



OHIO HIGH SCHOOL ATHLETIC ASSOCIATION

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March 8, 2013

TO: OHSAA Member School Principals, Athletic Administrators and Registered Track and Field Officials

FR: Dan Ross, OHSAA Commissioner, and Dale Gabor, OHSAA Track and Field Administrator

RE: Guidance for Track and Field Contests with Foot Racers and Wheelers

Dear Friends:

As all of you know, last June the Board of Directors of the Ohio High School Athletic Association approved the addition of four wheelchair events to the State Track and Field Tournament. This approval came after nearly three full years of research and development by some very dedicated and knowledgeable persons associated with not only high school track and field, but also those who specialize in the specific events involving Paralympic athletes. The OHSAA remains very proud of the addition of these events to the state tournament schedule of events since, for the first time in Ohio's history, "wheelers" will be able to compete in this tournament. What a thrill it will be for these youngsters to not only represent their schools, but also to compete in the Jesse Owens Stadium of all places.

With the addition of these events to the slate of events at the state tournament, the questions have come up about what are coaches, meet managers and track officials to do if and when a "wheeler" is a member of a team competing at a regular season event? These questions fall into two general categories: when should the wheelers race, and how are the wheelers to be scored? The purpose of this memo is to provide some guidance to you if and when you are confronted with these questions.

1. When do the wheelers race? With respect to this question, there seems to be unanimity amongst the legal experts that if there are two or more wheelers at the same event, the wheelers are to race against other wheelers in their respective events. If, however, there is only one wheeler at a given meet/event, there is a difference of opinion as to what is required under the law - Section 540 of the Rehabilitation Act of 1973 ("504 Rehab Act"), Title II of the Americans with Disabilities Act ("ADA") - about when this wheeler must be permitted to race his/her racer chair.

The OHSAA has stood by its position that wheelchair racing and foot racing are fundamentally different sports - a fundamental alteration of the sport of foot racing - and that as such, these events should be run as separate events and separate heats. Please know, however, that the U.S. Department of Education, Office for Civil Rights ("OCR") does not see these races as fundamentally different and would insist that, unless one has proof that the chair poses a safety risk to the competitors, the wheelers should be permitted to compete against runners if there are no other wheelers for the wheeler to compete against. The issue of competitive advantage is not a factor with the OCR because, in the view of the OCR, wheelers are not competing against runners but merely racing at the same time as runners.

To further assist you in processing this particular question as to when the wheeler (singular) races, here are some important facts to keep in mind: 1.) there is **nothing** in the NFHS Track and Field Rule Book or the OHSAA Track and Field Sport Regulations that **prohibits** wheelers from racing at the same time as runners; 2.) statistically, runners will race faster than wheelers in shorter distances but as the distances increase, the wheelers will outrace the runners; 3.) that with respect to safety issues, races run in lanes lend themselves to being safer conditions in which to race than

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races where lane assignments are eliminated after a certain distance; 4.) the number of lanes to a track and the width of the lanes on the track may also affect your safety analysis about runners and wheelers racing at the same time, and 5.) the experience and skill level of the wheeler may also affect your safety analysis. Also keep in mind, the race chair does not have a braking mechanism so that even in the 100-meter race, ample distance must be allowed for the slowing/stopping of the chair.

2. How should I score the “wheelers” results? Again, when there are two or more wheelers in the event, the wheeler's results should be scored just as with any other event competed during that meet. However, if there is only one wheeler entered in any particular event, the OCR has suggested that scoring be handled “consistent with OHSAA and NFHSA rules and their decisions regarding other solo competitor events involving athletes without mobility-related disabilities, such as pole vaulting.” However, as with pole vaulting, the pre-meet agreement provided for under NFHS rules is that the schools will not compete in events in which there is a solo competitor, thus, if OCR's recommendation were to be followed and schools were to agree in a non-discriminatory manner as they have in the past with pole vaulting, the wheelchair events would not be competed at all. The OHSAA believes this to be counter-productive to the objectives behind the addition of the four wheelchair events and therefore would suggest that, in lieu of agreeing to not compete these events, the schools simply agree not to score these solo competitor events in the team totals for those meets in which there is only one wheeler competing.

Thank you for your attention to this matter. Please refer to the OHSAA website for further guidance on these wheelchair events and the regulations that relate to them. Chair specifications, equipment and safety gear for the wheelers, and the events themselves, are all set forth in these guidance. The OHSAA is excited about the expanded opportunities that are opened up as a result of the addition of these wheelchair events and the opportunities for similarly situated individuals to compete in the great sport of track and field.