

## Section 504 Eligibility

- Must document the presence of a current disability that substantially limits a major life activity *now*.
- Must compare to the average student in the general population...not self.

## Section 504 Accommodation Plans

Accommodation plans should include accommodations that are required to provide access to an education designed to meet the needs of the disabled as adequately as those of the nondisabled. Accommodations for standardized testing must be consistent with classroom accommodations.

## Section 504 Committee

The SECTION 504 COMMITTEE shall include two or more persons who have knowledge about the child, the meaning of the evaluation data, and accommodation options. Eligibility is based on a committee decision.

Additional information...

Ask to speak with the Section 504  
Coordinator at your child's school.

Visit  
[www.hcbe.net/student-svc.aspx](http://www.hcbe.net/student-svc.aspx)

# SECTION 504

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# Section 504 of the Rehabilitation Act

Section 504 of the Rehabilitation Act is a federal civil rights law that has been in effect since 1973. Congress prohibited discrimination against persons with disabilities in the Rehabilitation Act of 1973 in a segment most often referred to as Section 504.

Section 504 prohibits discrimination against individuals with a disability in any program receiving federal assistance. The Act defines a person with a disability as anyone 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.



**Section 504 plans are reviewed annually !**

## Substantial Limitations

The term substantial limitations is defined as meaning the following: The student must be unable to perform the major life activity that the average student of the same age can perform, or that the student is restricted as to the condition, manner, or duration under which the particular major life activity is performed as compared to the average student of approximately the same age. The actual presence of an identified impairment is not sufficient, in and of itself, to qualify a student for a Section 504 plan. Only when the identified impairment results in a “substantial limitation in the performance of a major life activity” should the student be protected from discrimination through the development and implementation of a Section 504 plan.

## Major Life Activities

Major life activities include, but are not limited to, functions such as walking, seeing, hearing, speaking, breathing, learning, working, caring for oneself, and performing manual tasks. ADA added eating, sleeping, standing, lifting, bending, reading, concentrating, thinking, and communicating to the list.

## Mitigating Measures

In determining whether a student has a physical or mental impairment that substantially limits that student in a major life activity, school districts must not consider the ameliorating effects of

mitigating measures that the student is using. Congress created one exception to the mitigating measures analysis. The ameliorative effects of the mitigating measures of ordinary eyeglasses or contact lenses shall be considered in determining whether an impairment substantially limits a major life activity.

## Referrals

Parents, teachers, counselors, administrators, or other concerned persons who believe they are observing substantially limiting performance in a student in one or more major life activities that may be caused by a physical or mental impairment should make a referral in accordance with Section 504 procedures by speaking to the Section 504 Coordinator at the school.

**Houston County BOE  
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