

ARTICLE 5

500.

STUDENTS WITH DISABILITIES

No qualified student with a disability shall, solely by reason of that disability, be denied access to, participation in, or the benefits of any CHSAA sponsored activity. This policy applies to any student(s) who (a) has a physical or mental impairment that substantially limits a major life activity, or (b) has a record or history of such an impairment, or (c) is regarded as having such an impairment.

The CHSAA will provide reasonable accommodations, when necessary to avoid discrimination on the basis of disability. Such reasonable accommodations shall provide a disabled student with equally effective access to CHSAA sponsored activities unless the provision of such reasonable accommodation would constitute a fundamental alteration of the essential elements of the activity involved and/or provided that participation does not pose a risk to the health and safety of the student or other students.

Determinations as to whether a student is disabled will be based on state and federal law. Determinations as to whether a student is otherwise qualified will be based on the eligibility requirements of the CHSAA Bylaws and the applicable sports rules. Reasonable accommodations will be provided to qualified students with disabilities in conformity with the requirements of federal and state law.

It is the student's responsibility to self-identify, to provide current and adequate documentation of his/her/their disability, and to request accommodations. Determinations as to whether requested services and requested accommodations are required will be made by the Commissioner, subject to established CHSAA appeals procedures.

The following procedures shall apply:

1. A student with a disability who requests an accommodation must identify him/her/their self to the principal of his/her/their school. The student must provide documentation that clearly indicates the presence of a disability as defined by state and federal law, the impact of the disability on his/her/their eligibility and/or ability to participate in a CHSAA sponsored activity, and a justification of the need for the requested accommodation. A student who provides a current Individualized Education Plan or a Section 504 Plan shall be deemed to have a disability.
2. The principal, on behalf of the student, shall present a formal request for accommodations to the CHSAA, together with all necessary supporting records.
3. Requests will be promptly evaluated by the CHSAA Assistant Commissioner who is assigned to the specific CHSAA-sponsored activity for which the student seeks a reasonable modification.

4. The Assistant Commissioner, upon examination of all documents and consideration of the student's individual circumstances and the purposes for the related rule, may grant approval of the accommodation.
5. Such reasonable modifications shall be approved when necessary to avoid discrimination on the basis of disability unless the provision of such reasonable modification would constitute a fundamental alteration of the essential elements of the activity involved.
6. Denial of reasonable modification requests shall be appealable to the CHSAA Commissioner. Appeals must be received within thirty (30) days of the petitioner's notification of denial.
7. The Commissioner's decision shall be subject to the appeal provisions of the CHSAA Bylaws.
8. During the evaluation of the reasonable modification request, the student may participate in the CHSAA-sponsored activity provided that participation does not pose a risk to the health and safety of the student or other students.
9. These procedures shall be applicable to any requests for accommodations, including, without limitation, requests pursuant to Article 1770.1.
10. Please refer to the "CHSAA Policies" Section in this document for specific information regarding **On-the-Spot** Reasonable Modification allowances.

<p>NOTE: Member school administrators should contact their district and/or state ADA coordinator for local guidance on ADA questions or clarifications.</p>

This policy shall apply to all CHSAA sponsored activities and is intended to be consistent with Section 504 of the Rehabilitation Act of 1973, which states that no recipient of federal financial assistance may discriminate against qualified individuals with disabilities solely by reason of disability. This policy is also intended to be consistent with the Americans with Disabilities Act of 1990 and C.R.S. §24-34-601(2)