

What is Section 504?

Background

Section 504 of the Rehabilitation Act of 1973 was the first major federal civil rights legislation to make it illegal for institutions (including schools) that received federal funds to discriminate against individuals on the basis of disability.

However, it took another four years to draft regulations that would allow for the enforcement of the Act. In 1977 after nation-wide protests by people with disabilities at Health, Education and Welfare (HEW) offices across the U.S., HEW Secretary Joseph Califano was finally pressured into signing the regulations that would implement Section 504.



Original text of Section 504 of the Rehabilitation Act of 1973:

"No otherwise qualified individual handicapped individual in the United States, as defined in section 7(6), shall, solely by reason of his handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program of activity receiving Federal financial assistance."

Pub. L. No. 93-112 § 504

PUBLIC LAW 93-112—SEPT. 26, 1973		[87 STAT.]
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Public Law 93-112

AN ACT

September 26, 1973
[H. R. 8070]

To replace the Vocational Rehabilitation Act, to extend and revise the authorization of grants to States for vocational rehabilitation services, with special emphasis on services to those with the most severe handicaps, to expand special Federal responsibilities and research and training programs with respect to handicapped individuals, to establish special responsibilities in the Secretary of Health, Education, and Welfare for coordination of all programs with respect to handicapped individuals within the Department of Health, Education, and Welfare, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act, with the following table of contents, may be cited as the "Rehabilitation Act of 1973":

Rehabilitation Act of 1973.

PART D—COMPREHENSIVE SERVICE NEEDS

TITLE II—RESEARCH AND TRAINING

NONDISCRIMINATION UNDER FEDERAL GRANTS

SEC. 504. No otherwise qualified handicapped individual in the United States, as defined in section 7(6), shall, solely by reason of his handicap, 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.

Approved September 26, 1973.

TITLE IV—ADMINISTRATION AND PROGRAM AND PROJECT EVALUATION

TITLE V—MISCELLANEOUS

- Sec. 500. Effect on existing laws.
- Sec. 501. Employment of handicapped individuals.
- Sec. 502. Architectural and Transportation Barriers Compliance Board.
- Sec. 503. Employment under Federal contracts.
- Sec. 504. Nondiscrimination under Federal grants.

Impact of Section 504

The implementation of Section 504 radically transformed society and education for disabled Americans. 504 furthermore laid the foundation for subsequent advancements in disability rights legislation, such as the Americans with Disabilities Act (ADA) of 1990.

1994 amended text of Section 504:

"No otherwise qualified individual with a disability in the United States, . . . Shall be denied, 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 of activity receiving Federal financial assistance or under any program or activity conducted by any Executive agency or by the United States Postal Service."

29 U.S.C. § 794(a)(1994)