

Understanding Section 504

Section 504 of the Rehabilitation Act of 1973 (commonly referred to as **Section 504**) is a federal law designed to protect the rights of individuals with disabilities in programs and activities that receive federal financial assistance. These programs include public school districts, institutions of higher education, and other state and local education agencies. To qualify for protection under Section 504, a student must have a disability and that disability must limit one or more major life functions. These functions include such things as caring for one's self, performing manual tasks, walking, seeing, speaking, breathing, learning, working, eating, lifting, bending, reading, concentrating, thinking, communicating, and more.

Ten Things to Know About Section 504

1. Section 504 protects the rights of individuals with all types of disabilities including those that may not be visibly apparent (i.e. learning disability).
2. Having an impairment or disability doesn't automatically make a student eligible for a Section 504 plan.
3. Section 504 requires school districts to eliminate barriers that would prevent the student from participating fully in the programs and services offered in the general curriculum.
4. All IDEA students are covered by Section 504 however, not all Section 504 students are eligible for services under IDEA.
5. Section 504 does not require a written IEP but does require a documented plan.
6. Section 504 requires all school districts to conduct an evaluation to determine if the student has a disability as defined under this law.
7. Each district has its own established standards and procedures for referral, initial evaluation, and periodic re-evaluations for students seeking protections under Section 504.
8. Section 504 = access.
9. IDEA = specially designed instruction, or special services, or programs.
10. Section 504 is enforced by the U. S. Department of Education's Office for Civil Rights.

Parents of children with disabilities are frequently more familiar with the Individuals with Disabilities Education Act (IDEA) however, it is equally important to understand **Section 504 of the Rehabilitation Act of 1973** and the key differences between Section 504 and IDEA. This law is meant to "level the playing field" or to otherwise eliminate barriers to allow students with disabilities access to the same activities and programs as their non-disabled peers. Although a student may currently be protected under IDEA, parents should still gain a better understanding of Section 504. Parents, if your child isn't eligible for special education services under IDEA, understanding this law, how it relates to your child's eligibility for services and protections under this act, is critical.

Must read:

Parent Advocacy Brief: Understanding the Americans with Disabilities Act Amendments Act and Section 504 of the Rehabilitation Act - Produced by the National Center for Learning Disabilities (www.NCLD.org)

Protecting Students with Disabilities – Frequently Asked Questions About Section 504 and the Education of Children with Disabilities - Produced by the U. S. Department of Education Office for Civil Rights (<http://www.ed.gov/print/about/offices/list/ocr/504faq.html>)