

**SPECIAL EDUCATION - 504 EXTRACURRICULAR ACTIVITIES & PARENTAL
RIGHTS**

The Mountain Home School District (MHSD) recognizes that access to and participation in extracurricular activities opportunities provides important health and social benefits to all students, particularly those with disabilities.

MHSD's intentions are to ensure that students with disabilities consistently have opportunities to participate in extracurricular activities equal to those of other students

504 REQUIREMENTS:

School districts are required to provide qualified students, as identified in accordance with 29 U.S.C. § 794(a)(b) with disabilities opportunities to benefit from the school district's programs equal to that of students without disabilities.

For purposes of Section 504, a person with a disability is one who:

1. Has a physical or mental impairment that substantially limits one or more major life activities.
2. Has a record of such an impairment.
3. Any student who is suspected of having a disability.

For purposes of Section 504, a person who has been identified as "qualified" is one who:

1. Is of an age during which persons without disabilities are provided such services.
2. Is of any age during which it is mandatory under state law to provide such services to persons with disabilities.
3. A state is required to provide a free appropriate public education under the Individual with Disabilities Education Act (IDEA).

With the understanding that because a student is a "qualified" student with a disability does not mean that the student must be allowed to participate in any selective or competitive program offered by a school district; school districts may require a level of skill or ability of a student in order for that student to participate in a selective or competitive program or activity, so long as the selection or competition criteria are not discriminatory.

A level of skill or ability for participation in a competitive program or activity does not mean that every student with a disability is guaranteed a spot on an athletic team for which other students must try out. A school district should make reasonable modification to its policies, practices, or procedures whenever such modifications are necessary to ensure equal opportunity, unless the school district can demonstrate that the requested modification would constitute a fundamental alteration of the nature of the extracurricular athletic activity. No modifications need be made that

would give a particular player with a disability an unfair advantage over others; fundamentally alter the character of the competition.

504 EXTRACURRICULAR ACTIVITIES COMPLAINTS:

Parents/Guardians and Patrons of the District having concerns or complaints regarding any aspect of this school district and/or the services it provides may submit those concerns or complaints following the Mountain Home School District No. 193 Patron Grievance Policy.



LEGAL REFERENCE:

29 U.S.C. § 794(a)(b)

OCR

US Dept of Education

ADOPTED: June 18, 2013

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