# Extracurricular activities and students with disabilities

Schools do more than teach children to read, write, and compute. Along with academic activities, schools usually offer extracurricular and nonacademic activities, which typically involve students of the same age and may be organized and supervised by school personnel. Examples of these activities include the school yearbook and newspaper, school sports and recreational activities, school clubs and special interest groups, lunch, recess, pep rallies, assemblies, field trips, and after-school programs.

For children with disabilities who qualify for special education or a 504 plan, the child's Individualized Education Program (IEP) team or 504 team, which includes the parents, will determine the appropriate education for the child, as well as the appropriate extracurricular and nonacademic activities. Consider the following example:

> *Sally, who is deaf, is in the ninth grade. She likes to write, so Sally decides that she wants to join the school newspaper staff. Sally and her parents share this with her IEP team. The team decides that Sally's participation on the newspaper is appropriate to her needs. They write appropriate accommodations to support her participation in this extracurricular activity into her IEP.*

IDEA (Individuals with Disabilities Education Act), the federal special education law, covers the provision of nonacademic and extracurricular activities: "In providing or arranging for the provision of nonacademic and extracurricular services and activities, including meals, recess periods, and the services and activities set forth in § 300.107, each public agency[1] must ensure that each child with a disability participates with nondisabled children in those extracurricular services and activities to the maximum extent appropriate to the need of that child. The public agency must ensure that each child with a disability has the supplementary aids and services[2] determined by the child's IEP Team to be appropriate and necessary for the child to participate in nonacademic settings." (34 C.F.R. § 300.117)

IDEA also defines nonacademic and extracurricular activities: "The State must ensure the following: (a) Each public agency must take steps, including the provision of supplementary aids and services determined appropriate and necessary by the child's IEP Team, to provide nonacademic and extracurricular services and activities in the manner necessary to afford children with disabilities an equal opportunity for participation in those services and activities. (b) Nonacademic and extracurricular services and activities may include counseling services, athletics, transportation, health services, recreational activities, special interest groups or clubs sponsored by the public agency, referrals to

[1] Public agency means the public school district.

[2] "Supplementary aids and services means aids, services, and other supports that are provided in regular education classes, other education-related settings, and in extracurricular and nonacademic settings, to enable children with disabilities to be educated with nondisabled children to the maximum extent appropriate in accordance with §§300.114 through 300.116." (34 C.F.R. § 300.42)

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8161 Normandale Blvd., Minneapolis, MN 55437 | (952) 838-9000 | (800) 537-2237
pacer@pacer.org | pacer.org

PACER Tip Sheet

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agencies that provide assistance to individuals with disabilities, and employment of students, including both employment by the public agency and assistance in making outside employment available." (34 C.F.R. § 300.107)

When an IEP team decides which supplementary aids and services are necessary for a child's participation both academically and in extracurricular and other nonacademic activities, these are written in the IEP.

In 2011, the Minnesota Supreme Court clarified that, students with disabilities must be afforded an equal opportunity to participate in extracurricular and nonacademic activities and such activities that may be included in an IEP are not limited to those required to educate the child.

Likewise, accommodations for extracurricular and nonacademic activities are part of a 504 plan when necessary for the child's equal participation. Children with disabilities have the right to an equal opportunity to participate in public school-sponsored activities. However, accommodations or services may not be required if they would fundamentally change the nature of the activity or require an excessive or undue financial burden.

Including children with disabilities in academic as well as extracurricular and nonacademic activities has been at the heart of special education since its inception in 1976 and since the passage of Section 504 of the Rehabilitation Act of 1973.