

Section 504 of the Rehabilitation Act: Fact Sheet

Section 504 is...

A federal civil rights law passed in 1973. It bans disability discrimination in all programs that get federal funding, including public schools, charter schools, and colleges.

Section 504 protects people who...

Have a physical or mental condition that substantially limits a major life activity, such as learning, seeing, walking, communicating or concentrating.

The law is very broad..

- It protects children who qualify for special education services.
- It also protects children who are not eligible for special education.

Section 504 requires public schools to...

Provide students with disabilities with a free appropriate public education (FAPE). FAPE includes the regular and/or special education services, aids, supports and accommodations required to meet the needs of each student with a disability.

504 Plans

a written plan that describes the disability-related needs of an individual student and how those needs will be met. 504 plans may include accommodations, assistive technology, and other school services.

Accommodations,
like extra time, special materials, changes to the environment or school rules

Assistive technology,
like audiobooks, headphones, electronic devices, magnifiers

School services,
like nursing services, physical or occupational therapy, or adult assistance

Section 504 gives parents rights, too...

Parents have the right to be notified of decisions regarding eligibility or the content of their child's 504 plan. They also have a right to appeal decisions through an impartial hearing and/or file a complaint with the Office for Civil Rights at the U.S Department of Education.

Adapted from www.understood.org

504 Eligibility

Have more questions? Need more Information? Call or e-mail us for 1:1 assistance.
email: ecac@ecacmail.org phone: 704-892-1321

How is disability defined?

Under Section 504, an individual with a disability is defined as a person who: (1) has a physical or mental impairment that substantially limits a major life activity; (2) has a record of such an impairment; or (3) is regarded as having such an impairment.

NOTE:

The determination of whether a student has a physical or mental impairment that substantially limits a major life activity (and therefore has a disability) must be made on a case by case basis. In addition, when determining if someone meets the definition of a disability, the definition must be understood to provide broad coverage of individuals.

Physical or Mental Impairment means...

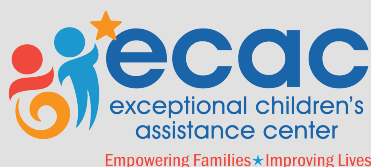
- physiological disorder or condition,
- cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems:
neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genito-urinary; hemic and lymphatic; skin; and endocrine.
- Any mental or psychological disorder.
- The definition does not include all specific diseases and conditions that may be physical or mental impairments because of the difficulty of ensuring the completeness of such a list.

What are major life activities?

Examples include: caring for oneself, bending, performing manual tasks, speaking, seeing, breathing, hearing, learning, eating, reading, sleeping, concentrating, walking

Major bodily functions are also major life activities under the law, and these major bodily functions include functions of the bowel, bladder, and brain; normal cell growth; and the immune, endocrine, respiratory, reproductive, circulatory, digestive, and neurological systems.

These lists, however, do not provide every possible major life activity or bodily function; therefore, if an activity or bodily function is not listed in the Amendments Act, it might still be considered a major life activity under Section 504.



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