic sports should be classified as a part of public education under the ADA, which requires school districts to be responsible for multiple things. One is integrating students with disabilities into their interscholastic athletic programs as individuals express the desire to participate. School districts will need to look for more athletic opportunities to offer individuals with disabilities since over 2 million of students serviced under IDEA are of the age that would traditionally allow them the opportunity to participate in interscholastic sports (OSEP State Reported Data). The

requirements of school districts to comply with ADA requirements supersede any district rules or policies already in existence (OCR, 2013). The OCR specifies that any qualified student with a disability is required to have an equal opportunity to participate in nonacademic and extracurricular services, which include interscholastic sports. School districts will be required to allow students to try out or participate using necessary modifications as long as such modifications do not fundamentally alter the sport. According to the OCR (2013) guidance, schools will be responsible for creating or finding another comparable program for individuals to participate in if modifications required for them to participate would prove to alter the nature of that particular sport too greatly. While it says that students will not be guaranteed a place on a competitive selective team that requires a certain levels of skill, it does state:

Students with disabilities who cannot participate in the school district's existing extracurricular athletics program – even with reasonable modifications or aids and services – should still have an equal opportunity to receive the benefits of extracurricular athletics. When the interests and abilities of some students with disabilities cannot be as fully and effectively met by the school district's existing extracurricular athletic program, the school district should create additional opportunities for those students with disabilities. (OCR, 2013,p11, IV)

Schools will be required to implement grievance procedures and due process standards to offer prompt resolutions to complaints or alleged violations of Section 504 (OCR, 2013). These grievance procedures are important in ensuring that school districts are making the proper modifications to allow appropriate opportunities for athletic participation. Having grievance procedures in place is also essential to offer resolutions or ideas when it becomes necessary

to afford another means of extracurricular activity other than what is already in place within the district (OCR, 2013).

It is important that school districts closely examine ways in which integration can be properly practiced. This including being familiar with Winnick's (1987) proposed continuum of participation for athletics. This continuum offers ideas and thoughts on different ways in which students with disabilities can be mainstreamed into interscholastic sport, both with modifications and without. It would allow students with disabilities to participate to different extents, depending on what level they were integrated at. If students were unable to participate on a current interscholastic team because the modifications an individual require have been deemed to fundamentally alter the sport, districts would need to find other means of providing an opportunity for sport participation (OCR, 2013). This may require districts both financially and logistically to team up with other school districts and form combined teams that would provide opportunities for sport with the appropriate modifications (OCR, 2013).

Findings from the Critical Mass Concerning Interscholastic Sport

In the past, studies that have examined issues related to integration in Physical Education classes, particularly after 2000. Specifically, these studies examine the psychosocial effects integration has on Physical Educators and students participating in integrated classes, both on those students with disabilities and those without (Butler & Hodge, 2004; Obrusnikova et al., 2003; Spencer-Cavaliere & Watkinson, 2010). There were few studies that addressed

integration in a sports setting. Most of the studies that did pertain to sport looked solely at recreational sports and not at interscholastic athletics including research done on the participation of an individual with a disability participating in a recreational softball league (Block & Malloy, 1998), or on a recreational soccer team (Nixon & Howard, 1989). Interscholastic sport and Physical Education need to be treated as two separate entities, in spite of both being settings for physical activity. There has been research completed for Physical Education, but there remains a need for research relating to integration in interscholastic sport (Butler & Hodge, 2004; Goodwin & Watkinson, 2000; Hodge et al., 2004; LaMaster et al., 1998; Obrunsnikova et al., 2003; Spencer-Cavaliere & Watkinson, 2010).

Results from studies in Physical Education found that integrated Physical Education classes have been characterized by children as having “good days” and “bad days” dependent on situations and events during physical activity, but in spite of these feelings still concluded that their experiences were positive and that they felt a sense of belonging in their classes (Goodwin & Watkinson, 2000). Adults practicing integration felt that there is a lack of support or training to practice appropriate integration for individuals with disabilities (Block & Malloy, 1998; Hodge et al., 2004; LaMaster et al., 1998). These feelings spanned Physical Educators, recreational coaches and interscholastic coaches (Block & Malloy, 1998; Hodge et al., 2004; Kozub & Poretta, 1998; LaMaster et al., 1998). Even educators that have been deemed as “effective” in previous studies felt

unprepared or lacked proper legal and educational knowledge about integration practices (LaMaster et al., 1998)

There is a need for new research and data collection pertaining specifically to integration in extracurricular activities and interscholastic sport. It will be important to gather and examine demographic data including, school community, students serviced by IDEA and percentages of those students participating in sport and students who have chosen to go elsewhere to participate in physical activity. Data should examine how many athletes with disabilities are currently participating in interscholastic sports so that an increase or decrease in participation can be measured. It will also be important to include the extent to which these athletes with disabilities are being included according to Winnick's (1987) continuum if they are already participating in an interscholastic sport.

We know about that students characterized having "good days" and "bad days in Physical Education, but found that it was an overall positive experience (Goodwin & Watkinson, 2000). Will the same be true in an interscholastic sport environment that emphasizes skill and winning? Part of up-to-date research should include data that would allow comparisons of the psychosocial effects of integration during Physical Education and integration during interscholastic sport, examining whether or not there are parallel findings for both students and adult facilitators.

Adequate Training for Teachers and Coaches

This issued guidance from the OCR should increase the opportunities that individuals with disabilities have to participate in interscholastic sport. If this is the case, will there also be training requirements to follow for those that will now be interacting with and responsible for individuals with disabilities on their athletic teams? Even educated and effective teachers have stated that they feel under-trained when teaching integrated Physical Education classes (Lamaster et al., 1998). Future research should include examining practices that are working for appropriate integration and the manner in which the adults facilitating these integration practices learned them. This may help to provide an opportunity to improve training for other coaches and teachers who currently feel under-trained. In addition, if teachers and coaches feel under-trained to practice integration, does this put children at risk? Without offering more training and increasing the opportunities individuals with disabilities have to participate, does practicing integration in interscholastic sports with uneducated coaches pose a liability to school districts even though they are following through with requirements due to receiving federal funding? There needs to be a system of training in place that would afford all coaches, as well as athletic directors who oversee the program, the same information about proper and appropriate integration practices and inform them about types of disabilities and situations that may arise with increased integration. Having this training in place should increase the success of an integrated interscholastic athletic program and ensure a higher level of safety.

Recommendations for Coaches and Teacher Trainers

If the issued clarification from the OCR increases opportunities for integration as it should, there will be a need to offer more training to the individuals that will be responsible for facilitating and supervising these integrated settings. There needs to be a training in place that would offer coaches and athletic directors the same information about inclusion practices and inform them about types of disabilities and situations that may arise. Training in these areas should increase the success and safety of an integrated interscholastic athletic program. The National Federation of State High School Associations is one organization that already provides training to schools for interscholastic sports in areas such as concussion awareness, steroid use, and hazing awareness. In the past, infusion learning models have been successfully used to educate individuals about disabilities while continuing to educate in other areas (Apache & Rizzo, 2005). This same recommendation could be used for coaching education across the country. With this in mind, an infusion model advocates for training that occurs in the general class related to all learners or athletes rather than a separate disability class on, for example, coaching tactics. This allows coaches to benefit from training that is already in place. In the future it will be important to infuse disability education into the curriculums as part of the information that coaches and athletic directors are seeing on a regular basis given the current OCR guidance statement on integration. A recommendation is to provide information in a minimum of three key areas: the legal obligations and compliance with the law; appropriate integration practices; and education about

different types of disabilities. Infusing this information to already existing training and ensuring that coaches, teachers, and athletic directors are getting it will help to improve the overall safety and integrated experiences in an interscholastic environment.

Conclusions

In the years to come, creating opportunities for participation in interscholastic sports will be essential. School districts will be responsible for ensuring that there are opportunities in place as well as grievance procedures to ensure quick resolutions to any perceived violations of section 504. There remains a need for more extensive research to be completed on inclusion in interscholastic athletics and participation of individuals with disabilities to provide a more accurate picture and offer ways to improve. As these opportunities improve, it will also be essential that there is training provided for the individuals that will be facilitating inclusion on their athletic teams and in their sports programs. This is important to ensure positive experiences and improve the safety of the inclusion environment in athletics.

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APPENDIX A – SECTION 504 OF THE REHABILITATION ACT

Section 504 of the Rehabilitation Act

Section 504 of the Rehabilitation Act - Nondiscrimination Under Federal Grants and Programs

Sec. 504 (a) No otherwise qualified individual with a disability in the United States, as defined in section 7(20), shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance or under any program or activity conducted by any Executive agency or by the United States Postal Service. The head of each such agency shall promulgate such regulations as may be necessary to carry out the amendments to this section made by the Rehabilitation, Comprehensive Services, and Developmental Disabilities Act of 1978. Copies of any proposed regulation shall be submitted to appropriate authorizing committees of Congress, and such regulations may take effect no earlier than the thirtieth day after the date on which such regulation is so submitted to such committees. (b) For the purposes of this section, the term "program or activity" means all of the operations of -

(1)

(A) a department, agency, special purpose district, or other instrumentality of a State or of a local government; or

(B) the entity of such a State or local government that distributes such assistance and each such department or agency (and each other State or local government entity) to which the assistance is extended, in the case of assistance to a State or local government;

(2)

(A) a college, university, or other postsecondary institution, or a public system of higher education; or

(B) a local educational agency (as defined in section 14101 of the Elementary and Secondary Education Act of 1965), system of vocational education, or other school system;

(3)

(A) an entire corporation, partnership, or other private organization, or an entire sole proprietorship-

(i) if assistance is extended to such corporation, partnership, private organization, or sole proprietorship as a whole; or

(ii) which is principally engaged in the business of providing education, health care, housing, social services, or parks and recreation; or

(B) the entire plant or other comparable, geographically separate facility to which Federal financial assistance is extended, in the case of any corporation, partnership, private organization, or sole proprietorship; or

(4) any other entity which is established by two or more of the entities described in paragraph (1), (2), or (3); any part of which is extended Federal financial assistance.

(c) Small providers are not required by subsection (a) to make significant structural alterations to their existing facilities for the purpose of assuring program accessibility, if alternative means of providing the services are available. The terms used in this subsection shall be construed with reference to the regulations existing on the date of the enactment of this subsection.

(d) The standards used to determine whether this section has been violated in a complaint alleging employment discrimination under this section shall be the standards applied under title I of the Americans with Disabilities Act of 1990 (42 U.S.C. 12111 et seq.) and the provisions of sections 501 through 504, and 510, of the Americans with Disabilities Act of 1990 (42 U.S.C. 12201-12204 and 12210), as such sections relate to employment.

APPENDIX B – THE NO CHILD LEFT BEHIND ACT OF 2001 OUTLINE

THE NO CHILD LEFT BEHIND ACT OF 2001

These reforms express my deep belief in our public schools and their mission to build the mind and character of every child, from every background, in every part of America.

*President George W. Bush
January 2001*

Three days after taking office in January 2001 as the 43rd President of the United States, George W. Bush announced *No Child Left Behind*, his framework for bipartisan education reform that he described as “the cornerstone of my Administration.” President Bush emphasized his deep belief in our public schools, but an even greater concern that “too many of our neediest children are being left behind,” despite the nearly \$200 billion in Federal spending since the passage of the Elementary and Secondary Education Act of 1965 (ESEA). The President called for bipartisan solutions based on accountability, choice, and flexibility in Federal education programs.

Less than a year later, despite the unprecedented challenges of engineering an economic recovery while leading the Nation in the war on terrorism following the events of September 11, President Bush secured passage of the landmark No Child Left Behind Act of 2001 (NCLB Act). The new law reflects a remarkable consensus—first articulated in the President’s *No Child Left Behind* framework—on how to improve the performance of America’s elementary and secondary schools while at the same time ensuring that no child is trapped in a failing school.

The NCLB Act, which reauthorizes the ESEA, incorporates the principles and strategies proposed by President Bush. These include increased accountability for States, school districts, and schools; greater choice for parents and students, particularly those attending low-performing schools; more flexibility for States and local educational agencies (LEAs) in the use of Federal education dollars; and a stronger emphasis on reading, especially for our youngest children.

Increased Accountability

The NCLB Act will strengthen Title I accountability by requiring States to implement statewide accountability systems covering all public schools and students. These systems must be based on challenging State standards in reading and mathematics, annual testing for all students in grades 3-8, and annual statewide progress objectives ensuring that all groups of students reach proficiency within 12 years. Assessment results and State progress objectives must be broken out by poverty, race, ethnicity, disability, and limited English proficiency to ensure that no group is left behind. School districts and schools that fail to make adequate yearly progress (AYP) toward statewide proficiency goals will, over time, be subject to improvement, corrective action, and restructuring measures aimed at getting them back on course to meet State standards. Schools that meet or exceed AYP objectives or close achievement gaps will be eligible for State Academic Achievement Awards.

More Choices for Parents and Students

The NCLB Act significantly increases the choices available to the parents of students attending Title I schools that fail to meet State standards, including immediate relief—beginning with the 2002-03 school year—for students in schools that were previously identified for improvement or corrective action under the 1994 ESEA reauthorization.

LEAs must give students attending schools identified for improvement, corrective action, or restructuring the opportunity to attend a better public school, which may include a public charter school, within the school district. The district must provide transportation to the new school, and must use at least 5 percent of its Title I funds for this purpose, if needed.

For students attending persistently failing schools (those that have failed to meet State standards for at least 3 of the 4 preceding years), LEAs must permit low-income students to use Title I funds to obtain supplemental educational services from the public- or private-sector provider selected by the students and their parents. Providers must meet State standards and offer services tailored to help participating students meet challenging State academic standards.

To help ensure that LEAs offer meaningful choices, the new law requires school districts to spend up to 20 percent of their Title I allocations to provide school choice and supplemental educational services to eligible students.

In addition to helping ensure that no child loses the opportunity for a quality education because he or she is trapped in a failing school, the choice and supplemental service requirements provide a substantial incentive for low-performing schools to improve. Schools that want to avoid losing students—along with the portion of their annual budgets typically associated with those students—will have to improve or, if they fail to make AYP for 5 years, run the risk of reconstitution under a restructuring plan.

Greater Flexibility for States, School Districts, and Schools

One important goal of *No Child Left Behind* was to breathe new life into the “flexibility for accountability” bargain with States first struck by President George H.W. Bush during his historic 1989 education summit with the Nation’s Governors at Charlottesville, Virginia. Prior flexibility efforts have focused on the waiver of program requirements; the NCLB Act moves beyond this limited approach to give States and school districts unprecedented flexibility in the use of Federal education funds in exchange for strong accountability for results.

New flexibility provisions in the NCLB Act include authority for States and LEAs to transfer up to 50 percent of the funding they receive under 4 major State grant programs to any one of the programs, or to Title I. The covered programs include Teacher Quality State Grants, Educational Technology, Innovative Programs, and Safe and Drug-Free Schools.

The new law also includes a competitive State Flexibility Demonstration Program that permits up to 7 States to consolidate the State share of nearly all Federal State grant programs—including Title I, Part A Grants to Local Educational Agencies—while providing additional flexibility in their use of Title V Innovation funds. Participating States must enter into 5-year performance agreements with the Secretary covering the use of the consolidated funds, which may be used for any educational purpose authorized under the ESEA. As part of their plans, States also must enter into up to 10 local performance agreements with LEAs, which will enjoy the same level of flexibility granted under the separate Local Flexibility Demonstration Program.

The new competitive Local Flexibility Demonstration Program would allow up to 80 LEAs, in addition to the 70 LEAs under the State Flexibility Demonstration Program, to consolidate funds received under Teacher Quality State Grants, Educational Technology State Grants, Innovative Programs, and Safe and Drug-Free Schools programs. Participating LEAs would enter into performance agreements with the Secretary of Education, and would be able to use the consolidated funds for any ESEA-authorized purpose.

Putting Reading First

No Child Left Behind stated President Bush's unequivocal commitment to ensuring that every child can read by the end of third grade. To accomplish this goal, the new Reading First initiative would significantly increase the Federal investment in scientifically based reading instruction programs in the early grades. One major benefit of this approach would be reduced identification of children for special education services due to a lack of appropriate reading instruction in their early years.

The NCLB Act fully implements the President's Reading First initiative. The new Reading First State Grant program will make 6-year grants to States, which will make competitive subgrants to local communities. Local recipients will administer screening and diagnostic assessments to determine which students in grades K-3 are at risk of reading failure, and provide professional development for K-3 teachers in the essential components of reading instruction.

The new Early Reading First program will make competitive 6-year awards to LEAs to support early language, literacy, and pre-reading development of preschool-age children, particularly those from low-income families. Recipients will use instructional strategies and professional development drawn from scientifically based reading research to help young children to attain the fundamental knowledge and skills they will need for optimal reading development in kindergarten and beyond.

Other Major Program Changes

The No Child Left Behind Act of 2001 also put the principles of accountability, choice, and flexibility to work in its reauthorization of other major ESEA programs. For example, the new law combines the Eisenhower Professional Development and Class Size Reduction programs into a new Improving Teacher Quality State Grants program that focuses on using practices grounded in scientifically based research to prepare, train, and recruit high-quality teachers. The new program gives States and LEAs flexibility to select the strategies that

best meet their particular needs for improved teaching that will help them raise student achievement in the core academic subjects. In return for this flexibility, LEAs are required to demonstrate annual progress in ensuring that all teachers teaching in core academic subjects within the State are highly qualified.

The NCLB Act also simplified Federal support for English language instruction by combining categorical bilingual and immigrant education grants that benefited a small percentage of limited English proficient students in relatively few schools into a State formula program. The new formula program will facilitate the comprehensive planning by States and school districts needed to ensure implementation of programs that benefit all limited English proficient students by helping them learn English and meet the same high academic standards as other students.

Other changes will support State and local efforts to keep our schools safe and drug-free, while at the same time ensuring that students—particularly those who have been victims of violent crimes on school grounds—are not trapped in persistently dangerous schools. As proposed in *No Child Left Behind*, States must allow students who attend a persistently dangerous school, or who are victims of violent crime at school, to transfer to a safe school. States also must report school safety statistics to the public on a school-by-school basis, and LEAs must use Federal Safe and Drug-Free Schools and Communities funding to implement drug and violence prevention programs of demonstrated effectiveness.

APPENDIX C – AMERICANS WITH DISABILITIES ACT OF 1990 OUTLINE

U.S. Department of Justice
Civil Rights Division
Coordination and Review Section

The Americans with Disabilities Act (ADA) gives civil rights protections to individuals with disabilities that are like those provided to individuals on the basis of race, sex, national origin, and religion. It guarantees equal opportunity for individuals with disabilities in employment, public accommodations, transportation, State and local government services, and telecommunications.

I. Employment

- Employers with 15 or more employees may not discriminate against qualified individuals with disabilities. For the first two years after July 26, 1992, the date when the employment provisions of the ADA go into effect, only employers with 25 or more employees are covered.
- Employers must reasonably accommodate the disabilities of qualified applicants or employees, unless an undue hardship would result.
- Employers may reject applicants or fire employees who pose a direct threat to the health or safety of other individuals in the workplace.
- Applicants and employees are not protected from personnel actions based on their current illegal use of drugs. Drug testing is not affected.
- Employers may not discriminate against a qualified applicant or employee because of the known disability of an individual with whom the applicant or employee is known to have a relationship or association.
- Religious organizations may give preference in employment to their own members and may require applicants and employees to conform to their religious tenets.
- Complaints may be filed with the Equal Employment Opportunity Commission. Available remedies include back pay and court orders to stop discrimination.

II. Public Accommodations

- Public accommodations such as restaurants, hotels, theaters, doctors' offices, pharmacies, retail stores, museums, libraries, parks, private schools, and day care centers, may not discriminate on the basis of disability, effective January 26, 1992. Private clubs and religious organizations are exempt.
- Reasonable changes in policies, practices, and procedures must be made to avoid discrimination.

- Auxiliary aids and services must be provided to individuals with vision or hearing impairments or other individuals with disabilities so that they can have an equal opportunity to participate or benefit, unless an undue burden would result.
- Physical barriers in existing facilities must be removed if removal is readily achievable (i.e., easily accomplishable and able to be carried out without much difficulty or expense). If not, alternative methods of providing the services must be offered, if those methods are readily achievable.
- All new construction in public accommodations, as well as in "commercial facilities" such as office buildings, must be accessible. Elevators are generally not required in buildings under three stories or with fewer than 3,000 square feet per floor, unless the building is a shopping center, mall, or a professional office of a health care provider.
- Alterations must be accessible. When alterations to primary function areas are made, an accessible path of travel to the altered area (and the bathrooms, telephones, and drinking fountains serving that area) must be provided to the extent that the added accessibility costs are not disproportionate to the overall cost of the alterations. Elevators are required as described above.
- Entities such as hotels that also offer transportation generally must provide equivalent transportation service to individuals with disabilities. New fixed-route vehicles ordered on or after August 26, 1990, and capable of carrying more than 16 passengers, must be accessible.
- Public accommodations may not discriminate against an individual or entity because of the known disability of an individual with whom the individual or entity is known to have a relationship or association.
- Individuals may bring private lawsuits to obtain court orders to stop discrimination, but money damages cannot be awarded.
- Individuals can also file complaints with the Attorney General who may file lawsuits to stop discrimination and obtain money damages and penalties.

III. Transportation

Public bus systems

- New buses ordered on or after August 26, 1990, must be accessible to individuals with disabilities.
- Transit authorities must provide comparable paratransit or other special transportation services to individuals with disabilities who

cannot use fixed route bus services, unless an undue burden would result.

- New bus stations must be accessible. Alterations to existing stations must be accessible. When alterations to primary function areas are made, an accessible path of travel to the altered area (and the bathrooms, telephones, and drinking fountains serving that area) must be provided to the extent that the added accessibility costs are not disproportionate to the overall cost of the alterations.
- Individuals may file complaints with the Department of Transportation or bring private lawsuits.

Public rail systems

- New rail vehicles ordered on or after August 26, 1990, must be accessible.
- Existing rail systems must have one accessible car per train by July 26, 1995.
- New rail stations must be accessible. with new bus stations, alterations to existing rail tions must be made in an accessible manner.
- Existing "key stations" in rapid rail, commuter rail, and light rail systems must be made accessible by July 26, 1993, unless an extension of up to 20 years is granted (30 years, in some cases, rapid and light rail).
- Existing intercity rail stations (Amtrak) must be made accessible by July 26, 2010.
- Individuals may file complaints with the Department of Transportation or bring private lawsuits.

Privately operated bus and van companies

- New over-the-road buses ordered on or after July 26, 1996 (July 26, 1997, for small companies), must be accessible. After completion of study, the President may extend the deadline by one year, if appropriate.
- Other new vehicles, such as vans, must be accessible, unless the transportation company provides service to individuals with disabilities that is equivalent to that operated for the general public.
- Other private transportation operations, including station facilities, must meet the requirements for public accommodations.
- Individuals may file complaints with the Attorney General or bring private lawsuits under the public accommodations procedures.

IV. State and local government operations

- State or local governments may not discriminate against qualified individuals with disabilities. All government facilities, services, and communications must be accessible consistent with the requirements of section 504 of the Rehabilitation Act of 1973.
- Individuals may file complaints with Federal agencies to be designated by the Attorney General or bring private lawsuits.

V. Telecommunications Relay Services

- Companies offering telephone service to the general public must offer telephone relay services to individuals who use telecommunications devices for the deaf (TDD's) or similar devices.
- Individuals may file complaints with the Federal Communications Commission.

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APPENDIX D – OCR GUIDANCE DOCUMENT