

**MARYLAND STATE BOARD OF EDUCATION**  
**Subtitle 06 SUPPORTING PROGRAMS**  
**13A.06.04 Corollary Athletic Programs**

**REVISED 8-12-09**

**.01 Purpose**

The purpose of this chapter is to define the requirements for a Corollary Athletic Program in the local school systems to provide athletic opportunities so that every student in public schools may have an equal opportunity to access the benefits of education-based athletic programs.

**.02 Definitions**

- A. In this chapter, the following terms have the meanings indicated.
- B. Terms Defined.
  - (1) “Corollary Athletic Program” means a program that is not governed by the requirements of COMAR 13A.06.03 and COMAR 13A.04.13 and that is specifically designed to combine groups of students with and without disabilities together in physical activity.
  - (2) “Department” means the Maryland State Department of Education.
  - (3) Interscholastic Athletic Programs means programs governed by the requirements of COMAR 13A.06.03.
  - (4) “Student with a disability” means:
    - (a) A student who meets the definition of a "handicapped person" as 45 C.F.R. § 84.3(j);
    - (b) A student who meets the definition of student with a disability as defined in COMAR 13A.05.01.03B(78); or
    - (c) A student who meets the definition of a “handicapped person” as defined in 34 C.F.R. § 104.3(j).

**.03 Access to School Athletic Programs**

- A. Each local school system shall:
  - (1) Develop a plan, policies and procedures to promote and protect the inclusion of students with disabilities in school athletic programs;
  - (2) Provide students with disabilities equivalent opportunities for participation in either the Interscholastic Athletic Program or the Corollary Athletic Program;

- (3) Maintain evidence indicating that the interests and abilities of students with disabilities have been fully and effectively accommodated by the local school systems Interscholastic Athletic or Corollary Athletic Program.

#### **.04 Corollary Athletic Programs**

- A. Corollary Athletic Programs shall provide for the diversity of abilities and interests of students with disabilities.
- B. The local school system shall offer a Corollary Athletic Program in each of the fall, winter and spring seasons. The dates of the fall, winter and spring seasons do not need to match the dates prescribed in COMAR 13A.06.03. The sport season for the Corollary Athletic Program shall be limited to a maximum of 12 consecutive weeks.

#### **.05 Eligibility for Corollary Athletic Programs**

- A. Students in grades K-8 who participate in the Corollary Athletic Program shall:
  - (1) Be officially registered and attending a Maryland Public School;
  - (2) Present to their school principal, or the principal's designee, a form from a parent or guardian giving permission for participation;
- B. Secondary school students in grades 9-12 who participate in the Corollary Athletic Program shall:
  - (1) Be officially registered and attending a Maryland Public School;
  - (2) Present to their high school principal, or the principal's designee, a form from a parent or guardian giving permission for participation;
  - (3) Be making satisfactory progress toward:
    - (i) Graduation with a Maryland High School Diploma specified in COMAR 13A.03.02.09B; or
    - (ii) School completion with a Maryland High School Certificate of Program Completion specified in COMAR 13A.03.02.09D.
  - (4) Have not participated on an interscholastic athletic team in the same sport.
- C. If a student acquires a disability during their years of participation in interscholastic sports, the local school system may permit an exception to 06.B (4).

## **.06 Complaints and Appeal Process**

- A. Parents, guardians and legal representatives of students with disabilities may file a written complaint with the local superintendent regarding an alleged violation of this chapter.
- B. The written complaint shall:
  - (1) State the alleged violation;
  - (2) Contain a brief statement of facts necessary to understand the complaint;
  - (3) Contain a brief statement of relief sought;
  - (4) Be filed within 30 days of the discovery date of the alleged violation.
- C. The appeals process set forth in the §4-205(c) of the Education Article, Annotated Code of Maryland, including an appeal to the State Board from a local board's decision on the complaint shall govern the processing of the complaint.

## **.07 Corrective Actions**

In response to systemic complaints filed alleging on-going violations of this chapter or at its discretion, the Department may initiate a fact-finding process and may impose corrective action on a school system.

## **.08 Annual Reports**

- A. First annual report. Local school systems shall submit the first Annual Report on May 15, 2010. It shall include:
  - (1) State the total number of students who participated in the Interscholastic Athletic Program and the Corollary Athletic Program along with the total number of students with disabilities as defined in § .02B(8) of this chapter who participated in the Interscholastic Athletic Program and the Corollary Athletic Program and
  - (2) Provide a copy of the plans, policies and procedures developed by the local school systems under Section .03A of this regulation.
- A. Subsequent reports: Local school systems shall submit Annual Reports on May 15 and shall:
  - (1) Describe modifications of policies and procedures by the local school system to engage students with disabilities in the Interscholastic Athletic Program and the Corollary Athletic Program.

- (2) State the total number of students who participated in the Interscholastic Athletic Program and the Corollary Athletic Program along with the total number of students with disabilities as defined in § .02B(8) of this chapter who participated in the Interscholastic Athletic Program and the Corollary Athletic Program.