

Section 504

Elementary

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Middle School and High School

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Section 504 Information

Section 504 is a civil rights law that prohibits discrimination against individuals with disabilities. Section 504 ensures that a child with a disability has equal access to an education.

Section 504 of the Rehabilitation Act of 1973

"No otherwise qualified individual with disabilities in the United States shall, solely by reason of her or his disability, as defined in section 706(8) of this title be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program, or activity receiving Federal financial assistance or under any program or activity conducted by any Executive agency or by the United States Postal Service." (29 U.S.C. Sec.794)

Americans with Disabilities Act (ADA)

The purpose of the Americans with Disabilities Act is to make sure that people with disabilities have the same rights and opportunities as everyone else.

Americans with Disabilities Act Amendments Act (ADAAA)

The ADAAA made a number of significant changes to the definition of "disability" under the Americans with Disabilities Act.

Determination of Eligibility

To determine eligibility under Section 504, the committee of knowledgeable persons must consider all the following questions:

1. Does the learner have a physical or mental impairment?
2. Does the physical or mental impairment affect one or more major life activities including major bodily functions?

3. Does the physical or mental impairment substantially limit a major life activity? It is important to specifically identify what the substantial limitations are and how they impact learner performance and progress.
4. Does the learner require Section 504 services in order for his/her educational needs to be met as adequately as those of non-disabled peers?

Section 504 does not require a public school to provide students with disabilities with potential-maximizing education, only reasonable accommodations that give those students the same access to the benefits of public education as all other students.” (J.D. v. Pawlet School District, 224 F.3d. 60, 33 IDELR 34 (2nd Cir. 2000

Resources

- [Child Find Notice](#)
- Department of Education Office for Civil Rights
 - [Protecting Students with Disabilities](#): FAQs about Section 504 and the Education of Children with Disabilities
 - [Questions and Answers on the ADA Amendments Act of 2008 for Students with Disabilities Attending Public Elementary and Secondary Schools](#)
- [OCR Technical Assistance Documents](#) – Disability Discrimination Resources
- PACER Center – [Student’s with Disabilities & Section 504 of the Rehabilitation Act of 1973](#) (pdf)
- [A Parent’s Guide to Section 504](#) by GreatSchools.org
- [Comparison of IDEA, Section 504, and Americans with Disabilities Act](#) (pdf)
- Understood - [The Difference Between IEPs and 504 Plans](#)
- Dept. of Education, Office for Civil Rights – [Students with Disabilities Preparing for Postsecondary Education: Know Your Rights and Responsibilities](#)

Equal Education Opportunity

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