



Kennedy Krieger Institute

Specialized Health Needs Interagency Collaboration

## Section 504 Plan

Section 504 of the Rehabilitation Act of 1973 is a federal civil rights law designed to protect the rights of individuals and prohibit discrimination on the basis of disabling conditions. It requires the needs of persons with disabilities be met as adequately as the needs of the non-disabled persons in any program or activity, public or private, receiving Federal financial assistance.

Section 504 covers the individual's lifespan and applies to school, employers, and organizations.

**Section 504 is designed to level the playing field for individuals with disabilities.**

### How Does an Individual Qualify as Disabled Under Section 504?

A disability under Section 504 is defined much more broadly than the specific criteria used to define disability under IDEA. Rather than a specific disability category, the law defines the person as “disabled” when:

- Having a physical or mental impairment which limits one or more major life activity;
- Have a record of such an impairment; or
- Are regarded as having an impairment.

Major life activities include, but are not limited to: caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating and working. Major life activities also include operation of a major bodily function including, but not limited to: functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

### How does Section 504 apply to students?

Section 504 guarantees certain rights to individuals with disabilities by eliminating barriers that would otherwise exclude them from participating in protected activities, including a free and appropriate public education (FAPE). The Section 504 regulations require schools to provide FAPE to all qualified students with a disability (regardless of the severity) by eliminating barriers and providing accommodations to meet a student's educational needs as adequately as those of their non-disabled peers.

## What is a Section 504 Plan?

A Section 504 Plan provides services and changes to the learning environment to enable the eligible student the same opportunity as their peer. A 504 plan is a “blueprint” for how the child will have *access* to learning at school.

A 504 plan generally includes specific accommodations, supports, or related aids/services for the child. In most cases, the accommodations under 504 do not modify the content of the material, but rather how the child will learn it. The plan could include the necessary changes to the environment, instruction, or delivery of curriculum.

## Helpful information

- Any person can refer a student for evaluation under Section 504.
- Students do not have to receive special education services to qualify for related services under a 504 plan.
- Section 504 follows a child after they leave the public school system and provides protections against discrimination in college and the workplace.
- Section 504 requires the development of a written plan but does not follow a standard document or template.
- No federal funding is provided.
- Parents only have to be provided notice not consent for an evaluation.

## Resources

Center for Parent Information and Resources-Section 504 of the Rehabilitation Act of 1973  
<https://www.parentcenterhub.org/section504/>

LD online-All about learning disabilities and ADHD  
<http://www.ldonline.org/article/6086>

Parent and Educator Resource Guide to Section 504 in Public and Elementary and Secondary Schools  
<https://www.wrightslaw.com/law/ocr/sec504.guide.ocr.2016.pdf>

U.S. Department of Education-Protecting Students with Disabilities  
<https://www2.ed.gov/about/offices/list/ocr/504faq.html>

Wrightslaw-Discrimination: Section 504 and ADA AA  
<https://www.wrightslaw.com/info/sec504.index.htm>