

504 Definition of Terms

Determining the “Substantially Limits” Requirement

School personnel, after reviewing relevant student information, must use their collective professional judgment in determining if impairment substantially limits one or more of a student’s major life activities.

Keep in mind when a student is substantially limited by impairment, the student is:

1. Unable to perform a major life activity that the average person in the general school population can perform, or
2. The student is significantly restricted as to the condition, manner, or duration under which he/she can perform a particular life activity as compared to the condition, manner, or duration under which the average person in the general school population can perform that same major life activity.

The following three factors and related questions should be used by staff when determining if the “substantially limits” requirement is met.

Nature and severity of impairment

- *Is the impairment mild or severe?*
- *Does the impairment result in the student not achieving near expected levels?*
- *Does the impairment impact on a major life activity? If so, how?*
- *Can the impact of the impairment be mitigated through the use of medication or other means?*

Duration or expected duration of the impairment

- *Will the impairment be of such short duration as to not cause significant problems?*
- *Will the impairment cease impacting on the child without any intervention?*

Permanent or long term impact resulting from the impairment

- *Will the impairment be short or long in duration?*
- *What evidence is demonstrated by the student that limitations resulting from the impairment impact activities that are centrally important to his/her live experience.*
- *If the impact will be long term, will the impact negatively affect the child’s status academically, socially, emotionally, behaviorally?*

Examples of Major Life Activities

Include but are not limited to – caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working.

The term also includes the operation of a major bodily function, including but not limited to – functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.