



**Governor's Advisory Council for Exceptional Citizens (GACEC)**  
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### **MEMORANDUM**

**DATE:** January 26, 2016

**TO:** The Honorable Members of the Delaware General Assembly

**FROM:** Robert D. Overmiller, Chairperson  
GACEC

**RE:** **House Bill No. 175 (Unified Sports)**

The Governor's Advisory Council for Exceptional Citizens (GACEC) has reviewed House Bill No. 175 which will create a unified sports pilot program in track and field in all high schools operated by a regular or vocational technical school district or by a charter school during the 2015-2016 school year. This Act requires an evaluation of the pilot program to determine the feasibility of making unified sports a permanent part of the regular, vocational, technical and charter school experience. The law would be effective upon an appropriation (lines 38-40). Council **endorses** the proposed legislation and would like to share the following observations.

Unified sports are athletic programs that combine students with and without disabilities on the same teams for training and competition. The purpose of unified sports is to build social inclusion through the platform of sports and provide common ground where students with and without disabilities can enjoy the bond that comes from training, goal-setting and teamwork. Unified sports break down stereotypes by demonstrating abilities through athletic competition and meaningful involvement. It creates opportunities for students with and without disabilities to share greater understanding and friendship on and off the playing field.

Since the legislation was not enacted in 2015, it will need to be revised to modify dates and references to the 2015-16 school year (lines 12-13 and 23) if enacted in 2016. Council also suggests an amendment defining participating students. The attached federal guidance covers students identified as qualified persons with a disability under Section 504. At p. 3. Likewise, the synopsis refers to the desire to comply with Section 504 guidance. In contrast, the participating students with disabilities are limited to Individuals with Disabilities Education Act (IDEA)-eligible students, a subpart of Section-504 eligible students (line 9). See OCR Policy Letter to C. Veir, 20 IDELR 864, 867 (December 1, 1993); and OSEP & OCR Joint Policy Letter to M. Williams, 21 IDELR 73, 76 (March 14, 1994). The definition in line 9 should therefore be expanded.

Several unified sports programs have already begun in districts across the State such as programs in Middletown, Caesar Rodney, Concord and William Penn high schools. Council feels that this is happening because the leaders in these schools believe in inclusion and programs that are beneficial to all students.

Thank you for your time and consideration of our observations. Please feel free to contact me or Wendy Strauss should you have any questions.

Enclosures