

Section 504 - Fact sheet

A 504 Plan is a plan that outlines the accommodations, aids or services that a student with a disability needs in order to use, and fully participate in, a free and appropriate public education (FAPE).

What is Section 504?

Section 504 is a federal civil rights law under the Rehabilitation Act of 1973. It provides protection against discrimination on the basis of disability for eligible individuals with disabilities. For students, this federal law prohibits discrimination on the basis of an individual's disability in all school programs and activities in both public and private schools that receive direct or indirect federal funding.

What does Section 504 require?

Section 504 requires students with disabilities receive equal access to programs and activities available to nondisabled students, often through what is called a Section 504 Student Accommodation Plan.

Who is eligible for protection under Section 504 in school?

A student is eligible for protection from discrimination on the basis of a disability if an evaluation shows that he or she has a physical or mental impairment that substantially limits one or more major life activities. Students with special health care needs often qualify for Section 504 accommodations. Students may also require accommodations to access general education or to participate in extracurricular and school sponsored activities due to the severity of their disability.

Is Section 504 the same as special education?

No, Section 504 provides protection from discrimination for eligible students with disabilities and ensures that eligible students receive a free appropriate public education. Special education under the federal Individuals with Disabilities Education Act (IDEA) and State Regulations guarantee an individualized education plan (IEP) for eligible students with specific disabilities age 3-21 whose disability is so significant that it adversely affects their educational performance to the extent that they require specialized instruction and related services.

Does a child covered by Section 504 automatically receive a 504 Accommodation Plan?

No. A child may have a documented disability that meets the definition of an individual with a disability and thus "covered" by Section 504 but not require an accommodation plan to access programs and activities sponsored by the school. The Section 504 team will determine if a child with a disability requires a 504 accommodation plan.