

Section 504 of the Rehabilitation Act of 1973

"No otherwise qualified person with a [disability] in the United States shall, solely by reason of a [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."

Definition of Terms

A **person with a disability** is an individual with a physical or mental impairment that substantially limits one or more major life activities. An individual is considered to be a person with a disability if he/she

- (1) has a disability,
- (2) has a history of a disability, or
- (3) is perceived by others as having a disability.

A **qualified person with a disability** is defined as a person who meets the requisite academic and technical standards required for admission or participation in the post secondary institution's programs and activities.

Under the provisions of Section 504, The University of Texas Medical Branch may not:

- Limit the admission of otherwise qualified students with disabilities;
- Make pre-admission inquiries as to whether an applicant has a disability;
- Exclude an otherwise qualified student with a disability from any course of study;
- Provide less financial assistance to students with disabilities than is provided to other students;
- Measure student achievement using modes that adversely discriminate against a student with a disability; or
- Establish rules and policies that have the effect of limiting participation of students with disabilities in educational programs or activities.

Modifications and accommodations under Section 504 include:

- removal of architectural barriers
- services such as readers for students with visual impairments or learning disabilities, qualified interpreters for students who are deaf, and note takers for students with disabilities such as hearing impairments, learning disabilities or orthopedic impairments
- modifications or substitutions of courses in major fields of study or degree requirements on a case-by-case basis (such accommodations may not be approved if the institution can demonstrate that the requested changes would substantially alter essential elements of the course or program)

- allowing extra time to complete exams
- permission for exams to be individually proctored, read orally, dictated, or typed
- use of alternative forms for students to demonstrate course mastery
- permission to use computer software programs or other assistive technology devices to assist in test-taking and study skills.

Section 504 of the Rehabilitation Act of 1973 is still in effect, and it contains (in Subpart E) more specific information regarding post secondary education than the Americans with Disabilities Act.