

## SECTION 504 OF THE REHABILITATION ACT OF 1973 "Civil Rights Act for Persons with Disabilities"

Section 504 of the Rehabilitation Act of 1973 guarantees equal opportunities in education and employment for all people with disabilities. The Office of Civil Rights (OCR) under guidelines of the Department of Education enforces Section 504, which prohibits organizations which receive federal funds from discriminating against otherwise qualified individuals on the sole basis of a disability. The law calls for federal funds to be withheld if discrimination does occur.

Section 504 protects all persons with a disability who

- have a physical or mental impairment which substantially limits (permanently or temporarily) one or more major life activities\*
- have a record of such an impairment, or
- are regarded as having such an impairment.

\*Major life activities include functions such as walking, seeing, hearing, speaking, breathing, learning, working, caring for oneself, and performing manual tasks.

In addition to school-age children who are eligible for special education services under IDEA, Section 504 also provides for students with communicable diseases, attention deficit disorders (ADD/ADHD), behavior disorders, chronic asthma, severe allergies, physical disabilities, and diabetes.

*Some basic educational requirements of this law are:*

1. No child with a disability can be excluded from a public education because of his or her disability;
2. Every child with a disability is entitled to a *free appropriate public education* (FAPE) regardless of the nature of his or her disability;
3. Children with disabilities must be educated with non-disabled students to the maximum extent appropriate to their needs;
4. Procedural safeguards must be established so that parents and guardians can object to evaluation and placement decisions regarding their children;
5. State or local educational agencies must identify and locate unserved children with disabilities.

A student or parent has the right to file a complaint if he or she believes discrimination has occurred. Initially, the complaint should be filed with the school or school district's Section 504 compliance officer. It can also be filed with the Office for Civil Rights (OCR). The OCR will conduct an investigation of the complaint and issue a Letter of Finding, either with a "no violation" conclusion or identifying violations and specifying corrective actions.

**From Connecticut, complaints should be addressed to:** U.S. Department of Education Office for Civil Rights John W. McCormick Post Office & Courthouse, Room 701 Boston, MA 02109 (617) 223-9667. An Office of Civil Rights complaint can now be filed online at the Department of Education Web site at <http://www.ed.gov/about/offices/list/ocr/complaintintro.html>