Section 504 of the Rehabilitation Act of 1973

**What is Section 504?**
Section 504 is a civil rights law that prohibits discrimination against individuals with disabilities. Section 504 ensures that a child with a disability has equal access to an education. A child may receive accommodations and modifications.

**How does Section 504 define “Disability?”**
A person is disabled within the definition of Section 504 if the following conditions are met:
- The child must have a mental or physical impairment that substantially limits one or more of a person’s major life activities.
  “Major life activities” include functions such as caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working. When a condition does not substantially limit a major life activity, the individual does not qualify under Section 504.
- The child’s disability must impact their education in order to qualify for educational accommodations.

This determination is made by a school team of individuals who are familiar with the child and the child’s parent.

**Eligibility**
If the school has reason to believe that, because of a disability as defined under Section 504, a student needs accommodations or services in order to participate in the school program, the school must evaluate the student. If it is determined that a student is disabled under Section 504, the school must develop and implement the delivery of all needed services and/or accommodations.

**What Does Making Accommodations Mean?**
Accommodations are adjustments made by the classroom teacher(s) and other school staff to help students benefit from their educational program. In some cases a plan should be developed outlining services and accommodations.

**Examples of Common Accommodations:**
- Modify assignments and tests.
- Provide an extra set of textbooks for home.
- Adjust student seating.
- Use study guides/organizing tools.
- Provide a peer tutor/helper.
- Provide school counseling.
- Have the student use an organizer – train in organizational skills.
- Provide preferential seating.
- Modify recess/PE/transportation.
- Use necessary health care procedures.
What are some of the differences between special education and Section 504?

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<td><strong>Disabilities</strong></td>
<td>All disabilities if eligible</td>
<td>13 federal disabilities</td>
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<td><strong>Parents</strong></td>
<td>Should be involved in all team meetings</td>
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<td><strong>Procedural Safeguards</strong></td>
<td>Notice to parents is required</td>
<td>Parent consent and notice required for initial evaluation and placement</td>
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<td><strong>Evaluation and Eligibility</strong></td>
<td>An evaluation is necessary before it can be determined if a child is eligible for Section 504 services.</td>
<td>An evaluation is necessary before it can be determined if a child is eligible for special education.</td>
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