

- SECTION 504

Section 504 of the Rehabilitation Act of 1973 is a civil rights statute aimed at preventing discrimination on the basis of disability. Included in the U.S. Department of Education regulations for Section 504 is the requirement that students with disabilities be provided a free appropriate public education (FAPE). These regulations require identification, evaluation, and provision of appropriate services and procedural safeguards.

Students may be disabled under Section 504 even though they do not require services as defined by the Individuals with Disabilities Education Act (IDEA). Section 504 protects all students enrolled in Florence School District Five, ages 3 through 21, that: have any physical or mental impairment that substantially limits one or more major life activities in comparison to the average student population, have a record of such an impairment, or are regarded as having such an impairment.

Under Section 504 and expanded by the American with Disabilities Act Amendments of 2008, a major life activity is defined as: bending; breathing; caring for one's self; communicating; concentrating; eating; hearing; learning; lifting; performing manual tasks; reading; seeing; speaking; sleeping; standing; thinking, walking, and working. Congress also provided a non-exhaustive list of examples of "major bodily functions" that are major life activities, such as the functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

The central question to Section 504 eligibility is whether or not the student is substantially limited by an impairment, such that the student is truly disabled and, therefore, in need of some accommodations within the general education environment to obtain equal access to educational programming and activities. A substantial limitation is the inability to perform one of the major life activities above when compared to how a student in the general population performs the same major life activity.

Students that qualify as disabled under Section 504 and not under IDEA require a special individualized plan called a "504 Accommodation Plan." Each school has a 504 Chairperson appointed by the district. For more information about the 504 process in Florence District Five, please contact Christine Hodges, 504 District Coordinator, at cshutter@fsd5.org, or 843-386-2358. You may also contact the 504 Plan Chairperson at your child's school.

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