

ADMINISTRATIVE REGULATION

Non-Discrimination In District Extra-Curricular Activities

A. General Provisions

The Board of Education recognizes that the district's extra-curricular activities constitute an integral component of the educational program and help to build a positive school climate. Extra-curricular activities also promote the physical, social, and emotional wellbeing and character development of participating students. Extra-curricular activities shall be designed to meet students' interests and abilities and shall be varied in scope to attract wide participation. The district's programs, extra-curricular activities, and practices shall be free from discrimination and discriminatory practices based on race, color, ancestry, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identification or expression, or genetic information; the perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics.

B. Access for Individuals with Disabilities

Qualified students with disabilities are entitled to participate in extra-curricular activities to the same extent as non-disabled students. The Superintendent or designee shall ensure that the district provides auxiliary aids and services, reasonable accommodations, and modifications in policies, practices, and procedures so as not to deny equal access to extra-curricular activities to individuals with disabilities.

Any qualified individual with a disability who requires an auxiliary aid or service, reasonable accommodations, or a modification of policies or procedures to participate in an extra-curricular activity should contact Student Services Coordinator, the Americans with Disabilities Act ("ADA")/Section 504 of the Rehabilitation Act of 1973 ("Section 504") Coordinator, at 714-663-6391. The request of each student will be considered at a meeting with the parent/guardian, ADA/Section 504 Coordinator or designee, student where appropriate, and any other relevant district staff. Auxiliary aids and services, reasonable accommodations, and/or modifications in policies, practices, and procedures will be provided to qualified individuals with disabilities, unless the request would result in a fundamental alteration of the program or would constitute an undue financial and/or administrative burden.

The district may use bona fide safety standards to determine whether an equal opportunity to participate in an extra-curricular activity can be attained by the provision of auxiliary aids or services, reasonable accommodations, and/or a modification of policies and procedures. The district is not required to provide auxiliary aids and services, reasonable accommodations, and/or modifications in policies, practices, and procedures that result in a fundamental alteration of the extra-curricular activity, or that would constitute an undue financial burden or administrative burden. While cost may be considered, the fact that providing an auxiliary aid, service, or accommodation to a student with a disability would result in additional cost does not of itself

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constitute an undue financial burden. Under no circumstances shall the District be prevented from requiring a level of skill or ability for participation in a competitive program or activity, as equal opportunity does not mean that every student with a disability is guaranteed a spot on a competitive team or group for which other students must tryout, so long as the requirement of skill level or ability level is not discriminatory.

An auxiliary aid, service, reasonable accommodation, and/or modification in policy, practice, and procedure will result in a fundamental alteration of the extra-curricular activity if it alters such an essential aspect of the activity or game that it would be unacceptable even if it affected all competitors equally. Alternatively, a change that has only a peripheral impact on the activity or game itself might nevertheless give a particular player or participant with a disability an unfair advantage over others, and for that reason, fundamentally alter the character of the competition, event, or activity.

Even if a requested auxiliary aid, service, reasonable accommodation, or modification in policy, practice, and procedure is determined to constitute a fundamental alteration in the extra-curricular activity or an undue financial or administrative burden on the district, the district is still required to determine if other aids, services, accommodations and/or modifications could be provided that would permit the student's participation in the extra-curricular activity without a fundamental alteration and/or undue financial or administrative burden occurring.

If a parent/guardian requests that participation in an extra-curricular activity be included as part of the district's offer of a free appropriate public education ("FAPE") in the student's IEP, the District will either hold an IEP team meeting to determine whether participation in the activity is required in order for the student to receive a FAPE, or respond to the request pursuant to Title 34 C.F.R. Section 300.503.

If a parent/guardian requests that participation in an extra-curricular activity be included as part of the district's offer of a FAPE in the student's Section 504 Plan, the student's Section 504 team will determine whether participation in the activity is required in order for the student to receive a FAPE.

Ref: Title 34 C.F.R. Section 300.503.

Approved: August 23, 2016