

LEARN THE LAW

Section 504 of the Rehabilitation Act

Section 504 of the Rehabilitation Act of 1973 **prohibits discrimination on the basis of disability in any program or activity receiving Federal financial assistance or conducted by a Federal agency.**



Section 504 prohibits discrimination on the basis of disability.

Why It Matters

The Section 504 regulations require recipients of Federal funds—including state and local educational agencies—to provide students with disabilities a Free Appropriate Public Education (FAPE).

Section 504 ensures that students who have disabilities but do not qualify for services under the Individuals with Disabilities Education Act (IDEA) receive the educational supports and services they need. Schools typically do this by providing students with a 504 Plan.

Section 504 of the Rehabilitation Act

Deeper Dive

Section 504 and its regulations cover all preschool, elementary, secondary, postsecondary, and adult education programs receiving federal financial assistance.

Under the regulations:



Defining Disability

An *individual with a disability* is defined as a person who:

- 1) has a *physical or mental impairment* that substantially limits one or more *major life activities*;
- 2) has a record of such an impairment;
- 3) is regarded as having such an impairment.

This is a much broader definition than the definition in IDEA. **Learning, reading, thinking, and concentrating are all considered major life activities.**



Procedural Safeguards

Parents and guardians have certain rights, such as viewing records, giving them a chance to have a fair hearing, and having a process for reviewing decisions.



Evaluations for 504 Plan Eligibility

If a school receives federal funds (which includes all public schools), they must assess anyone with a disability or suspected disability. They also need to reevaluate periodically to ensure the student is still receiving appropriate support. The assessment must use reliable procedures to avoid mistakenly identifying children as having a disability.

The school typically develops a “504 Plan” that outlines the services, support, and adjustments the student will get, but **the 504 plan generally requires less overall involvement than an Individualized Education Program (IEP).**



Non-Academic Services and Activities

A school or organization that gets federal funds must also ensure equal access outside of academics. This includes things like counseling, sports, transportation, health services, after-school activities, and clubs.

Additional Resources

- [Text of Section 504](#)
- [US Department of Education Office for Civil Rights \(OCR\) Frequently Asked Questions about Section 504](#)