

A RESOLUTION

Proposed
Resolution
20-1044

See Emergency
D.C. Act 20-427
20 DCStat 4142

To declare the existence of an emergency with respect to the need to amend the District of Columbia Municipal Regulations to allow a student with disabilities attending a private school to play on a District of Columbia Public Schools ("DCPS") sports team if the student has played with the team for at least 2 years and resides within the DCPS school's boundary.

DCPS
Football for
Special Needs
Students
Regulation
Emergency
Declaration
Resolution of
2014

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "DCPS Football for Special Needs Students Regulation Emergency Declaration Resolution of 2014".

Sec. 2. Findings.

(a) The purpose of this emergency legislation is to hold harmless 2 students with learning disabilities who are being unfairly penalized for a mistake made by the District of Columbia Public Schools ("DCPS"). For the past 2 seasons, DCPS has allowed 2 students with learning disabilities who attend a special education school that does not offer football to play on the football team of Woodrow Wilson High School ("Wilson"), the students' in-boundary DCPS high school. The District's State Athletic Rules expressly permit DCPS to let students with learning disabilities to play for Wilson. 5 DCMR § 2701.12(c). The rules even allow DCPS to charge the parents for the cost of playing on the team, so that allowing the students to pay does not cost the District anything. *Id.* Unfortunately, this year, DCPS kicked the students off of the team the day of their first game.

(b) DCPS's position is that whether the students can play for Wilson depends solely upon who is paying the tuition for them to attend the special education school. If DCPS is paying their tuition, DCPS would allow the students to play for Wilson. Here, however, because the parents are paying the students' tuition (thus, saving the District tens of thousands of dollars per year), the students cannot play for Wilson. Unfortunately, DCPS did not follow its own policy and allowed these students to play for Wilson for the past 2 seasons.

(c) This emergency legislation would not change DCPS' policy. DCPS could maintain this questionable practice if it so chooses. This bill simply grandfathers in the 2 students who have been playing for Wilson for the past 2 seasons and allows them to remain on the team until they graduate. DCPS is at fault for not following its own policy and allowing these students with disabilities to play for Wilson for the past 2 years, and these students should not be punished for DCPS' mistake.

(d) Organized sports can have profound benefits for students with disabilities. Playing sports can boost their confidence and self-esteem and can help advance their development. It improves their coordination and range of motion. Additionally, by being part of a sports team, a quintessential experience of youth, these children can have a sense of normalcy. Moreover,

increased integration with the broader community and children with different backgrounds benefits the development and wellness of children with disabilities.

(e) This emergency legislation is narrowly tailored and precisely limited to simply hold harmless the 2 students with special needs who have been playing for Wilson for the past 2 years and who through no fault of their own have been kicked off the team that they love. They live within the Wilson boundary and but for their need for special education would attend Wilson.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the DCPS Football for Special Needs Students Regulation Emergency Amendment Act of 2014 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.