

~~meeting certain criteria; requiring the State Board of Education to adopt a certain model policy to assist certain county boards; requiring the State Department of Education to monitor compliance by county school systems boards with certain requirements; authorizing the Department to investigate and take or require certain action in response to certain complaints; authorizing the Department to make certain determinations; authorizing the State Board of Education to take certain actions; requiring county school systems boards and the Department to provide certain reports; requiring the Department to adopt certain regulations; clarifying the availability of certain legal remedies; providing for the availability of certain legal action for noncompliance with certain provisions providing for the enforcement of certain provisions; authorizing a court to award attorney's fees; defining certain terms; providing for a deadline for local school system compliance with certain provisions; providing for the construction of this Act; and generally relating to access to physical education and athletic programs in public schools by students with disabilities.~~

BY adding to

Article - Education

Section 7-4B-01 through ~~7-4B-07~~ 7-4B-06 to be under the new subtitle

"Subtitle 4B. Physical Education and Athletic Programs for Students with Disabilities"

Annotated Code of Maryland

(2006 Replacement Volume and 2007 Supplement)

Preamble

WHEREAS, The Rehabilitation Act of 1973 provides that exclusion and segregation of individuals with disabilities by recipients of federal funds is prohibited discrimination; and

WHEREAS, The Americans with Disabilities Act, signed into law in 1990, provides that no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity; and

WHEREAS, Maryland public schools offer a variety of physical education and athletic opportunities to students that provide numerous educational benefits, including greater academic success, better physical and psychological health, responsible social behaviors, and enhanced interpersonal skills; and

WHEREAS, Sports participation is an effective intervention in combating obesity; and