

## ELIGIBILITY UNDER SECTION 504

To be protected under Section 504 and entitled to a Section 504 plan, a student must:

- 1) Have a physical or mental impairment that
- 2) Substantially limits
- 3) One or more major life activities

- 1) **Physical or Mental Impairment:** The determination of whether a student has a physical or mental impairment that substantially limits a major life activity must be made on the basis of an individual inquiry. A physical or mental impairment is: any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genito-urinary; hemic and lymphatic; skin; and endocrine; and mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

**IMPORTANT:** A student with a particular impairment or medical diagnosis is not necessarily “disabled” under Section 504. The impairment or diagnosed condition must **substantially limit** one or more major life activities. For example, a student who has a physical or mental impairment would not be considered a student in need of services under Section 504 if the impairment does not in any way limit the student’s ability to learn or other major life activity, or only results in some minor limitation in that regard.

- 2) **Substantially limits:** Generally, “substantially limits” is interpreted as:
  - Unable to perform a major life activity that the average student of approximately the same age/grade level can perform; or
  - Significantly restricted as to the condition, manner, duration under which the student can perform a major life activity as compared to the average student of approximately the same age.

Under any interpretation, the student’s impairment must have an impact that makes the student’s abilities significantly different and outside the range of average students of approximately the same age.

- 3) **Major life activities** include functions such as:
  - Caring for one’s self
  - Performing manual tasks
  - Walking
  - Seeing
  - Hearing
  - Speaking

- Breathing
- Learning
- Working
- Concentrating
- Reading
- Operation of major body function, including immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive.

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