

**Legal Entanglement Project Part 4: Literature Review**

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**Author Note**

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I have no known conflict of interest to disclose.

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### **Analysis of Literature**

Under Section 504 of the Rehabilitation Act of 1973 (also known as Free Appropriate Public Education under Section 504), all students with disabilities are given the right to a free public education. A person with a disability, as defined under Section 504 (Free adequate public education under Section 504), is someone who has a physical or mental impairment that limits one or more of life's activities. Ronald Sandison and Craig Stanley are two 19-year-old students who are legally considered to require special education services and are a part of a Michigan public high school cross country team in the case of *Sandison v. Michigan High School Athletic Association* (*Sandison v. Mich. high school athletic assn*, 64 f.3d 1026: 6th cir., Judgment, law, Casemine.com). In accordance with Section 504 of the Americans with Disabilities Act and Reasonable Accommodation in Sports, Ellis Kempf was permitted to wrestle in his high school program. Despite being restricted to a wheelchair, Tatyana McFadden joined the track team and participated (Davis, 2007). According to Section 504, Mary Kate Callahan competed on her high school swim team (Scott, 2015). Under Section 504 (Free Appropriate Public Education under Section 504), these pupils may take part in extracurricular activities. No student with a disability may be barred from extracurricular activities or nonacademic services (free appropriate public education under Section 504) on the basis of the student's disability alone. Free appropriate public education under Section 504 requires that people with disabilities be given the opportunity to participate in non-academic services that are the same as those provided to people without disabilities. (Zdroik et al., 2022) Physical activity is associated with better physical, social, emotional, spiritual, and cognitive development. Sports give disabled pupils the chance to reduce their risk of developing medical problems (Zdroik et al., 2022). Sports give impaired pupils the chance to make friends and feel like a member of a community (Zdroik et al., 2022). Inclusion of

impaired kids in sports is associated with improvements in learning, enhanced physiological arousal, and academic achievement (Di Palma et al., 2022). Tatyana McFadden fought for inclusion when she wanted to score points for her team and not just be present "in spirit" (Davis, 2007). Children who already encounter a lot of obstacles every day have the chance to feel like they are a part of something by participating in sports (Chambers, 2022). According to Zdroik et al. (2022) people with disabilities have higher self-esteem and are more competent. Mary Kate Callahan gained more confidence as an athlete with a disability since she not only had the opportunity to compete at the state level but also to experience being a member of a team (Scott, 2015). The goal has been to advance the inclusion of students with impairments in athletics during the past few years (Di Palma et al., 2018). Students with disabilities who participate in sports develop the interpersonal skills that will benefit them in school and in their daily lives in the future (Chambers, 2022).

The inclusion of students with impairments in sports and their complete inclusion varied significantly (Di Palma et al., 2018). Financial resources, unfavorable attitudes, coaching, facilities, and equipment are some of the obstacles preventing special education children from participating fully in sports (Zdroik et al., 2022). The full participation of impaired students in sports is based on cases like Ellis Kemp, where they were not granted the same rights as students without impairments (impairments law and reasonable accommodations in sports). Because Kemp required reasonable accommodation under the law governing disabilities in sports, he was denied entry to the state tournament. If there is no interference with the activity being done, accommodations must be made for these children in order to implement full inclusion (disabilities law and reasonable accommodation in sports). In cases involving Tatyana McFadden, Ronald Sandison, Craig Stanley, and Mary Kate Callahan (Davis, 2007; Scott, 2015;

Sandison v. Michigan high school athletic assn, 64 f.3d 1026: 6th cir., Judgment, law, Casemine.com), the integration of disabled students into sports has been acknowledged and put into practice.

The evaluation of whether the proposed accommodation is deemed "reasonable" is the fundamental issue in the majority of disability-related conflicts between a student and a governing body or school district (Disabilities law and reasonable accommodations in sports). Regulations established by the National High School Athletic Federation (Disabilities Act and Reasonable Accommodations in Sports) regarding special needs students who require accommodations may not be broken. the following rules apply: Fundamental modifications, a disproportionate financial or administrative burden, and a risk to safety or health (sports legislation and appropriate accommodations for athletes with disabilities). The instances examined demonstrate that the impaired kids should be permitted to participate in the sports they choose to play under Section 504 of the Rehabilitation Act of 1973 (free suitable public education). Sports that children with disabilities can play are subject to a minimal amount of tracking (Zdroik et al., 2018). Schools are not giving all pupils the same opportunities to participate in athletics because of a lack of knowledge. (2018) Zdroik et al. Opportunities for kids with impairments will not succeed in the absence of committed leaders (Chambers, 2022).

According to a 2015 agreement between Ellis Kempf and the Michigan High School Athletic Association (Disabilities Act and Reasonable Accommodation in Sports), Kemp might use sign language interpreters at all official wrestling tournaments. The best approach for providing appropriate accommodations for disabled pupils is to have the governing body or school district issue a timely resolution (see "Disabilities law and reasonable accommodations in sports"). It was ruled in the historic case of Tatyana McFadden to permit students who were

confined to wheelchairs to score points for their track teams in competitions; McFadden also went on to win Olympic gold, making her case a step in the right direction for students with special needs (Davis, 2007). Mary Kate Callahan received the same kind of decision, except it related to swimming (Scott, 2015). Ronald Sandison and Craig Stanley received permission to compete in the track meets even though they were 19 years old because of their disability determinations (Sandison v. Michigan High School Athletic Association, 64 f.3d 1026: 6th cir., Judgment, law, Casemine.com).

### **Statement of Evidence**

The best interests of the kids should always come first for a leader in the educational system. Inclusion is a primary concern when talking about students with special needs. There should be no excuse for not allowing impaired kids to participate in extracurricular activities on an equal basis. Students with special needs will be given the chance to participate in all activities thanks to the laws of Section 504 of the Rehabilitation Act of 1973, the Individuals with Disabilities Act, and the American with Disabilities Act. As a leader, I will be aware of the laws and uphold them, ensuring that everyone has an equal chance. Knowing about previous examples involving impaired kids helps provide better insight into how to manage potential sticky situations. Additionally, being aware of the law will enable me to include all children by being proactive rather than reactive.

### References

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