

U.S. Department of Education's Office for Civil Rights Releases 4 New Resource Documents Addressing Students With Disabilities Under Section 504

By Lisa Burleson

On February 20, 2024, the U.S. Department of Education's Office for Civil Rights (OCR) released four (4) new resource documents on students with disabilities, reminding students with disabilities and K-12 schools (as well as colleges and universities) of their respective rights and responsibilities under Section 504 of the Rehabilitation Act of 1973.

The four (4) new resource documents are titled as follows:

- 1 – [Fact Sheet: Section 504 Protections for Students with Asthma](#)
- 2 – [Fact Sheet: Section 504 Protections for Students with Diabetes](#)
- 3 – [Fact Sheet: Section 504 Protections for Students with Food Allergies](#)
- 4 – [Fact Sheet: Section 504 Protections for Students with GER or GERD](#)

"We issued these new resources to give students, including those with asthma, diabetes, food allergies, and GERD, as well as their families and schools, important tools to understand when and how they are protected by federal disability rights laws," said Assistant Secretary for Civil Rights Catherine E. Lhamon.

The Fact Sheets explain when each of the four (4) medical conditions trigger protections under Section 504, what kind of modifications an educational institution may consider to avoid unlawful discrimination against students based on each of the four (4) medical conditions, and what an educational institution may need to do to remedy past discrimination against students based on each of the four (4) medical conditions.

The Fact Sheet on Section 504 Protections for Students with Asthma addresses educational institutions' ensuring the educational environment is free of student asthma triggers, including during field trips and extra-curricular activities.

The Fact Sheet on Section 504 Protections for Students with Diabetes addresses mood, concentration, hydration, and restroom challenges students may face in the educational setting, and suggests certain accommodations educational institutions can consider putting in place to support students.

The Fact Sheet on Section 504 Protections for Students with Food Allergies addresses educational institutions' ensuring that the eating and learning environments are free of food allergens, including during field trips and extra-curricular activities.

The Fact Sheet on Section 504 Protections for Students with GER or GERD addresses illness, attendance, concentration, and restroom challenges students may face in the educational setting and suggests certain accommodations educational institutions can consider putting in place to support students.

These publications are good to share with school administrators, athletic and extra-curricular activity directors, educators, coaches, and advisors, as well as cafeteria and transportation staff, as the publications serve as timely refreshers on these topics.

If you have any questions or if you wish to discuss any of the resource documents in further detail, please contact any of the listed Roetzel attorneys.

Aretta Bernard

Practice Group Manager
Employment Services
330.849.6630 | abernard@ralaw.com

Susan Keating Anderson

Practice Group Manager
Education Law Group
216.232.3595 | sanderson@ralaw.com

Justin Markey

Practice Group Manager
Public Law, Regulatory and Finance
330.849.6632 | jmarkey@ralaw.com

Karen Adinolfi

330.849.6773 | kadinolfi@ralaw.com

Thomas Allen

513.653.5389 | tallen@ralaw.com

Lisa Burleson

614.645.5278 | lburlson@ralaw.com

Benjamin Chojnacki

216.377.1492 | bchojnacki@ralaw.com

Jason Dodson

330.849.6631 | jdodson@ralaw.com

Diana M. Feitl

216.615.4838 | dfeitl@ralaw.com

David Hirt

216.329.0558 | dhirt@ralaw.com

Hailee Kepchar

216.505.7851 | hkepchar@ralaw.com

Adrienne Kirshner

216.456.3850 | akirshner@ralaw.com

Stephanie Olivera Mittica

330.849.6671 | smittica@ralaw.com

Nancy Noall

216.820.4207 | nnoall@ralaw.com

Aaron Ross

614.470.4968 | aross@ralaw.com

Doug Spiker

216.696.7125 | dspiker@ralaw.com

Sherri Warner

614.723.2110 | swarner@ralaw.com

Tim Webster

216.696.7795 | twebster@ralaw.com

Nick Ziepfel

513.748.1109 | nziepfel@ralaw.com