Section 504

Section 504 of the Rehabilitation Act of 1973 is a broad federal civil rights statute, which provides that:

> *"No otherwise qualified individual with disabilities in the United States …..shall solely by reason of his/her disability, be excluded from participation in, be denied the benefits of, or subjected to discrimination under any program or activity receiving federal assistance or activity conducted by any Executive agency or by the United States Postal Service."* ***29USC704***

Who is an individual with a disability under Section 504?

There are three ways that a student may be considered an individual with a disability under Section 504. A person is considered to have a disability under Section 504 if the student:

1. Has a physical or mental impairment, which substantially limits one or more major life activities. The term does not cover children solely disadvantaged by cultural, environmental or economic factors. Comment to ***34CFR.104.3;***
2. Has a record or history of such impairment. The term includes children who have been misclassified (e.g. a non-English speaking student who was mistakenly classified as having mental retardation); or
3. Is regarded as having such impairment. A student would be "regarded" as having a disability under Section 504 if, for example:
    a. The student has a physical or mental impairment the does not substantially limit a major life 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. The student has a physical or mental impairment that substantially limits a major life activity only as a result of the attitudes of others towards such impairment (e.g. a student who is obese).
    c. The student has no physical or mental impairment but is treated by the district as having such impairment (e.g. a student who tests positive with the HIV virus but has no physical effects from it). ***34CFR1043(j)***

Section 504 contacts:

District Coordinator

Diane Dunas	Director of Student Services/School Improvement	541-459-2228

School Coordinators

Porsha Herrera	East Primary Counselor	541-459-2912
Catherine Libolt	West Intermediate Counselor	541-459-3688
Alesha Hunt	SMS Counselor	541-459-2668
Jennifer Vaughn	SHS Counselor	541-459-9551