

Interscholastic Competition Eligibility For Students with Disabilities

Department of Education Contacts: Carol Greta (515-281-8661) or Thomas Mayes (515-242-5614)

This document is to aid in applying the interscholastic competition eligibility rule for students with disabilities who have individualized education programs. That rule, found at Iowa Administrative Code 281-36.15(2)"d", follows.

A student with a disability who has an individualized education program shall not be denied eligibility on the basis of scholarship if the student is making adequate progress, as determined by school officials, towards the goals and objectives on the student's individualized education program.

Q 1: Hasn't this rule been recently amended?

A 1: This rule's recent amendment was technical in nature and did not change its meaning.

Q 2: What happens if a competitor with a disability is not eligible under this rule?

A 2: The competitor may practice, but may not participate in competition or dress for competition. A local district may provide, however, that ineligible competitors are not permitted to practice.

Q 3: May a school set higher requirements for students with disabilities, such as by holding students with disabilities to the "pass all" rule applicable to students without disabilities?

A 3: No. So long as the student is making adequate progress toward goals, on the student's IEP, as determined by school officials, the student "shall not be denied eligibility" based on scholarship. What constitutes adequate progress will vary based on the facts of each competitor's case. (See, e.g., Question & Answer 7).

Q 4: Who determines "adequate progress" for an interscholastic competitor with an IEP?

A 4: "School officials" make that determination, not the competitor's IEP team or parents.

Q 5: What happens after school officials determine what progress a competitor with disabilities is required to achieve to be eligible for competition?

A 5: Those officials must immediately communicate what "adequate progress" constitutes to the competitor and the competitor's parents, teachers, and others who assign grades to or monitor the progress of the competitor.

Q 6: Are competitors with IEPs required to attain their goals to be eligible?

A 6: The rule requires adequate progress toward goals, not goal attainment. In some cases, a competitor may make adequate progress toward a goal without necessarily attaining it. In other cases, goal attainment might be the only outcome that would constitute “adequate progress.” Whether goal attainment constitutes the required “adequate progress” depends on the facts of each case.

Q 7: What if a competitor with an IEP fails a class for which there are no express IEP goals and no specially designed instruction?

A 7: Examine the relationship between the IEP goals and the failed course. If there is a close relationship between the IEP goal(s) and the failed course, and the competitor made adequate progress on the IEP’s goal(s), then the competitor is eligible. If there is a close relationship and the competitor did not make adequate progress toward an IEP goal, then the competitor is not eligible. If there is little or no relationship between an IEP goal and the course failed, the competitor is not eligible.

Q 8: What if a competitor with an IEP passes all classes yet does not make “adequate progress” on IEP goals?

A 8: In this extremely unlikely event, the competitor is eligible.

Q 9: What if an ineligible competitor’s IEP provides for “participation” in interscholastic activities?

A 9: An ineligible competitor may participate (e.g., practicing, serving as team manager) without competing. An IEP team has no authority to provide that a student with an IEP, who otherwise would be academically ineligible for competition, must be allowed to compete in interscholastic competition.

Q 10: What if a competitor is being currently evaluated for special education?

A 10: Until the evaluation is complete, the competitor must meet requirements applicable to students without IEPs. Once the evaluation is complete and an IEP is developed, apply this rule to determine the competitor’s eligibility.

Q 11: Does rule 36.15(2)“d” apply to students with only Section 504 accommodation plans?

A 11: No.