

Section 504 Eligibility Criteria for Services

Section 504 is a federal civil rights law that prohibits discrimination against persons with disabilities. It is a broader law than IDEA in that it applies to any agency from which a person might receive services, not just schools. Most school districts require that a student with disabilities meet a specific discrepancy criterion to receive services in special education. Section 504 simply requires that no person with a disability can be subject to discrimination.

Section 504 states that, "No qualified handicapped individual shall, solely on the basis of handicap, be excluded participation in, be denied the benefits of, or otherwise be subject to discrimination under any program or activity receiving federal financial assistance."

A "qualified handicapped person" under Section 504 is one who:

1. Has a physical or mental impairment which "substantially limits" one or more major life activity (caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, **learning**, and working)
2. Has a record of such an impairment, or
3. Is regarded as having such an impairment.

For some students with a disability, the disorder may not be severe enough to meet the IDEA criteria for special education. They may still require accommodations in the regular classroom or special services to be successful in school. The right to accommodations is guaranteed under Section 504. A Section 504 plan rather than an Individualized Education Plan will outline the modifications or other accommodations required. Although the law is silent on whether such plans need to be in writing, it clarifies the responsibility for school districts to carry out any modifications or accommodations the Section 504 team sees as necessary. Most districts in order to ensure compliance with Section 504 regulations do provide written accommodation plans for students who are eligible for such services.

If your child has been evaluated and found not to qualify for special education services, your next step is to call the school's Section 504 coordinator. Request that the 504 coordinator meet with you to discuss your child's eligibility for accommodations. A student who qualifies for services under Section 504 will receive adaptations and modifications in the regular or special education schools program, including curriculum or other modifications.