

# Section 504

## **What is a 504?**

Section 504 is federal civil rights legislation which prohibits discrimination against people with disabilities. Children who are not eligible for special education and related services under IDEA, but who have a disability within the meaning of Section 504 may be able to access some services under Section 504.

## **Who is Eligible?**

Students whose illness or physical or mental disability substantially limits one or more life activities, such as caring for oneself, seeing, breathing, learning and walking, are protected under Section 504. Examples of students who are eligible include children with asthma, diabetes, allergies, cerebral palsy, cancer, HIV related illness, epilepsy, dyslexia, dysgraphia, spina bifida, ADD/ADHD, and children with other chronic health conditions.

## **What Services are Available?**

Section 504 provides a legal structure to ensure that students have access to accommodations that allow them to participate in school on an equal basis with their non-disabled peers. Services may include, but are not limited to, administration of medication, intermittent catheterization, provision of services in an accessible location, testing of blood levels, use of equipment such as tape recorders or calculators, note taking, adjusting class schedules, books on tape, personalized homework or assignments, following a behavior management plan, testing modification, and extended time on tests.

## **Access to Section 504 Accommodations:**

Parents should contact their child's school in writing to express interest in determining qualification for accommodations. After notification evaluation must be performed in a timely manner if disability is suspected (provision of services may not be delayed until evaluation is completed):

- The school must consider all areas of needs
- Parental consent must be obtained for initial evaluation
- If a child is eligible, then a plan that describes the services to be provided, including necessary accommodations, is required
- Periodic re-evaluations are required
- A re-evaluation must occur before any change of placement

## **Procedural Safeguards Requirements:**

Section 504 establishes specific requirements concerning legal rights and the protection given by procedural safeguards:

- Districts are required to establish policies to insure the general public is aware of services provided under Section 504.
- Districts must take appropriate steps to ensure persons with disabilities and their parents are aware of districts' duties under Section 504.

Complaints and conflicts related to Section 504 are handled by the Office of Civil Rights.

Chicago Office:

Steven Mitchell, Regional Manager  
Office for Civil Rights  
U.S. Department of Health and Human Services  
233 N. Michigan Ave., Suite 240  
Chicago, IL 60601  
Customer Response Center: (800) 368-1019  
Email: [ocrmail@hhs.gov](mailto:ocrmail@hhs.gov)

**Things to Consider:**

Many children with disabilities and special health care needs can receive services under IDEA/[Article 7](#). Families should learn about both laws. It may be appropriate to consider which provision of services is best for your child.

Section 504 is based on the Civil Rights Act of 1964.

- It is designed to insure qualified individuals with disabilities have access to any entities/programs/activities which receive Federal financial assistance.
- Section 504 does not require an Individualized Education Program (IEP).
- It requires a plan that describes the services to be provided, to include necessary accommodations.
- It provides protection to qualified students with disabilities, regardless if they need special education services.

**Where to Learn More:**

Indiana's federally funded parent training and information center, IN\*SOURCE, has staff that can provide families additional guidance about Section 504:

IN\*SOURCE, the Indiana Resource Center for Families with Special Needs  
Website: <http://insource.org/>  
Phone: (800) 332-4433

Programs and systems change often. It is important to ensure that you are using the most current information. This fact sheet was updated April 2021. Please check [http://fvindiana.org/fact\\_sheets](http://fvindiana.org/fact_sheets) for the most recent edition.

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