

**SB0857/994338/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 857  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute “Physical Education and Athletic Programs for Students With Disabilities – Funding”; strike beginning with “establishing” in line 3 down through “Programs” in line 11 and substitute “requiring the State Board of Education and certain county boards of education to ensure that certain types of physical education and athletic programs are funded in a certain manner; and generally relating to the funding of certain physical education and athletic programs”.

On page 2, after line 10, insert:

“BY repealing and reenacting, with amendments,

Article - Education

Section 7-4B-02

Annotated Code of Maryland

(2008 Replacement Volume and 2013 Supplement)”.

AMENDMENT NO. 2

On page 2, in line 12, after “That” insert “the Laws of Maryland read as follows”; and after line 12, insert “Article - Education”.

On pages 2 and 3, strike in their entirety the lines beginning with line 13 on page 2 through line 18 on page 3 and substitute:

“7-4B-02.

(Over)

(a) Subject to subsection (b) of this section, the State Board and each county board shall:

(1) Ensure that students with disabilities have an equal opportunity to:

(i) Participate in mainstream physical education programs; and

(ii) Try out for and, if selected, participate in mainstream athletic programs;

(2) Ensure the provision of reasonable accommodations necessary to provide students with disabilities equal opportunity to participate, to the fullest extent possible, in mainstream physical education and mainstream athletic programs; and

(3) Ensure that adapted, allied, or unified physical education and athletic programs are available **AND ADEQUATELY FUNDED BY THE COUNTY BOARD.**

(b) An exception to the requirements under subsection (a) of this section may be made when the inclusion of a student:

(1) Presents an objective safety risk to the student or to others, based on an individualized assessment of the student; or

(2) Fundamentally alters the nature of the school's mainstream physical education or mainstream athletic program.

(c) The provision of adapted, allied, or unified programs for students with disabilities does not mitigate the duty of a county board to provide an individual student with a disability an equal opportunity to be fully included in mainstream physical education and mainstream athletic programs.”.

On page 3, strike beginning with “It” in line 20 down through “effect.” in line 22.