

SECTION 504

THE LAW

With passage of the Rehabilitation Act of 1973, Congress required that federal fund recipients make their programs and activities accessible to all individuals with disabilities. “No qualified individual with disabilities, shall, solely by reason of her or his disability be excluded from the participation in be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”

Section 504 protects persons from discrimination based upon their disability status. A person is disabled within the definition of Section 504 if he or she:

1. has a mental or physical impairment which substantially limits one or more of such person’s major life activities;
2. has a record of such impairments; or
3. is regarded as having such impairment.

Physical or mental disability ...as any physiological disorder or condition, cosmetic disfigurement or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genito-urinary; hemic and lymphatic; skin; and endocrine; or any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

Major life activities “...functions such as caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.” **When a condition does not substantially limit a major life activity, the individual does not qualify under Section 504.**

Has a record of such an impairment “...has a history of, or has been classified as having, a mental or physical impairment that substantially limits one or more major life activities,”

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