

IHSA Accommodation Policy

PURPOSE:

The IHSA promotes the use of uniform standards in all interscholastic competitions and conditions participation upon the adherence to the interscholastic sports rules and the competition rules for each sport recognized by the IHSA. At the same time the IHSA recognizes the moral and legal obligation to reasonably accommodate individuals with disabilities, provided such accommodations neither fundamentally alter essential elements of a sport nor provide the accommodated individual or a team with an unfair advantage. The IHSA Executive Director shall consider and evaluate requests made by a member school on behalf of a disabled individual, for accommodations, such as an exemption from or modification of, the IHSA interscholastic sports rules and the competition rules, due to the individual's physical disability.

PROCEDURE FOR REQUESTING AN ACCOMODATION:

A request for an accommodation shall be considered on a case-by-case basis. A request for an accommodation due to physical disabilities shall be directed to the IHSA Executive Director and should include the following information: (i) the individuals' name, (ii) the individuals' contact information, (iii) details of the specific accommodation requested, (iv) details of the reason for the accommodation, (v) an explanation of why the accommodation is reasonable, (vi) detailed medical information and documentation which supports the request and (vii) a release/waiver of privacy/confidentiality signed by the individual or the individual's parents/guardian who is requesting the accommodation in order to permit a review of the personal and medical records. Upon receipt of the request the IHSA Executive Director shall consider the information provided and shall make a determination as to whether to grant an accommodation and report back to the member school his/her decision within 14 calendar days of receipt of the request. If an individual is dissatisfied with an adverse decision, the member school or individual may seek an appeal in accordance with IHSA By-Law 1.460

GUIDELINES:

In considering the request for an accommodation, the IHSA Executive Director shall determine (i) whether the individual is disabled within the meaning of the Americans with Disabilities Act, 42 U.S.C. § 12101, et. seq. (ADA), (ii) whether an accommodation is necessary for the individual to participate, and (iii) what accommodation, if any, could or should be granted, after considering the essential elements of the sport and the fairness to all participants. A reasonable accommodation does not include an accommodation which fundamentally alters an essential element of a sport, an accommodation which poses a direct threat to others, or an accommodation which provides an unfair advantage to the accommodated individual or a team.

- 1.** Is the student-athlete disabled? Under the ADA, a person with a disability is one who has a record of, or is regarded as having, a substantial, as opposed to a minor, physical or mental impairment. A substantial impairment is one that significantly limits or restricts a major life activity such as hearing, seeing, speaking, walking, breathing, performing manual tasks, caring for oneself, learning or working. An individual with epilepsy, paralysis, HIV infection, AIDS, a substantial hearing or visual impairment, mental retardation, or a specific learning disability may be disabled, but an individual with a minor, non-chronic condition of short duration, such as a sprain, broken limb, or the flu, generally would not be disabled.

2. Is the accommodation reasonable? Only accommodations which are reasonably necessary for the individual and are directly related to the disability will be granted. The IHSA Executive Director will assess the character and severity of the identified disability to determine whether the requested accommodation is reasonable on its face, in relation to the disability and the nature of the accommodation requested. The essential question will be whether the requested accommodation "for a particular person's disability would be reasonable under the circumstances as well as necessary for that person"? In making this determination, the IHSA Executive Director will also consider the hardship, if any, the accommodation would cause the IHSA or the competition.
3. Will the accommodation pose a direct threat to others? An accommodation which poses a direct threat to the health or safety of others will not be granted. The term "direct threat" means a significant risk to the health or safety of others that cannot be eliminated by a reasonable modification of policies, practices, or procedures or by the provision of auxiliary aids or services. The IHSA Executive Director shall conduct an individualized assessment, based on reasonable judgment that relies on current medical knowledge or on the best available objective evidence, and in so doing, shall assess (i) the nature, duration, and severity of the risk; (ii) the probability that the potential injury will actually occur; and (iii) whether reasonable modifications of policies, practices, or procedures will mitigate the risk. The Committee understands that the determination that the Individual poses a direct threat to the health or safety of others cannot be based on generalizations or stereotypes about the effects of a particular disability, but must be based on an individual assessment.
4. Will the accommodation fundamentally alter an essential aspect of the sport and/or provide an unfair advantage to the individual or his or her team? Accommodations which fundamentally alter an essential aspect of a sport or may result in an unfair advantage to the accommodated individual or a team will not be granted. The Committee shall assess the effect of the accommodation upon the nature of the sport to determine whether the accommodation fundamentally alters an essential aspect of the sport or provides an unfair advantage to the accommodated individual or a team.
5. Illustrations and General Presumptions:
 - a) Requests for special Equipment. Requests for use of special equipment otherwise prohibited by the rules of a particular sport will be considered and may be permitted as an accommodation where, (1) due to a disability, the special equipment is necessary for participation, (2) the special equipment does not pose a direct threat to others and (3) the special equipment does not provide the accommodated individual or a team with an unfair advantage. Accommodations may be granted for specific contests, specific sports, and/or for a specific period of time.
 - b) Requests for modifications to the sport. If, for example, there is a request for an accommodation to permit a wheelchair tennis player to have two bounces to get to a ball, it will be presumed that the accommodation will result in an unfair advantage to the accommodated individual or his or her team and would fundamentally alter an essential rule of the game of tennis. On the other hand, a request to allow a deaf swimmer an accommodation, by the use of hand signals by a teammate or a strobe light to assist the swimmer in the start of a race, will be presumed to be a reasonable accommodation because it would not fundamentally alter an essential rule of the sport of swimming.