

# The backstory: A law without enforcement

## Section 504 of the Rehabilitation Act of 1973

prohibits disability discrimination in federally-funded programs

ensures equal access to the opportunities of these programs

requires reasonable accommodations



Law passed  
by Congress

# Codified Statute

## REHABILITATION ACT OF 1973

[Public Law 93-112, Approved September 26, 1973, 87 Stat. 355]

[As Amended Through P.L. 117-286, Enacted December 27, 2022]

[Currency: This publication is a compilation of the text of Public Law 93-112. It was last amended by the public law listed in the As Amended Through note above and below at the bottom of each page of the pdf version and reflects current law through the date of the enactment of the public law listed at <https://www.govinfo.gov/app/collection/comps/>]

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AN ACT 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 individuals with the most severe disabilities, to expand special Federal responsibilities and research and training programs with respect to individuals with disabilities, to create linkage between State vocational rehabilitation programs and workforce investment activities carried out under title I of the Workforce Investment Act of 1998, to establish special responsibilities for the Secretary of Education for coordination of all activities with respect to individuals with disabilities within and across programs administered by the Federal Government, and for other purposes.<sup>1</sup>

## 29 U.S. Code § 794 - Nondiscrimination under Federal grants and programs

U.S. Code

Notes

Authorities (CFR)

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### (a) PROMULGATION OF RULES AND REGULATIONS

No otherwise qualified individual with a disability in the United States, as defined in [section 705\(20\) of this title](#), shall, 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 or activity](#) receiving Federal financial assistance or under any [program or activity](#) conducted by any Executive agency or by the United States Postal Service. The head of each such agency shall promulgate such regulations as may be necessary to carry out the amendments to this section made by the Rehabilitation, Comprehensive

# Agency Rules



Law passed  
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## Code of Federal Regulations

A point in time eCFR system



### PART 84— NONDISCRIMINATION ON THE BASIS OF DISABILITY IN PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

Authority: 29 U.S.C. 794.

| Subpart G also issued under 21 U.S.C. 1174; 42 U.S.C. 4581.

Source: 42 FR 22677, May 4, 1977, unless otherwise noted.

#### Subpart A—General Provisions

#### § 84.1 Purpose and broad coverage.

- (a) **Purpose.** The purpose of this part is to implement section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination on the basis of disability in any program or activity receiving Federal financial assistance.

# Agency Rules





# The litigation scare

- 2024: Health and Human Services updates rules
- [17 states sue Health and Human Services \(Kennedy\)](#)
- Challenge updated regulations
- Ask Court to strike Section 504 rules and find Section 504 unconstitutional
- **Would wipe out generations of advocacy and discrimination protection for millions of Americans with disabilities**



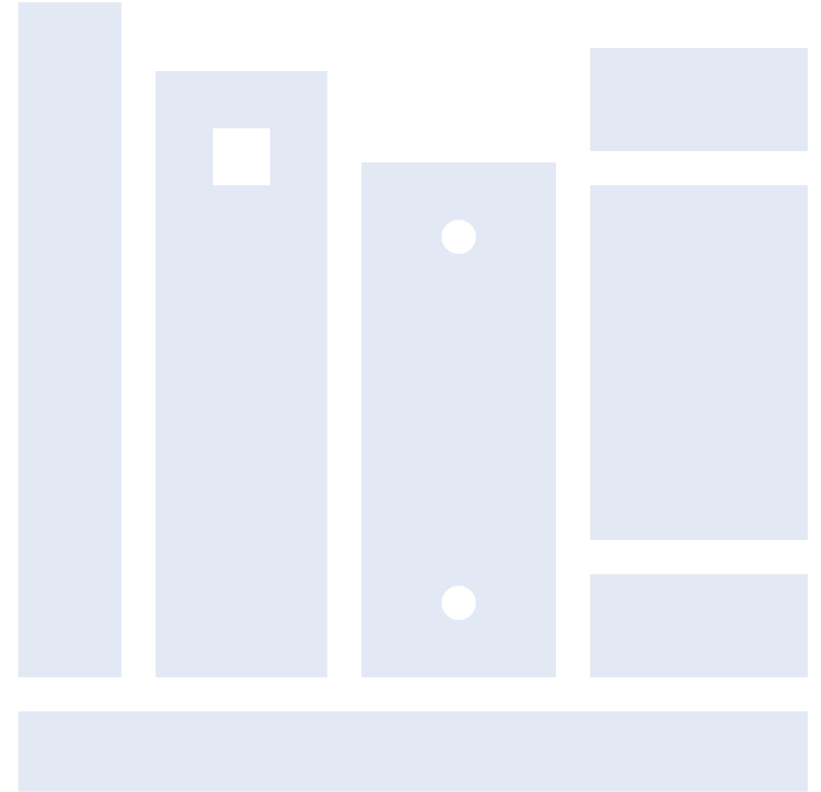
# The litigation

- After extraordinary advocacy, April 2025, parties abandon constitutional challenge
- States are still challenging rules
- Still at stake: disability discrimination protection:
- Right to receive community instead of institutional services
- Life saving healthcare or organ transplants
- Accessible medical equipment, assistive technology, websites
- Allocation of scarce resources, like medical care during pandemic





# Section 504 protections in Washington Public Education



### **Americans with Disabilities Act**

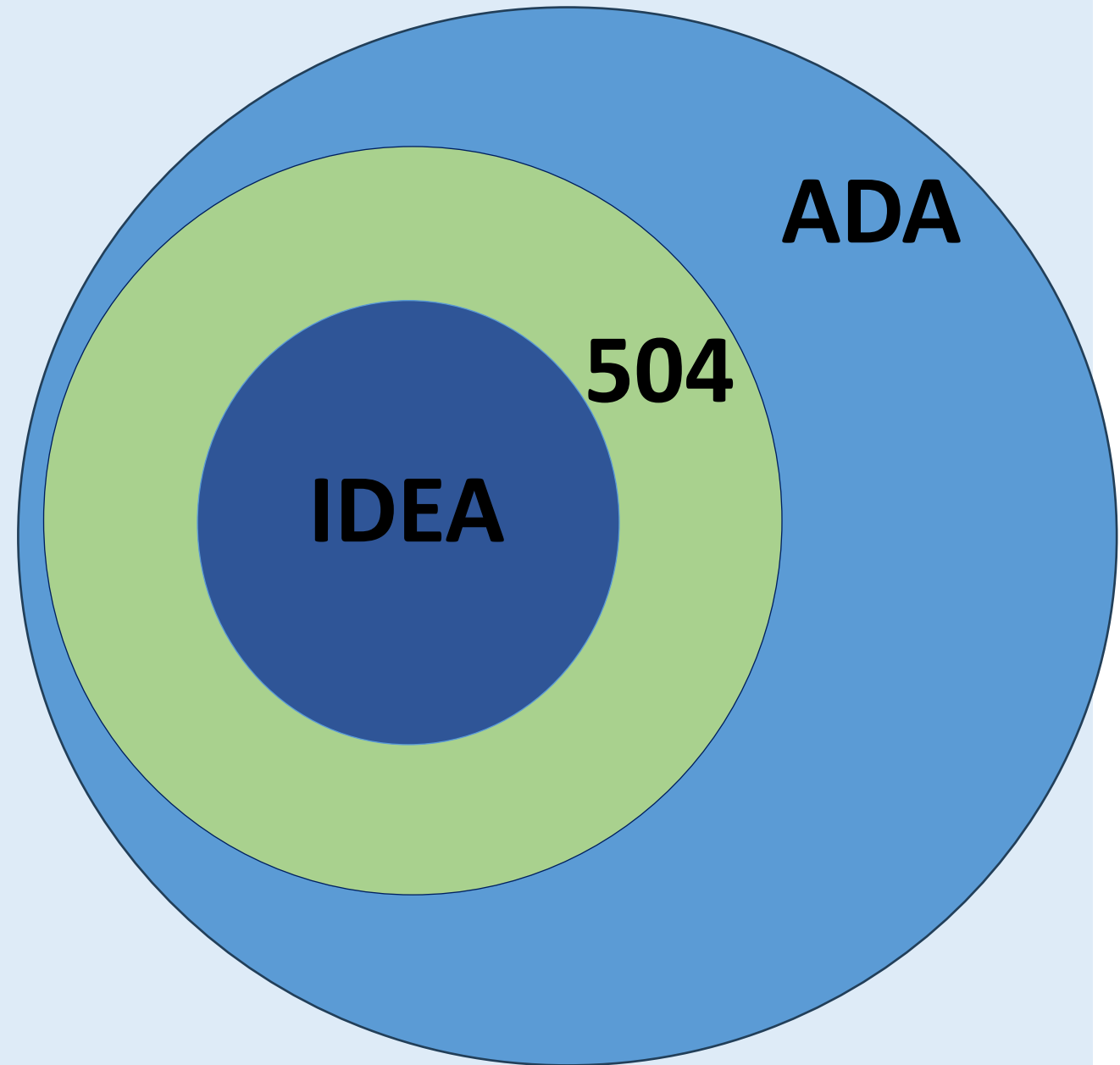
- All students with disabilities
- Access

### **Section 504 of the Rehabilitation Act of 1973**

- Students who need reasonable accommodations or modifications through “504 plan”

### **Individuals with Disabilities Act**

- Students with disabilities who qualify in 1 of 14 categories  
Individualized Education Plan
- Specially-designed instruction





504 protections  
for Tribal  
students





Law passed  
by State or  
Congress

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## State Agency Rules





# The Challenge: Seeking justice for discrimination under Section 504







# Family Struggles



## Advocacy Next Steps







For more information

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