

Special Needs Children

FYSA has provided children with special needs programs that will help them excel. The Department of Justice has provided some guidance on this issue.

“ADA guidelines, from <http://www.usdoj.gov/crt/ada/taman3.html#III-1.0000>

III-2.1000 General. *Title III of the ADA prohibits discrimination against any "individual with a disability." People commonly refer to disabilities or disabling conditions in a broad sense. For example, poverty or lack of education may impose real limitations on an individual's opportunities. Likewise, being only five feet in height may prove to be an insurmountable barrier to an individual whose ambition is to play professional basketball. Although one might loosely characterize these conditions as "disabilities" in relation to the aspirations of the particular individual, the disabilities reached by title III are limited to those that meet the ADA's legal definition -- those that place substantial limitations on an individual's major life activities.*

Title III protects three categories of individuals with disabilities:

- 1) Individuals who have a physical or mental impairment that substantially limits one or more major life activities;*
- 2) Individuals who have a record of a physical or mental impairment that substantially limited one or more of the individual's major life activities; and*
- 3) Individuals who are regarded as having such an impairment, whether they have the impairment or not.*

III-2.2000 Physical or mental impairments. *The first category of persons covered by the definition of an individual with a disability is restricted to those with "physical or mental impairments." Physical impairments include --*

- 1) Physiological disorders or conditions;*
- 2) Cosmetic disfigurement; or*
- 3) Anatomical loss*

affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs (which would include speech organs that are not respiratory such as vocal cords, soft palate, tongue, etc.); respiratory, including speech organs; cardiovascular; reproductive; digestive; genitourinary; hemic and lymphatic; skin; and endocrine.

Specific examples of physical impairments include orthopedic, visual, speech, and hearing impairments, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis,

cancer, heart disease, diabetes, HIV disease (symptomatic or asymptomatic), tuberculosis, drug addiction, and alcoholism.

Mental impairments include mental or psychological disorders, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

Simple physical characteristics such as the color of one's eyes, hair, or skin; baldness; left-handedness; or age do not constitute physical impairments. Similarly, disadvantages attributable to environmental, cultural, or economic factors are not the type of impairments covered by title III. Moreover, the definition does not include common personality traits such as poor judgment or a quick temper, where these are not symptoms of a mental or psychological disorder.”

TOP Soccer (The Outreach Program for Soccer) is a community-based training and team placement program for young athletes with disabilities, organized by youth soccer association volunteers. The program is designed to bring the opportunity of learning and playing soccer to any boy or girl, age 5 and up, who has a mental or physical disability. Our goal is to enable the thousands of young athletes with disabilities to become valued and successful members of Florida Youth Soccer and the US Youth Soccer family. FYSA charges no registration fees for players participating in affiliated TOPS programs.

Playing down (playing in a younger age group) is a possibility for those children meeting all the ADA requirements, and when local programs are able to make the appropriate accommodations. For in-house programs only the individual affiliate must grant approval, and will then notify all the parents of the other participants that there is a older child, with a disability, playing in a younger age group.

For inter-club competitions, there are additional requirements.

The league that desires to allow a player to play in a younger age group must determine that the player is disabled as described in the ADA guidelines above, and the league must also make the necessary modifications to their league program that ensures that all other participants have given the required permission.

No affiliate or parent is required to grant permission for a child to play against an older child, once permission has been denied, there is no appeal.

FYSA will only review applications that come directly from affiliated leagues. Leagues must submit to the FYSA a written request detailing:

- 1) Is there a recognizable disability?
- 2) What is the proof that playing down constitutes a reasonable accommodation for this disability?
- 3) How would playing down enable participation?
- 4) Is there no other alternative other than playing down?

- 5) Would not allowing playing down result in the player not being able to participate?

Also included must be written permission from the agent of record of all clubs the child will play against indicating that all parents against whom the player will compete are aware of the older child on the field, the petition from the registering affiliate to the league, and the league's approval. Once that is received by the office, the player must be evaluated by the FYSA DOC or his designee at the registering affiliates' expense, and then it will be reviewed by the FYSA registration committee. FYSA will review the documentation, verify the request with our medical authorities, and make a final determination if the player's condition falls under the ADA guidelines, and if the league has met all the conditions. The decision of the FYSA registration committee is final and binding on all parties.

The FYSA rule for Special Needs children is below.

203.6 Players with Special Needs

In order for a "special needs player" to participate outside of his/her normal age grouping the following requirements must be met prior to any participation.

- A. No player shall be allowed to "play down" (play below the player's age group) except as outlined below.
 - 1. Participation in a designated TOPSoccer Program, Challenge Program or other programs of this nature
 - 2. Players with Downs Syndrome must submit a letter from a Doctor for Negative x-ray for Atlanto-Axial with first time registration. If a player is under the age of 13, they must have a second x-ray when they reach the age of 13.

- B. Players qualified under the ADA and meet all the requirements for consideration and possible accommodations under the ADA may be permitted to play down from their normal age group provided they comply with the requirements below.
 - 1. For participation ONLY in an intra-club (within the same club) program approval can be granted by the Affiliate's board of directors. Requests must be submitted to the Affiliate's board of directors in writing by the legal parent or guardian of the player.
 - a. No permission shall be granted for "playing down" more than one (1) age grouping.
 - b. Affiliate granting permission shall notify all parties against whom the player will compete that they may be matched against an older player and given the option to participate or not.
 - 2. Participation in any inter-club (between more than one club) program and/or tournament shall require all of the following stipulations to be met:
 - a. No permission shall be granted for "playing down" more than one (1) age grouping.

- b. The registering affiliate must present to the inter-club entity (league or tournament) documentation regarding the player's disability. This shall include, but not be limited to:
 - 1. the recognizable disability, and evidence of qualification under the ADA , and
 - 2. evidence that playing down constitutes a reasonable accommodation for this disability, and
 - 3. evidence that no other alternative other than playing down is available, and
 - 4. evidence that playing down would not result in any danger to other players, and
 - 5. written permission as granted by the registering affiliate's BOD and signed by the AOR for the affiliate.
- c. The inter-club entity shall review the documentation and, should the entity determine that it can modify its program, then the entity shall notify the agent of record of all teams that the player will play against and shall forward all the documentation to the FYSA office for final review.
 - a. A written evaluation by FYSA's Director of Coaching, or his designee (State Staff Coach) as to the player ability and necessity to play below the player normal age group will be made. Cost of evaluation (if any) will be billed to registering affiliate.
- d. The FYSA Registration Committee will review all the submitted documentation and issue a final decision if the player has met all of the requirements of the ADA and falls under its guidelines. If permission is granted then the team code shall reflect the age of the oldest player. This is will serve as notification as to the fact that an older player is participating in the event.
- e. It shall be incumbent upon the league or event to determine eligibility of the team to participate and the league/event must publish the age of the team in its schedule.
- e. This permission must be received annually for leagues, and for each tournament.