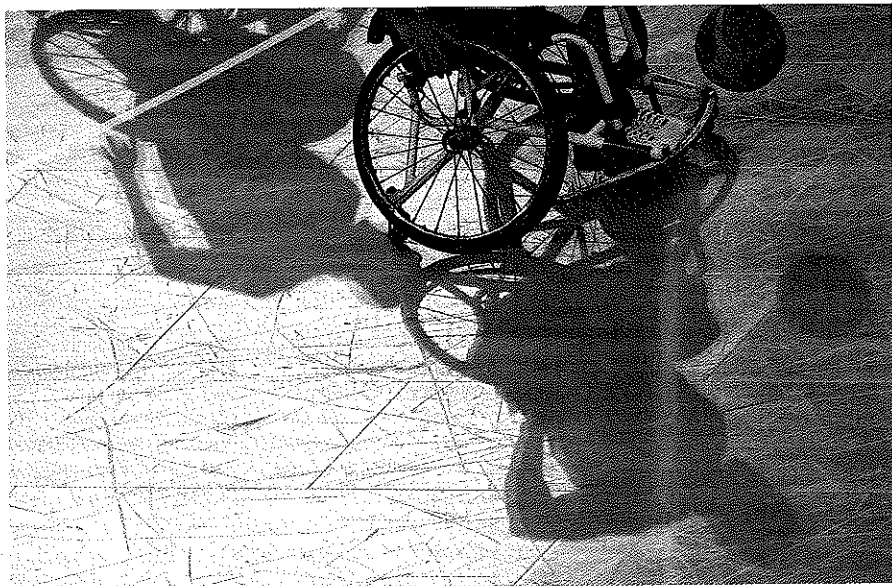


Sports



Pick and roll The new federal guideline doesn't compel a school to put a wheelchair athlete on its varsity roster. It does compel schools to make separate teams available

Disabled Kids Get in the Game. A new federal directive demands equal access

By Sean Gregory

GISELE ZAVALA, AN EIGHTH-GRADER from Snellville, Ga., says wheelchair sports changed her life. Zavala has spina bifida, a neural-tube defect; the mean kids at school called her a “cripple,” and she used to spend her days feeling sorry for herself. “It was hard to talk to anybody without feeling judged,” she says. But five years ago, she started playing wheelchair basketball, football and team handball for teams representing the Gwinnett County school district, northeast of Atlanta. After mixing it up on the court and bonding with teammates facing similar challenges, Zavala was able to put that trying time behind her. “I started to open up and put a smile on my face,” she says. “I’m not that shy little girl anymore.”

On Jan. 25, the Obama Administration sent a clear message: it wants more Gisele Zavalas in the game. The Department of Education issued a “Dear Colleague” letter telling school administrators that they must “afford qualified students with disabilities an equal opportunity for participation” in sports. A 2010 report from the Government Accountability Office, which showed that disabled students

participate in athletics at significantly lower rates than able-bodied kids, sparked this federal guidance. Disability advocates are cheering. “This will do for students with disabilities what Title IX did for women and girls,” says Terri Lakowski, chief executive of Active Policy Solutions, an advocacy group based in Washington.

The federal directive isn’t law, and it’s far less sweeping than Title IX, the landmark legislation that essentially required schools to start girls’ sports teams from scratch and create equal athletic opportunities for girls and boys. Before Title IX was signed in 1972, fewer than 300,000 high school girls played team sports; now more than 3 million do. There are 1.5 million first- through 12th-graders with physical

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impairments who are now on the sidelines, says Active Policy Solutions.

The government is not telling schools that a less able or less talented kid has to be put on the varsity hoop team; the best players still get the roster spots. The new instructions are about equality of opportunity, not results: schools must provide “reasonable modifications” to ensure equal athletic access. In other words, schools need to use common sense. If a high school track athlete is deaf, he shouldn’t be prohibited from running just because he can’t hear the starting gun. Instead, a district could provide him with a visual cue—a starter could, say, raise his hand as well as shoot the gun.

In some sports, access will mean separate but equal squads. Most schools probably won’t have enough disabled students to field a full team. So a districtwide team, like the one in Gwinnett County for which Zavala competes, is the model. The state’s high school athletic association has partnered with a nonprofit, the American Association of Adapted Sports Programs (AAASP), that has helped 24 districts start competitive wheelchair basketball, football and handball teams. The Gwinnett County school district, which has a \$1.2 billion annual operating budget and is the largest district in Georgia, spends about \$72,000 to field three teams.

“Dear Colleague” letters like this one may not be law, but they have teeth. In 2011, for example, the department’s Office for Civil Rights clarified how schools need to respond to allegations of sexual assault on campus; many are now investigating claims with more vigilance. Similarly, the letter on sports and disability puts schools on notice. Those that ignore the directive face lawsuits. “This is really important guidance,” says Barry Taylor, a civil rights attorney at Equip for Equality, a Chicago-based advocacy organization for the disabled. “It brings the issue to a place it wasn’t at before. It goes to the knee-jerk reaction that people have to people with disabilities. That automatic exclusion—it can’t happen anymore.” ■