

Nonacademic and Extracurricular Activities



Did You Know?!

The IEP must include a statement of the Special Education and Related Services and Supplementary Aids and Services, to be provided to the student, and a statement of the program modifications or supports for school personnel, for the student to be involved in and make progress in the general education curriculum **and to participate in extracurricular and other nonacademic activities.**

34 CFR 300.320 (a) (4) (ii)

WAC 392-172A-03090 (1) (d) (ii)

✓ **Determined by the IEP Team**

Each public agency (school district) must take steps, including the provision of supplementary aids and services **determined appropriate and necessary by the child's IEP team**, to provide nonacademic and extracurricular services and activities in the manner necessary to afford children with disabilities an equal opportunity for participation in those services and activities.

Code of Federal Regulations 34 CFR 300.107 (a)

WAC 392-172A-02025 (1)

✓ **Services and Activities**

Nonacademic and extracurricular **services and activities may include** counseling services, athletics, transportation, health services, recreational activities, special interest groups or clubs sponsored by the public agency (school district), referrals to agencies that provide assistance to individuals with disabilities, and employment of students, including both employment by the public agency and assistance in making outside employment available.

Code of Federal Regulations 34 CFR 300.107 (b)

WAC 392-172A-02025 (2)

✓ **Maximum Extent Appropriate**

The school district must ensure that the student with a disability has the Supplementary Aids and Services determined by the IEP Team to be appropriate and necessary for the student to participate in nonacademic settings to the maximum extent appropriate to the needs of the student.

Code of Federal Regulations 34 CFR 300.117

✓ **No Proof Necessary**

A special education student does not need to 'prove' the **educational benefit** when nondisabled students need not 'prove' the educational benefit to be afforded the opportunity to participate in extracurricular and nonacademic activities.

✓ **Supplementary Aids and Services**

Did You Know?!

Supplementary Aids and Services are the services and supports that are provided in general (regular) education classes, other educational-related settings, **and in extracurricular and nonacademic settings**, to enable a student with a disability to be educated with nondisabled students to the maximum extent appropriate with the Least Restrictive Environment (LRE) Requirements.

Code of Federal Regulations CFR 34 CFR 300.42

Washington Administrative Code WAC 392-172A-01185

✓ **Questions for the IEP Team**

	Has the IEP Team discussed extracurricular and nonacademic activities for the student?
	Has the IEP Team discussed the services and supports the student needs to have an equal opportunity to participate in each extracurricular and nonacademic activity?
	Are the services and supports for the student listed in the IEP, in the Special Education and Related Services Minutes?

IEP Team Considerations	Examples may include but are not limited to
Nonacademic and Extracurricular Activities	<p>Dances</p> <p>Field trips</p> <p>Camping (day and overnight) trips</p> <p>Volunteering at events (Craft fairs, parking assistance, food stations, event Support (food, setup, etc.)</p> <p>Counseling services</p> <p>Athletics</p> <p>Transportation</p> <p>Health services</p> <p>Recreational activities</p> <p>Special interest groups or clubs sponsored by the school district</p> <p>Employment of students, including both employment by the school district and assistance in making outside employment available</p> <p>Band and Theatre (off campus performances, even state and out-of-state</p>
Supports and Services	<p>Transportation</p> <p>Paraeducator, 1:1 Adult Support</p> <p>Previewing of dance routines, a week prior to practices</p> <p>Audio of theatre/play's dialogue</p> <p>Practice of life and/or social skills for helping with; verbal greetings, learning procedures & processes with the activity, safety, check off lists, time management, etc.</p>

✓ Cases to Review

Indep. Sch. Dist. No. 12, Centennial v. Minnesota Dep't of Educ., 55 IDELR 140 (Minn. 2010), cert. denied, 111 LRP 12740 (2011) where the court determined disabled students do not need to prove an educational benefit when nondisabled students do not. The school district violated the IDEA when the IEP team refused to consider Supplementary Aids and Services (SAS) necessary to support a student with autism and Tourette syndrome in extracurricular activities.

North West Hendricks Schs., 114 LRP 25135 (SEA IA 2014) where it was found the district violated a student's IEP that required access to all nonacademic and extracurricular activities available to nondisabled students when a teacher unilaterally excluded the student from singing in the afterschool choir recitals that counted as a grade, and the student wasn't allowed to attend a field trip because the school policy was to not include life skills students.

Tahquamenon Area Schs., 115 LRP 23747 (SEA MI 2015) where it was found the district's failure to address a student's behavioral issues impeded his ability to participate in extracurricular activities as required by his IEP and therefore, denied the student FAPE.

Wyoming City Schs., 57 IDELR 85 (SEA OH 2011) where it was found the school district violated the IDEA when the decision of what supplementary aids and services were necessary for the student was decided by the swim coach instead of the student's IEP team.