

What is Section 504

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- A Civil Rights Law
- Prohibits discrimination against persons with disabilities by agencies receiving federal dollars
- Not an education law
- Enforced by the Office of Civil Rights

What programs have to comply with Section 504?

- All programs offered by school districts Pre-Kindergarten through 12th grade
- Athletics
- Before/after school programs
- Field trips or other activities
- Community Education

Who is eligible for protections of Section 504: A student with a physical or mental impairment that causes substantial limitation of a major life activity.

- **What is a physical or mental impairment?**

Any psychological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: Neurological, musculoskeletal, special sense organ, respiratory, including speech organs, cardiovascular, reproductive, digestive, genitor-urinary, hemic and lymphatic, skin and endocrine, any mental or psychological disorder (*such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities*).

- **What is a substantial limitation?**

- Should not demand extensive analysis.
- Limits the ability of the student to perform major life activity as compared to most people.

- **What are Major Life Activities?**

Caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working.

- The operation of a major bodily function such as:

Immune system (Severe Allergy)

Normal cell growth (Leukemia, other cancer)

Digestive (Cystic Fibrosis, Crohn's Disorder)

Bowel (Irritable Bowel Syndrome, IBS)

Bladder (Neurogenic Bladder)
Neurological (ADHD, Epilepsy)
Brain (Static Encephalopathy, Concussion)
Respiratory (Asthma, Cystic Fibrosis)
Circulatory (Hemophilia)
Endocrine (Diabetes)
Reproductive functions (Ovarian Cyst)

Any one of these, not all, or in combination, qualifies. Determination of substantial limitation must be made without regard to the ameliorative effects of mitigating measures.

○ **What are mitigating measures?**

Medication, medical supplies, equipment, appliance, low-vision devices, prosthetics including limbs and devices, hearing aids and cochlear implants, mobility devices, oxygen therapy.
Learned behavioral or adaptive neurological modification.

Reasonable accommodations or auxiliary aids or services.

- Accommodations and auxiliary aids include:
 - Qualified interpreters or other effective methods available to students with hearing impairments.
 - Qualifies readers, taped text, or other methods used with students with visual impairments.
 - Acquisition or modification of equipment or devices