

CIVIL RIGHTS 504/ADA

Section 504 of the Rehabilitation Act of 1973 (Section 504), a federal civil rights law, states:

“No otherwise qualified individual with disabilities in the United States...shall solely by reason of his/her disability, be excluded from the participation in, be denied the benefits of, or subjected to discrimination under any program or activity receiving federal financial assistance.”

Additionally, public school districts are government entities covered by Title II of the Americans with Disabilities Act of 1990 (ADA), a federal civil rights law. In 2008, Congress passed the ADA Amendments Act (ADAAA), which resulted in changes to aspects of Section 504 and the ADA, particularly the determination of who is considered “disabled” under Section 504 and the ADA. The Oregon Department of Education publishes Student Access, a manual which provides information on Section 504 and the ADA. This version of Student Access incorporates the changes to Section 504 and the ADA that resulted from the ADAAA and its implementing regulations. The manual includes guidance on responding to service animal requests in schools, supporting students with the most intense health care needs, and what to do when parents revoke consent for special education and request 504 accommodations instead. Also, the manual includes sections on graduation issues and discipline of students with disabilities under Section 504.

Section 504 requires each public school district to have at least one person designated as the District 504 Coordinator

The ADA requires each public school district to have at least one person designated as the District ADA Coordinator

The ODE offers training, technical assistance and dispute resolution for students, schools, districts, parents and interested parties regarding civil rights and equal opportunity. For information, please contact Marinda Peters, Civil Rights Education Specialist, 255 Capitol Street NE, Salem, OR 97310; phone: 971-208-0460 or fax: 503-378-5156.

The Oregon Department of Education is an equal opportunity educator and employer.

Resources for Persons Interested in Section 504 and the ADA:

Parent and Educator Resource Guide

<https://www2.ed.gov/about/offices/list/ocr/docs/504-resource-guide-201612.pdf>

Resource Guide on Students with ADHD

<https://www2.ed.gov/about/offices/list/ocr/letters/colleague-201607-504-adhd.pdf>

Restraint and Seclusion

https://www2.ed.gov/about/offices/list/ocr/letters/colleague-201612-504-restraint-seclusion-ps.pdf?utm_name

Effective Communication for Students with Hearing, Vision and Speech Disabilities

<https://www2.ed.gov/about/offices/list/ocr/docs/dcl-faqs-effective-communication-201411.pdf>

Harassment & Bullying

<https://www2.ed.gov/about/offices/list/ocr/letters/colleague-bullying-201410.pdf>

Extracurricular Activities

<http://www.ed.gov/ocr/letters/colleague-201301-504.pdf>

Transitions to Postsecondary Education: A Guide for High School Educators

<https://www2.ed.gov/about/offices/list/ocr/transitionguide.html>

Preparing for Postsecondary Education: A Guide for Students

<https://www2.ed.gov/about/offices/list/ocr/transition.html>

Student Placement in Elementary and Secondary Schools

<https://www2.ed.gov/about/offices/list/ocr/docs/placpub.html>

Electric Book Readers and Emerging Technologies

<https://www2.ed.gov/about/offices/list/ocr/docs/dcl-ebook-faq-201105.pdf>

Frequently Asked Questions on the ADA Amendments Act

<https://www2.ed.gov/about/offices/list/ocr/docs/dcl-504faq-201109.html>