



June 24, 2015

MADIGAN ANNOUNCES SETTLEMENT WITH IHSA

Settlement Ensures Equal Opportunity for Student Athletes with Disabilities at State Meets

Chicago — Attorney General Lisa Madigan today announced a settlement with the Illinois High School Association (IHSA) to ensure student athletes with disabilities have full and equal opportunities to compete and earn points for their teams at state meets held by the IHSA.

Under the settlement, student athletes with disabilities can now compete and earn points toward a team state championship in swimming and diving and track and field. The settlement resolves a 2012 lawsuit brought by Madigan, Equip for Equality and Mary Kate Callahan, a former high school student athlete at Fenwick High School in west suburban Oak Park, Ill.

"This settlement is an important step forward in our continued efforts to ensure people with disabilities have equal access and opportunity in all areas of life," Madigan said. "I am hopeful that this agreement will inspire more student athletes with disabilities to join their schools' sports program and that the IHSA will continue to add more opportunities for these students as they proceed with implementing the terms of the settlement."

The agreement seeks to foster increased participation of all student athletes with disabilities in sports in Illinois. IHSA will promote and educate its member schools, staff and students about its new accommodations policy by adding a new accommodations page to its website where student athletes with disabilities can access information on how to request an accommodation for any sport. The IHSA will also provide member schools with information about opportunities for students with disabilities that schools can post to the school website and at the school.

The IHSA must maintain all results and records for student athletes with disabilities in the same manner that it maintains records for all sports and activities. The settlement also requires the IHSA to create an annual road race event open to all Illinois high school students that recognizes the top five finishers in each gender in both the wheelchair division and open division.

In addition, the IHSA must adopt a revised accommodations policy for student athletes with disabilities and provide a trained Americans with Disabilities Act (ADA) coordinator to assist with requests for accommodations. The ADA Coordinator can also work with IHSA member schools to develop ways to allow student athletes with disabilities to earn team points in swimming and diving, track and field, and bowling during the regular season.

The settlement also establishes ongoing monitoring by Madigan's office to oversee IHSA's responses to requests for accommodations from students with disabilities for any sport or activity. IHSA administrative staff and board members must complete training in ADA compliance, and coaches and officials will be trained in the IHSA's new accommodations policy during their annual required rules presentations.

Equip for Equality, a legal advocacy organization for people with disabilities in Illinois, represented Callahan in the lawsuit after IHSA failed to address her requests for an accommodation to compete with her swim and track teams at the state level. Callahan previously settled with the IHSA.

"I'm so grateful for everything Equip for Equality and the Illinois Attorney General did for high school athletes with disabilities," Callahan said. "I'm happy other athletes will gain the experience and great memories of competing for their school and with their teammates. My hope is that opportunities will continue to increase for athletes like myself here in Illinois."

"Equip for Equality applauds the Attorney General's Office for reaching this agreement which significantly expands opportunities for all high school student athletes with disabilities in Illinois," said Equip for Equality Senior Attorney Amy F. Peterson, one of the attorneys who represented Callahan.

Madigan's lawsuit charged the IHSA with violating the Americans with Disabilities Act and Section 504 of the federal Rehabilitation Act, both of which require that no person be excluded from equal participation in any program or activity of a public entity because of their disability. The laws also prohibit discrimination based on a person's disability.

The Attorney General's Disabilities Rights Bureau enforces state and federal laws that protect the rights of people with disabilities. Madigan's Bureau works to ensure compliance with the ADA and other laws that mandate access and opportunity for people with disabilities. Disability discrimination complaints can be filed by contacting the Bureau at (312) 814-5684 or (217) 524-2660.

Division Chief Cara Hendrickson, Deputy Division Chief David Buysse, and Assistant Attorneys General Sarah Smith and Judith Levitan were among the attorneys who handled the case for Madigan's office.

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