

# Section 504 of the Rehabilitation Act of 1973

Elkin City Section 504 Coordinator

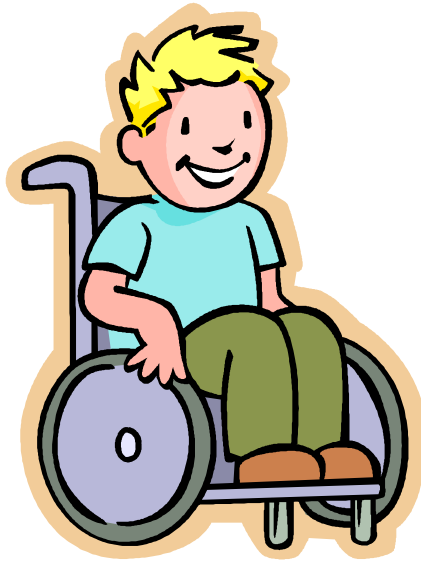
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Elkin City Schools does not discriminate on the basis of race, sex, color, ethnic origin, or handicapping conditions.



## INTRODUCTION

Section 504 specifically states...

*No otherwise qualified individual with a disability...shall, solely by reason of the disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.*

The statute ensures that a qualified student with a disability receives **reasonable accommodations** necessary for that student to access education or school-related programs and activities. School districts that receive federal funds, including ELKIN CITY SCHOOLS, are responsible for following this mandate.

## WHO IS PROTECTED UNDER SECTION 504?

Protected individuals include any student with an impairment who may be discriminated against solely because of having the impairment. A team of individuals knowledgeable about the student determines if the student qualifies for Section 504.

A PERSON **MAY** BE CONSIDERED DISABLED UNDER THE DEFINITION IN SECTION 504 IF THE INDIVIDUAL:

- Has a mental or physical impairment which *substantially limits* one or more of the individual *major life activities*,
- Has a record of such an impairment, or
- Is regarded as having such impairment

When a condition does not substantially limit a major life activity, the individual **does not** qualify for services under Section 504.

### 1. What is a major life activity?

The statutory definition of "major life activity" includes functions such as: caring for one's self, performing manual tasks, walking, hearing, seeing, breathing, working, or learning, eating, sleeping, standing, lifting, bending, reading, concentrating, thinking and communicating.

## 2. Physical impairment

Any physiological disorder or condition, cosmetic disfigurement or anatomical loss affecting one or more of the following body systems: neurological, muscular-skeletal, special sense organs, cardiovascular, reproductive, digestive, respiratory, genitourinary, hemic or lymphatic, skin and endocrine.

## 3. Mental impairment

Any mental or psychological disorders, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

## 4. What does the term “substantially limits” mean?

“Substantially limits” means that the individual: (1) cannot perform a major life activity that the average person in the general population can perform; or (2) is significantly restricted as to the condition, manner, or duration under which the individual can perform a particular major life activity as compared to the condition, manner, or duration under which the average person in the general population can perform the same major life activity. This determination is made only on a case-by-case basis.

## Making the Eligibility Decision

Referral for Section 504 consideration/services does not necessarily mean the student is eligible for Section 504 services. A child’s identified disability does not automatically result in eligibility for Section 504 services. Students who are found ineligible for special education and related services may not be automatically eligible for Section 504 services. It is the school Section 504 Committee’s responsibility to make an eligibility determination for each student.

## Child Find

Child Find is conducted annually and is designed to enhance public understanding of students with disabilities and locate children with disabilities.

