

Section 504

Spartanburg School District Two

Section 504 of the Rehabilitation Act of 1973 (Section 504) is a civil rights statute aimed at preventing discrimination on the basis of disability. Section 504 of the Rehabilitation Act of 1973 has been with us for many years. Included in the U.S. Department of Education regulations for Section 504 is the requirement that students with disabilities be provided with a free appropriate public education (FAPE). These regulations require identification, evaluation, and provision of appropriate services and procedural safeguards.

Students may be disabled under Section 504 even though they do not require services as defined by the Individuals with Disabilities Education Act (IDEA). Section 504 protects all students enrolled in Spartanburg County School District Two, ages 3 through 21, that: have any **physical or mental impairment** that **substantially limits** one or more **major life activity** in comparison to the average student population, have a record of such an impairment, or are regarded as having such an impairment.

Under Section 504 and expanded by the American with Disabilities Act Amendments of 2008, a major **life activity** is defined as: bending; breathing; caring for one's self; communicating; concentrating; eating; hearing; learning; lifting; performing manual tasks; reading; seeing; speaking; sleeping; standing; thinking; walking; working; and/or the operation of major body functions (including but not limited to functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions).

The central question to Section 504 eligibility is whether or not the student is **substantially limited** by **an impairment**, such that the student is truly **disabled** and, therefore, in need of some accommodations within the general education environment to obtain equal access to educational programming and activities. **A substantial limitation is the inability to perform one of the major life activities listed above when compared to how a student in the general population performs the same major life activity.**

Students that qualify as disabled under Section 504 and not under IDEA require a special individualized plan called a "**504 Accommodation Plan.**" Each District Two school has a 504 Chairperson appointed by the school administrator. Ongoing staff development workshops are provided by District Two to assist school staff in following procedures and writing 504 Accommodation Plans for students with disabilities.

For more information about the 504 process at your school, contact the 504 Chairperson at your school. For more information about the 504 process at the District level, please contact the Director of Special Services at 864-578-0128.