

Section 504

Section 504 of the Rehabilitation Act of 1973 was the first significant federal legislation to prohibit discrimination against individuals with disabilities. It applies to programs and entities that receive federal financial assistance.

No otherwise qualified individual with a disability in the United States shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. There are three ways that a person may qualify as an individual with disabilities under the regulations. A person is considered disabled under Section 504 if s/he:

1. Has a physical or mental impairment which substantially limits one or more major life activities. Examples include walking, learning, and hearing, caring for one's self, performing manual tasks, speaking and breathing. The term does not cover children disadvantaged by cultural environmental or economic factors. And, the term does not include individuals currently engaging in the illegal use of drugs.
2. Has a record or history of such an impairment (e.g., a student with learning disabilities who has been decertified as eligible to receive special education under the IDEA; a student who had cancer; a student in recovery). The term includes children who have been misclassified (e.g., a non-English speaking student who was mistakenly classified as having an intellectual disability).
3. Is regarded as having such impairment. A person can be found eligible under this section if s/he:
 - a. has a physical or mental impairment that does not substantially limit a major life activity but is treated by the district as having such a limitation (e.g., a student who has scarring, a student who walks with a limp);
 - b. has a physical or mental impairment that substantially limits a major life activity only as result of the attitudes of others towards such impairment (e.g., a student who is obese); or
 - c. has no physical or mental impairment but is treated by the district as having such an impairment (e.g., a student who tests positive with the HIV virus but has no physical effects from it).

Any person with inquiries concerning compliance of Section 504 should contact the Director of Special Services. Questions about Warren County R-III School District's compliance of Section 504 should be addressed to:

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