



# Physical Education and Children with Disabilities and Developmental Adapted Physical Education (DAPE)

For any child, physical education should mean more than watching from the sidelines or keeping score. The health and social benefits that all children receive from physical activity may be even more important for students with disabilities. Research shows that for students with disabilities, physical activities can control or slow progression of a chronic disease, improve muscular strength, and control body weight as well as improve psychological well-being.<sup>1</sup>

## Two federal laws affect how children with disabilities receive physical education:

IDEA 2004, the federal Individuals with Disabilities Education Act, provides the right for eligible children with disabilities to participate and make progress in the physical education curriculum at public schools. That includes developing physical and motor fitness and skills in aquatics, dance, individual and group games, and sports, including intramural and lifetime sports.<sup>2</sup>

Section 504 of the Rehabilitation Act of 1973 (commonly referred to as “Section 504”) protects the rights of eligible individuals with disabilities to participate in activities and programs that receive federal financial assistance, including public schools. These activities and programs may not discriminate against persons with eligible disabilities.<sup>3</sup>

Minnesota law says that physical education instruction must be provided to all students of mandatory school age (7–16 years old) and students of public schools who are in kindergarten or higher grades.<sup>4</sup> Each local school district determines the extent of the instruction.

## Children with disabilities can participate in physical education in two ways:

- In regular physical education programs, with or without accommodations (adaptations)
- In specially designed developmental adapted physical education (DAPE), a special educational instructional service

Many children with disabilities can fully participate in regular physical education programs. Some may need accommodations such as a sign language interpreter, adapted equipment (a light-weight baseball bat, for example), or handouts printed in large type. Accommodations or adaptations simply address an individual’s needs that are related to his or her disability. They neither lower expectations for the student to achieve nor create an advantage over classmates. For a child who is eligible for special education, the accommodations are written in the child’s Individualized Education Program (IEP). If a child has a Section 504 Accommodation Plan instead of an IEP, PACER suggests that physical education accommodations be written into it.

<sup>1</sup> Students with Disabilities: More Information and Guidance Could Improve Opportunities in Physical Education and Athletics, US Government Accountability Office, June 2010

<sup>2</sup> Federal regulation 300.39, <http://idea-b.ed.gov/explore/view/p/,root,regs,.html>

<sup>3</sup> Students with Disabilities and Section 504 of the Rehabilitation Act of 1973 at <http://www.PACER.org/parent/php/PHP-c33.pdf>

<sup>4</sup> Minnesota Statute 120A.22

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Even with accommodations, some children with disabilities cannot participate fully in regular physical education programs. School districts are responsible for determining if a student's disability affects his or her ability to perform in regular physical education. Children who have difficulties should be evaluated to see if they need developmental adapted physical education (DAPE). This means "specially designed physical education instruction and services for pupils with disabilities who have a substantial delay or disorder in physical development. Developmental adapted physical education is special education instruction for pupils age three through 21 and may include development of physical fitness, motor fitness, fundamental motor skills and patterns, skills in aquatics, dance, individual and group games, and sports."<sup>5</sup> The laws providing DAPE do not cover recess, free play, and other non-instructional physical activities.

To qualify for DAPE, the student must first qualify for special education in one of these areas: autism spectrum disorders, deaf-blind, emotional or behavioral disorders, deaf or hard of hearing, specific learning disability, developmental cognitive disability, severely multiply impaired, other health disability, physically impaired, visually impaired, traumatic brain injury or developmental delay (ages 3–6). In addition, the student's special education evaluation must show a significant difference in physical performance or it must show that the student's development or achievement and independence will not allow the student to succeed in regular physical education.

If a student qualifies for DAPE, a special education teacher licensed in DAPE works directly with the student to meet the goals and objectives written in the student's IEP. Because DAPE is a special education service, it is specially designed instruction to meet the unique needs of a child with a disability, at no cost to the parents.<sup>6</sup> DAPE should not be compared with physical therapy or occupational therapy, which are related services. "Related services means transportation and such developmental, corrective, and other supportive services as are required to assist a child with a disability to benefit from special education..."<sup>7</sup>

Schools and parents of a child with disabilities should review each grade's physical education curriculum to determine if and where adaptations are needed. For example, a child may be able to participate fully in swimming but cannot dance or run track due to a physical disability. In that type of situation, the IEP or Section 504 team will determine what accommodations or specialized instruction ensures appropriate student participation. Some students may have both regular physical education and DAPE.

Because the laws provide physical education programs for *all* children, parents of children with disabilities will want to make sure their children have access to the benefits that physical education brings.

<sup>5</sup> Minnesota Rule 3425.1352, <https://www.revisor.leg.state.mn.us/rules?id=3525.1352>

<sup>6</sup> Federal regulation 300.39, <http://idea-b.ed.gov/explore/view/p,,root,regs,.html>

<sup>7</sup> Federal regulation 300.34, <http://idea-b.ed.gov/explore/view/p,,root,regs,.html>