



Arc Guide to Section 504 of the Rehabilitation Act of 1973 (Education Provisions)

What is Section 504?

Section 504 outlines federal regulations requiring nondiscrimination on the basis of handicap in programs or activities receiving federal financial assistance. It:

- States that no qualified handicapped person* shall, on the basis of handicap, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity which receives Federal financial assistance.”
- Prohibits discriminatory actions that would “limit a qualified handicapped person in the enjoyment of any right, privilege, advantage, or opportunity enjoyed by others receiving aid, benefit or service.”

Who Is Protected Under Section 504?

Any person who has a physical or mental impairment which substantially limits one or more major life activities, has a record of such an impairment, or is regarded as having such an impairment is protected by Section 504.

- Major life activities include caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.
- Additional examples include eating, sleeping, standing, lifting, bending, reading, concentrating, thinking, communicating and other things related to major bodily functions.

Public Education Considerations of Section 504

Education provisions include identification and location of eligible unserved learners, evaluation, procedural safeguards and least restrictive environment (LRE).

- A free, appropriate public education (FAPE) must be provided to each qualified individual.
- Education must be designed to meet the needs of the person with a disability as adequately as that of persons without disabilities.
- Services must be provided to the maximum extent appropriate with persons who are not handicapped.
- The public school must evaluate persons who may need services. The evaluation is determined by a multidisciplinary committee. Tests must be validated for the purpose they are used and designed to assess specific areas of educational need. Information must be gathered from a variety of sources.
- Placement decisions must be made by a team (including the parents) and use a variety of information sources.

For further information or advocacy services, contact The Arc Greater Twin Cities at 952-920-0855 or visit www.arcgreatertwincities.org. Thank you!

This document is not legal advice, and should not be construed as such. Thus, no information herein should replace the sound advice of an attorney.



Arc Guide to Section 504 of the Rehabilitation Act of 1973 (Education Provisions)

- A 504 accommodations plan is developed by a team of people. The plan describes the student's needs. The plan also describes modifications and accommodations required so that the student receives an education comparable to students without a disability.
- Protections under Section 504 also apply to nonacademic and extracurricular services and activities.

General information on Section 504

- Typically, a person receiving services under Section 504 does not meet special education criteria under the Individuals with Disabilities Education Improvement Act (IDEIA).
- Section 504 is the responsibility of general education (not special education). Therefore, services are provided by the regular education staff.
- No state or federal funding is provided. All costs are the responsibility of the local school district.
- Each school district must have a 504 Coordinator to assist in carrying out the provisions of Section 504.
- Each school district must have a 504 Coordinator to assist in carrying out the provisions of Section 504.
 - Provides technical assistance to parents, advocates and school districts
 - Will examine alleged discrimination procedures related to students with disabilities
- Section 504 prohibits discrimination against students with a disability in post-secondary education programs.
- Having a medical diagnosis of a disability does not automatically mean a student is eligible under Section 504.
- Section 504 provisions may also apply to preschool programs, private education programs and adult education programs.
- "Appropriate" means an education comparable to the education provided to learners without disabilities.

For information on possible modifications, please read the "Arc Guide to IEP Modifications and Accommodations" as some of the ideas can be used in a 504 plan.

*While "Handicapped person" is no longer considered proper language, it is the language used in the legislation.

For further information or advocacy services, contact The Arc Greater Twin Cities at 952-920-0855 or visit www.arcgreatertwincities.org. Thank you!

This document is not legal advice, and should not be construed as such. Thus, no information herein should replace the sound advice of an attorney.



Arc Guide to Section 504 of the Rehabilitation Act of 1973 (Education Provisions)

Sample forms, notices, checklists and a compliance manual on Section 504 is available on the Minnesota Department of Education webpage. Google Minnesota Department of Education Section 504 to get the information.

Revised June 2016

For further information or advocacy services, contact The Arc Greater Twin Cities at 952-920-0855 or visit www.arcgreatertwincities.org. Thank you!

This document is not legal advice, and should not be construed as such. Thus, no information herein should replace the sound advice of an attorney.