

ARTICLE XI INCLUSION POLICY FOR SWIMMERS WITH A DISABILITY

- 1) The Lakers Aquatic Club supports the inclusion of individuals with disabilities in all of its programs and activities. It operates in compliance with USA Swimming Rules and Regulations and Title III of the Americans with Disabilities Act of 1990 (ADA). A disability under the ADA is defined as a physical or mental impairment that substantially limits an individual in one or more major life activities, a record of such an impairment, or being regarded as having such an impairment.
 - a. Lakers Aquatic Club welcomes all qualified swimmers with disabilities to be a member of Lakers Aquatic Club, including the participation in all Michigan Swimming sanctioned meets of their choosing.
 - b. Lakers Aquatic Club follows Michigan Swimming (www.miswim.org), our local LSC, and Michigan Swimming's "Inclusion of swimmers with a disability" policy. (available online at: <http://www.teamunify.com/milsc/UserFiles/File/Inclusion%20of%20swimmers%20with%20a%20disability.pdf>)
- 2) The Lakers Aquatic Club will follow USA Swimming recommendations for including swimmers with disabilities in the full and equal enjoyment of its goods, services, facilities, privileges, advantages, or accommodations, and will make reasonable modifications to its policies, practices and procedures where necessary to meet the needs of its athletes with disabilities.
- 3) The Lakers Aquatic Club will include qualified and interested swimmers with disabilities in Michigan Swimming sanctioned meets.
 - a. The coach will notify the meet director and follow established protocol to convey necessary information as it relates to implementation of the needed modification in a confidential manner.
- 4) Reasonable Modifications:
 - a. Reasonable modifications during practices shall be provided according to the swimmer's established reasonable modification plan and may include, but are not limited to:
 - i. Allowing others to assist the swimmer with a disability as needed for tasks associated with personal care and/or participation in the practice session.
 - ii. Allowing the swimmer with a disability to participate in practices based on the swimmer's physical or cognitive ability rather than chronological age.
 - iii. Individuals with disabilities shall be expected to meet the same expectations of swimmers without a disability in their respective group with regard to effort, attendance, and other aspects of work ethic, with allowances for reasonable modifications where needed.
 - iv. The same principles of training/conditioning, biomechanics, and sport psychology shall apply to the swimmers with a disability as are applied to swimmers without disabilities, with allowances for reasonable modifications where needed.

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5) Requesting and Providing Reasonable Modifications

- a. Parents or guardians of swimmers with a disability that will require a reasonable modification in order to participate must provide the team coaches and the accommodation committee of the board of directors, at the time the reasonable modification is requested, with the following information:
 - i. Identify the nature of the swimmer's disability, including identification of specific limitations that may impact the individual's ability to participate in any aspect of the swimming program or require a reasonable modification. Include information regarding modifications that may have been utilized previously to address said limitations.
 - ii. Identify issues that may require review and consideration due to the potential for being a direct threat to the health and safety of others in the program.
- b. Within seven business days the coaches and an accommodation committee of the board of directors in consultation with the swimmer and parent(s) will identify modifications that may be needed and options for providing them, including determination of whether or not they are reasonable. Based on the outcome of this determination a written reasonable modification plan will be developed and implemented.
- c. The Club is not responsible for the provision of personal care services or personal equipment needed by the swimmer to participate, but will work with the swimmer to eliminate any barriers to their use of personal care services and/or personal equipment in terms of modifying necessary policies and procedures.
- d. The Club is responsible for the costs associated with modifying a policy or procedure, removing any physical barriers to the facility, or the provision of an auxiliary aid or service associated with ensuring communication access.
- e. The determination of whether or not the needed modifications are reasonable will be determined on a case by case basis.
- f. In the case of the denial of a modification request, the individual and their parent may submit an appeal of the decision to the Full Board within 7 business days. The Full Board will review and respond to the appeal within 5 business days.
- g. If no mutual agreement can be made about the reasonable modification plan, then Lakers Aquatic Club coaches and/or board of directors will work with the individual to identify options that may be available elsewhere in the community.

6) Information regarding the nature of the swimmer's disability and associated

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modifications, including all written documentation and communications, will be kept confidential, unless written permission is granted by the swimmer and parent/ guardian to disclose the information to other parties. The written permission shall stipulate the exact nature of the information to be disclosed and with whom. The swimmer with a disability, or their parent or guardian, may revoke the permission(s) at any time.

- 7) The Lakers Aquatic Club will not retaliate against or coerce any individual who is participating in the Club's services, programs or activities, and who is trying to exercise his or her rights under title III of the Americans with Disabilities Act (ADA).

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