



WHAT IS SECTION 504?

Section 504 of the Rehabilitation Act of 1973, and the subsequent American with Disabilities Amendments Act of 2008, is intended to prevent intentional or unintentional discrimination against persons with disabilities.

In essence, Section 504 was enacted to “level the playing field” to eliminate barriers for individuals with disabilities from receiving full participation in the programs or activities of a school.

Because public schools receive federal financial assistance, it prohibits them from discriminating against otherwise qualified individuals on the sole basis of a disability.

Under Section 504 a student is a “qualified individual with a disability” if he or she has a physical or mental impairment that noticeably restricts a major life activity. A student would also receive the protections of Section 504 under certain circumstances in which a school district treated the student as if he or she had a disability and denied or limited the student’s access to its programs for that reason.

The phrase “physical or mental impairment” refers to a wide variety of mental and physical disorders and conditions. The term “major life activity” is also very broad and includes functions such as caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, thinking, working, eating, sleeping, concentrating, and communicating. It also includes major bodily functions such as the immune system, endocrine system, and normal cell growth. In order to meet Section 504 eligibility criteria, a person’s impairment must limit a major life activity substantially.