

## **What are the legal requirements related to disability services and accommodations?**

Meeting the legal requirements related to disability services is a University-wide responsibility. We all have an important role to play, especially faculty.

Section 504 of the Rehabilitation Act of 1973 is a very brief law; however, detailed regulations regarding implementation can be found in 34 C.F.R. Part 104. The law states: "No otherwise qualified disabled\* individual in the United States shall solely by reason of 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." Since federal financial assistance includes veterans' education benefits and the Basic and Supplemental Educational Opportunity Grant Program, few, if any, universities are exempted from complying with Section 504.

According to this law, a "disabled" individual is a person who has a "physical or mental impairment which substantially limits one or more major life activities and includes specific learning disabilities such as dyslexia. With regard to postsecondary education students, "qualified" refers to a disabled person who meets the "academic and technical standards" required for admission or participation in an educational program or activity. Section 504 requires that faculty, administration, and staff be apprised of the following:

1. No student can be excluded from any course, major, or program solely on the basis of a disability.
2. Certain academic adjustments, commonly referred to as accommodations, are mandated especially in regard to the provision of alternative testing and evaluation methods for measuring student mastery, except when such an alteration would result in a substantial alteration to course objectives.
3. Modifications, substitutions, or waivers of a course, major, or degree requirements are discussed in the regulations implementing Section 504 and may be necessary to meet the needs of some students with disabilities.
4. Changes in time limits to complete a degree may have to be made.
5. It is discriminatory to restrict the range of career options in counseling/advising students with disabilities as compared to non-disabled students with similar interests and abilities unless such counsel is based on strict licensing or certification requirements in a profession that may comprise an obstacle. In such cases, the counselor/advisor should inform the student of these requirements so he/she can assess them in light of the disability and make an informed decision.

\*The term "handicapped" is no longer preferred.

[Click here for detailed Section 504-US Department of Labor](#)