

Section 504 Resource Guide

Understanding Section 504

What is Section 504?

Overview of Section 504 of The Rehabilitation Act of 1973:

Congress prohibited discrimination against persons with disabilities in the Rehabilitation Act of 1973, in a segment most often referred to simply as "Section 504." This was a broadly worded prohibition that covers both children and adults, and it applies to programs that receive any federal financial assistance. The principles in this section were later expanded and served as the basis for the 1990 Americans with Disabilities Act (ADA).

Section 504 prohibits discrimination against individuals whose physical or mental impairment substantially limits one or more major life activities, including, but not limited to:

- Caring for one's self
- Performing manual tasks
- Walking
- Seeing
- Hearing
- Speaking
- Breathing
- Working
- Learning
- Reading

Concentrating

- Thinking
- Communicating

In the Section 504 legislation, the act defines a person with a disability as anyone who:

1. Has a mental or physical impairment which substantially limits one or more major life activities
2. Has a record of such impairment; or
3. Is regarded as having such an impairment.

Forest Hills Public Schools has the specific responsibilities under the Act, which include the responsibility to identify, evaluate, and if the child has a current disability and is termed to be eligible under Section 504, to afford access to appropriate educational programs.

What are some examples of the impairments which may entitle someone to Section 504 protection?

- Medical conditions such as chronic asthma, diabetes, heart disease, or seizure disorder;
- Physical disabilities and Orthopedic Impairments.
- Students with temporary disabilities;
- Learning related impairments and ADHD.

It is important to remember that presence of one of these conditions in itself does not qualify an individual for Section 504 protection. The impairment must also cause a **substantial limitation** of a major life activity.

What are "substantial limitations"?

This term is not defined in the act or the regulations and is left to each agency to define. However, the Americans with Disabilities Act suggested that the term **"substantially limits' be interpreted to mean that the student "is unable to perform a major life activity that the average student of approximately the same age can perform, or that the student is significantly restricted as to the condition, manner or duration under which a particular major life activity is performed as compared to the average student of approximately the same age."**

What is a "reasonable Accommodation"?

Reasonable accommodation in the school setting is an accommodation or adjustment of educational programs to provide students with disabilities equal opportunity to access the programs. Reasonable accommodations must be made for persons with disabilities unless the schools can show that the requested accommodations would impose undue hardship.

What should you do if you have questions or concerns about your child's academic success?

Communicate with your child's teacher, counselor, or administrator to establish a meeting to determine problem solving strategies.

Study with your child at home; pay attention to specific strengths, weaknesses, how much time is spent on homework, etc.

Utilize resources like Powerschool to monitor your student's grades and assignments.

Who could I contact for additional information about Section 504?

Contact the 504 Coordinator at your student's school.

Additional Things a Parent Should Know about Section 504:

In some ways, Section 504 is similar to IDEA (Individuals with Disabilities Act), in that it involves parent's rights, evaluation, an individualized plan, follow-up, and reevaluation. However, there are very important differences: Section 504 is a civil rights law that ensures accommodations for equal access to services, such as instruction that disabled students receive in the regular classroom; IDEA is an educational law whereas specialized instruction and related services are required to make educational gain delivered by specially trained teachers. Section 504 and IDEA differ both in goals and extent.