

*Section 504  
Definition of Disability*

Americans With Disabilities Amendment Act of 2008	
Listing of major life activities	<p>Includes:</p> <ul style="list-style-type: none"> <li>• Seeing</li> <li>• Hearing</li> <li>• Speaking</li> <li>• Walking</li> <li>• Breathing</li> <li>• Performing manual tasks</li> <li>• Learning</li> <li>• Caring for oneself</li> <li>• Working</li> <li>• Reading</li> <li>• Concentrating</li> <li>• Thinking</li> <li>• Sleeping</li> <li>• Eating</li> <li>• Various major bodily functions including operation of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions</li> <li>• (ADAA further emphasizes this is not an exhaustive list.)</li> </ul>
Consideration of length of time of disability	<ul style="list-style-type: none"> <li>• A transitory and minor impairment (actual or expected duration of 6 months or less) <i>does not</i> constitute a disability.</li> <li>• Impairments must be considered disabilities that are <i>episodic or in remission</i> if the condition would substantially impair a major life activity when active.</li> </ul>
Substantial limitation	<ul style="list-style-type: none"> <li>• Made on a case-by-case basis by a group of knowledgeable persons.</li> <li>• Impairment is significant when compared to the average person in the general population.</li> <li>• Eligibility determination need not entail “extensive analysis” and should be expansive rather than restrictive.</li> </ul>
Consideration of ameliorating effects of any mitigating measures	<ul style="list-style-type: none"> <li>• <i>Not allowed</i> to consider mitigating measures <i>except eyeglasses and contact lenses</i> (lenses that are intended to fully correct visual acuity or eliminate refractive error).</li> </ul>

U.S. Department of Education, Office of Civil Rights. (2009). *Frequently asked questions about Section 504 and the education of children with disabilities*. Retrieved from <http://www2.ed.gov/print/about/offices/list/ocr/504faq.html>

Zirkel, P. A. (2009). History and expansion of Section 504 student eligibility: Implications for school nurses. *Journal of School Nursing, 25*, 256-260.