

SECTION 504 OF THE REHABILITATION ACT OF 1973 IS A FEDERAL CIVIL RIGHTS LAW THAT:

- protects the rights not only of individuals with visible disabilities but also those with disabilities that may not be apparent.
- prohibits discrimination/harassment against individuals with mental or physical disabilities in programs and activities that receive Federal financial assistance.
- requires that students with disabilities be provided a free appropriate public education.

WHAT IS DISABILITY-BASED DISCRIMINATION/HARASSMENT?

Disability-based discrimination/harassment is intimidation or abusive behavior toward a student based on disability that interferes with or denies a student participation in or receipt of benefits, services, or opportunities in District programs and activities.

HOW DOES SECTION 504 APPLY TO STUDENTS WITH DISABILITIES?

Under Section 504, a plan may be developed to assist those students with disabilities who do not qualify for special education services but who may need accommodations that can be provided to them within the general education program.

HOW DOES SECTION 504 DEFINE “DISABILITY?”

A student is considered to have a disability if the student has a physical or mental impairment that substantially limits one or more major life activities.

WHAT IS A “SUBSTANTIAL LIMITATION?”

A student is considered to have a substantial limitation when the student is “unable to perform a major life activity that the average student in the general population can perform.” The impairment must be somewhat unique when compared to the average student of approximately the same age.

WHAT ARE “MAJOR LIFE ACTIVITIES?”

Major life activities may include, but are not limited to, functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, working, eating, sleeping, standing, lifting, bending, reading, concentrating, thinking, and communicating.



HOW IS A STUDENT EVALUATED UNDER SECTION 504?

A school team will conduct a Section 504 Evaluation for a student who, because of a disability, may need accommodations in the general education program. The team will:

1. be knowledgeable about the student;
2. evaluate the nature of the student's disability and the impact of the disability upon the student's education;
3. consider all available relevant information about the student drawn from a variety of sources; and
4. develop a Section 504 Plan if the student meets the criteria and accommodations are needed.

SOME EXAMPLES OF ASSISTANCE THAT CAN BE PROVIDED IN A SECTION 504 PLAN ARE:

- Changing the way assignments/tests are given
- Seating the student in the front of the class
- Developing a behavior support plan
- Using additional study aids
- Addressing path of travel/barrier removal
- Implementing health protocols