

Q&A: Extracurricular Participation for Elementary & Secondary Students with Disabilities

Students with disabilities should have access to participate in extracurricular activities. Unfortunately, they sometimes experience discrimination when they want to participate in these activities, which are part of a well-rounded educational experience for any student. Section 504 and the Americans with Disabilities Act (ADA) have some requirements regarding extracurricular activities. A student's Individual Education Program (IEP) team can also address these needs under the Individuals with Disabilities Education Act (IDEA).

Section 504 applies to schools that receive federal funding from the U.S. Department of Education. Title II of the ADA applies to schools that are run by public school districts, including charter schools. Title III of the ADA applies to schools run by entities other than public schools, such as private schools. The IDEA applies to all students within a certain age range across the state and generally makes public schools responsible for services.

Are students with disabilities entitled to participate in extracurricular activities?

Generally, yes. A school district must provide qualified students with disabilities an opportunity to benefit from the school district's program equal to that of other students.

For purposes of Section 504 and the ADA, 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; or (3) is regarded as having such an impairment. The IDEA has much more stringent requirements for who qualifies, but generally a student must need special education and qualify within at least one of thirteen specific categories. Students may be eligible under more than one of these laws. For more about who may be eligible, see DLC's [Eligibility](#) Q&A.

When it comes to extracurriculars, the sky is the limit! While many might associate the term with sports teams, extracurricular programs entail things like theatre programs, choir, band, and different clubs that a student might enjoy.

Notably, this does not mean that all students are automatically allowed to participate in any extracurricular programs if they have an interest. Competitive or selective programs may still require a selection process, so long as the program criteria is not discriminatory. Thus, it must provide the same requirements for all students, regardless of ability, and must not be done in a way that screens out participants with disabilities. Schools may require a level of skill for a student to participate in a selective or competitive program or activity.

What protections exist under Section 504 and the ADA for extracurricular activities?

Schools must make an effort to ensure that all students, regardless of ability, have an equal opportunity to participate in extracurricular programs. Schools must create a 'level playing field' by providing students with disabilities reasonable accommodations if they need such services to try out for, and participate in, athletic events.

Schools, educators, and coaches must ensure that they are evaluating each student individually and not making any assumptions about what limitations might exist for a student due to their disability. Just because one student has certain limitations due to a diagnosis does not mean that all students with the same diagnosis will have the same limitations.

Examples of accommodations that might be helpful for extracurriculars are audiobook versions of theatre plays, time to take medication, access to blood glucose monitoring equipment, etc.

To avoid violating their Section 504 obligations in the context of extracurricular activities, school districts should work with their athletic associations to ensure that students with disabilities are not denied the equal opportunity to participate in interscholastic athletics.

Section 504 does not require that schools provide separate programs so that students with disabilities can participate in extracurricular activities. However, students that are unable to participate traditionally as a team player may be allowed to take on a supporting role, allowing them to be part of the team in a capacity that works for them. Examples of this include allowing students whose disabilities prevent them from being on the basketball team as a traditional player to join the team as a ball boy/girl, water boy/girl, team manager, or social manager for the team. This allows the student to participate as a team member without requiring a fundamental alteration to the game and would need to be considered as a potential accommodation regardless of any other hierarchy or ranking system for determining which students will fill these roles. Determining what is appropriate for each student must be done on an individual basis.

What protections can an IEP provide for participation in extracurricular activities?

Under the Individuals with Disabilities Education Act (IDEA), an IEP can be provided to ensure that a student is getting access to a Free Appropriate Public Education (FAPE). IEPs are, by definition, individualized, so IEP teams can make recommendations and plans regarding the necessity of goals that are not academic in nature, including extracurricular activities. If the student needs additional support, aids, or supplements, this information should be documented in the IEP. If a need for participation in or transportation to extracurricular activities has been identified in an IEP and is being denied, this could potentially be a denial of FAPE.

If student is in a segregated school or program, how can they access extracurriculars?

If a student is placed in a segregated school or program that does not have extracurricular activities, the school district who sent them to the segregated school or program is still obligated to allow them to participate in extracurricular activities offered by the district. This may mean that a student attends school at a segregated program, but participates in an after school music group at the integrated neighborhood school they would attend had they not been placed in the segregated school.

What can I do if my student has been discriminated against?

Schools should have internal grievance processes in place to provide relief of a complaint alleging a violation of Section 504 or the ADA, as long as they are required to comply with those laws as explained above. For more information, see [Section 504 Coordinators, Notice of Non-discrimination, and Grievance Procedures](#).

Additionally, individuals who believe they have been discriminated against can file a complaint with the U.S. Department of Education's Office of Civil Rights or the U.S.

Department of Justice. Individuals may also pursue litigation in court, but we strongly advise consulting an attorney before doing so. For more information about the various dispute resolution options, see [Dispute Resolution for K-12 Students with Disabilities](#), [The Office for Civil Rights \(OCR\)](#), and [Dispute Resolution Video](#).

Where can I go for more information?

- [Dear Colleague letter from Acting Assistant Secretary for Civil Rights Seth M. Galanter](#)
- [Dear Colleague letter: Students with Disabilities in Extracurricular Athletics \(January 25, 2013\) Background and Fast Facts \(ed.gov\)](#)

*** DISCLAIMER: This is not intended as legal advice, but rather for informational purposes only. Always consult a lawyer if you have questions about your legal rights. ***

*Last updated:
January 3, 2024*