Section 504 of the Rehabilitation Act

What it requires of organizations that take federal money, agency by agency, with the 2026 changes

Who this is for: Executive directors, compliance and HR leads, and program managers at nonprofits, schools, colleges, health and social service providers, housing providers and state and local agencies that receive federal grants, loans or subawards.

Not covered here: Federal employment (Section 501), affirmative action duties of federal contractors (Section 503), and the content of individual IEP or eligibility decisions under IDEA.

Current as of November 17, 2026. Federal law. Each section ends with the sources it rests on.

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In brief

- Section 504 bars disability discrimination in any program or activity that receives federal financial assistance, and in programs the federal government runs itself.
- Coverage follows the money. A grant, loan, cooperative agreement or subaward that reaches you directly or through a state, a city or another nonprofit makes you a recipient. Procurement contracts and contracts of insurance or guaranty don't count.
- Once you're covered, the law usually reaches all of your operations, not only the funded project. For a private organization principally engaged in education, health care, housing, social services or parks and recreation, that means the whole organization.
- Every funding agency writes its own Section 504 rule. The Education, HHS and HUD rules require a designated coordinator and a grievance procedure at fifteen employees. The Justice Department's rule draws the line at fifty employees and $25,000 in its funding.
- The HHS rule sets a web and mobile standard, WCAG 2.1 Level AA, from May 11, 2027 for recipients with fifteen or more employees and May 10, 2028 for smaller ones. The Education, HUD and Justice Department rules covered here have none.

- 2026 brought five developments worth knowing: the HHS web dates moved a year, a lawsuit challenging the web extension is pending, a federal court vacated HHS's integration provisions, HHS issued a new definitional rule that takes effect January 4, 2027, and a Justice Department legal opinion took a position on integration without amending any regulation.

What the law says

Section 504 was enacted in 1973. Its core sentence says no otherwise qualified individual with a disability 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." The same sentence reaches programs conducted by any Executive agency and by the Postal Service.

Source: 29 U.S.C. 794(a); Pub. L. 93-112, Sept. 26, 1973

That gives Section 504 two separate jobs. It governs **federally assisted** programs, the ones run by recipients of federal money, and it governs **federally conducted** programs, the ones a federal agency runs itself. Each agency has a separate rule for its own conducted programs, such as 28 CFR Part 39 at the Justice Department and 45 CFR Part 85 at HHS. This guide is about the first job: the duties of organizations that take federal money.

Source: 29 U.S.C. 794(a); 28 CFR Part 39; 45 CFR Part 85

Section 504 protects people who meet the ADA's definition of disability: a physical or mental impairment that substantially limits a major life activity, a record of one, or being regarded as having one. The Rehabilitation Act borrows that definition from the ADA by cross-reference, so the broad reading Congress required in the ADA Amendments Act of 2008 carries over. The Education Department's 1980 rule still uses the older phrase "handicapped person." The statute replaced that wording in 1992.

Source: 29 U.S.C. 705(20)(B); 42 U.S.C. 12102; 34 CFR 104.3(j); amendment notes to 29 U.S.C. 794

Who is covered

Recipients, including through a pass-through

A recipient is any state or political subdivision, any public or private agency, institution or organization, or any person "to which Federal financial assistance is extended directly or through another recipient." The definition excludes the ultimate beneficiary of the assistance. The Education Department and HHS use the same words.

Source: 34 CFR 104.3(f); 45 CFR 84.10

The phrase "or through another recipient" is where organizations most often read themselves out of the law by mistake. A youth program paid under a city contract that's funded by a federal block grant is a recipient, even though the contract names only the city. A pass-through entity has to tell you: federal grant rules require every subaward to be identified to the subrecipient as a subaward, with the federal award identification number, the federal agency's name and the Assistance Listings title and number.

Source: 2 CFR 200.332(b)

The reverse is also true. An organization paid only with state, city or private dollars isn't a recipient just because its funder also takes federal money. If you can't tell which kind of money you have, the subaward paperwork and, for larger organizations, the schedule of federal expenditures in the single audit will answer it.

What counts as federal financial assistance

HHS defines it as any grant, cooperative agreement, loan, contract (other than a direct federal procurement contract or a contract of insurance or guaranty), subgrant, contract under a grant, or other arrangement through which the agency provides funds, the services of federal personnel, real or personal property, or anything else of value. The Education Department's definition is close to it and carries the same two exclusions.

Source: 45 CFR 84.10, "Federal financial assistance"; 34 CFR 104.3(h)

Selling goods or services to a federal agency under a procurement contract is a different relationship. It brings in Section 503 and, for technology, Section 508 through the buying agency, not Section 504.

Source: 29 U.S.C. 793; 29 U.S.C. 794d

How much of the organization is covered

The statute defines "program or activity" as all of the operations of the covered entity. For a state or local government, that's the whole department or agency that receives the money. For a college or a school district, it's the whole institution or system. For a private organization, it's the entire organization when the assistance goes to it as a whole or when it's "principally engaged in the business of providing education, health care, housing, social services, or parks and recreation." For other private organizations, it's the entire plant or geographically separate facility that gets the money.

Source: 29 U.S.C. 794(b); 34 CFR 104.3(k); 45 CFR 84.10

> **Practical reading.** For an organization principally engaged in education, health care, housing, social services or parks and recreation, one federally funded program brings all of its operations, including every site and digital channel, under Section 504. A federal grant to a youth agency's tutoring program reaches its summer camp, its front desk and its registration website too.

Each funding agency writes its own rule

Section 504 itself is short. The working rules are in each funding agency's regulation, written under coordination standards the Justice Department sets for the whole government. The agency that funds a program decides which rule applies to it, and an organization funded by several agencies answers to each of their rules at once. In practice, the most demanding provision across your funders sets your practice.

Source: 28 CFR 41.4; 34 CFR 104.2; 45 CFR 84.2

Funding agency	Rule	Coordinator and grievance procedure	Worth knowing
Education Department	34 CFR Part 104	Required at 15 or more employees (104.7)	Separate subparts for preschool through grade 12 and for postsecondary education
HHS	45 CFR Part 84 (revised May 9, 2024)	Required at 15 or more employees (84.7)	Web and mobile standard, medical equipment, child welfare and medical treatment provisions
HUD	24 CFR Part 8	Required at 15 or more employees (8.53)	Housing-specific accessibility provisions

Funding agency	Rule	Coordinator and grievance procedure	Worth knowing
Justice Department	28 CFR Part 42, Subpart G	Required at 50 or more employees and $25,000 or more in DOJ assistance (42.505)	Notice duty uses the same two tests
Labor, Transportation, Agriculture	29 CFR Part 32; 49 CFR Part 27; 7 CFR Part 15b	Check each rule's administrative section	Transportation's rule works alongside the ADA transit rules

Source: 34 CFR 104.7; 45 CFR 84.7; 24 CFR 8.53; 28 CFR 42.505(d)-(f)

What a recipient has to do

Sign an assurance, and know that you did

Every applicant for this money submits an assurance, on a form the agency specifies, that the program will operate in compliance with the agency's Section 504 rule. For most assistance the assurance binds the recipient for as long as the money flows. For real property, it runs with the property for as long as it's used for the funded purpose.

Source: 34 CFR 104.5; 45 CFR 84.5

That signature matters later. When a complaint arrives, an organization can't credibly say it didn't know the rule applied; it certified that it did.

Name a coordinator and adopt a grievance procedure

Under the Education, HHS and HUD rules, a recipient that employs fifteen or more persons must designate at least one person to coordinate its efforts to comply, and must adopt grievance procedures that "incorporate appropriate due process standards" and provide for "the prompt and equitable resolution of complaints." The procedures don't have to cover complaints from job applicants or from applicants for admission to a college (or, under HUD's rule, to housing).

Source: 34 CFR 104.7; 45 CFR 84.7; 24 CFR 8.53

Two details are easy to miss. First, the fifteen-employee line only decides who must have a coordinator and a written procedure. It doesn't decide whether the law applies; a recipient with three employees is still covered by every nondiscrimination duty. Second, these rules say "adopt." The ADA's Title II rule, which applies to public entities, says "adopt and publish." A grievance procedure that sits in a binder satisfies the wording of the Section 504 rules, but a public entity has to publish it.

Source: 34 CFR 104.7(b); 45 CFR 84.7(b); 28 CFR 35.107(b)

Give notice

The notice rules diverged in 2024, so read the rule for each of your funders.

- **Education Department:** a recipient with fifteen or more employees must take initial and continuing steps to notify participants, beneficiaries, applicants, employees and unions that it doesn't discriminate, name the coordinator, and put a nondiscrimination statement in recruitment materials and general publications.
- **HHS:** since the 2024 rewrite, every recipient, whatever its size, must make information about the rule and how it applies available to employees, applicants, participants, beneficiaries and other interested

persons, in the manner the head of the recipient finds necessary. The rule sets no employee threshold and doesn't prescribe the content.
- **Justice Department:** the notice duty applies at fifty or more employees and more than $25,000 in its assistance, and it must say where to file complaints.

Source: 34 CFR 104.8; 45 CFR 84.8; 28 CFR 42.505(f)

An organization funded by both Education and HHS should write to the Education rule. It's the more specific of the two.

Evaluate your own policies

Each rule required a self-evaluation within a year of its effective date, done with the participation of interested persons, including people with disabilities or organizations that represent them. A recipient with fifteen or more employees must keep on file for at least three years, make available to the public, and provide to the agency on request: a list of the interested persons who took part, a description of the areas examined and problems found, and a description of the changes and remedial steps taken.

Source: 34 CFR 104.6(c); 45 CFR 84.6(c)

The rules tie the deadline to each regulation's original effective date. The HHS rule was first published in 1977 and the Education rule in 1980, so an organization that never did an evaluation, or did one decades ago, has nothing to produce. A current one is still worth doing whether or not your reading of the deadline says you must, because it's the record of what you reviewed and what you changed.

Make each program accessible

A recipient must operate each program or activity so that, "viewed in its entirety," it's readily accessible to people with disabilities. That doesn't require every existing building to be accessible. A recipient can move a class or service to an accessible building, assign aides, make home visits, deliver services at an accessible site, alter facilities, or use any other method that works, and it doesn't have to make structural changes where another method is effective. When it chooses among methods, the Education rule says to give priority to the most integrated setting appropriate.

Source: 34 CFR 104.22(a)-(b); 45 CFR 84.22

Where structural changes are needed, the rules require a transition plan that identifies the physical obstacles, describes the methods, sets the schedule and names the person responsible. A small health, welfare or social service provider with fewer than fifteen employees may refer a person to an accessible provider if a significant alteration is the only way to make its own service accessible.

Source: 34 CFR 104.22(c), (e); 29 U.S.C. 794(c)

New construction and alterations must be readily accessible. The two big rules now point to different standards. The Education rule still treats construction that meets the Uniform Federal Accessibility Standards as compliant. The HHS rule requires the 2010 ADA Standards for construction or alterations that begin on or after May 9, 2025, for recipients that are public entities, with a permit-date test for private recipients.

Source: 34 CFR 104.23; 45 CFR 84.23(c)-(d)

Communicate effectively

The HHS rule now spells out the communication duty the way the ADA's Title II rule does: communications with applicants, participants, members of the public and companions with disabilities must be as effective as communications with others, with appropriate auxiliary aids and services such as interpreters, captioning, Braille and accessible electronic formats. The Education rule places specific auxiliary-aid duties in its postsecondary and health and social service subparts.

Source: 45 CFR 84.77; 34 CFR 104.44(d); 34 CFR 104.52(d)

Employment

Section 504 also covers employment by recipients. The standards for deciding an employment complaint are the ADA Title I standards, so the familiar Title I rules on reasonable accommodation, qualification standards and medical inquiries supply the test.

Source: 29 U.S.C. 794(d); 34 CFR 104.11-104.14

Schools: preschool through grade 12

The Education rule has its own subpart for recipients that operate public elementary or secondary programs. These are the duties school teams usually mean when they talk about "504."

- **Find and notify.** Each year, a district must try to identify and locate every qualified student with a disability in its jurisdiction who isn't receiving a public education, and notify families of its duty.
- **A free appropriate public education.** The rule defines an appropriate education as "regular or special education and related aids and services" designed to meet the student's individual needs as adequately as the needs of students without disabilities are met. Implementing an IEP developed under IDEA is one way to meet that standard.
- **The setting.** A student is educated in the regular environment unless the district shows that education there, with supplementary aids and services, can't be achieved satisfactorily. Meals, recess, athletics and clubs follow the same principle.
- **Evaluation and placement.** A district evaluates a student who needs, or is believed to need, special education or related services before the initial placement and before any significant change in placement. A group of people who know the child, the evaluation data and the options makes the placement decision, and reevaluation happens periodically.
- **Procedural safeguards.** Notice, a chance for parents to examine records, an impartial hearing with representation by counsel, and a review procedure.

Source: 34 CFR 104.32-104.37

> **A common misstatement.** Some school materials say a Section 504 plan can't include special education. The Education rule says the opposite: an appropriate education under Section 504 can be "regular or special education and related aids and services." What Section 504 doesn't do is supply IDEA funding or IDEA's procedures.

Source: 34 CFR 104.33(b)(1)

The regulation doesn't use the phrase "504 plan." The Justice Department's ADA rule does, describing it as a plan of services provided under Section 504, and it tells testing organizations to give considerable weight to one when a student asks for testing accommodations.

Source: 28 CFR 36.309(b)(1)(v)

Colleges and universities

A postsecondary recipient can't deny admission or discriminate in recruitment on the basis of disability. It must modify academic requirements as needed so they don't discriminate, for example by allowing more time to finish a degree, substituting a required course, or adapting how a course is taught, and it must make sure no student is denied the benefits of a program because educational auxiliary aids are missing. Requirements it can show are essential to the instruction, or to a directly related licensing requirement, aren't treated as discriminatory. It doesn't have to provide devices or services of a personal nature, such as attendants or readers for personal study.

Source: 34 CFR 104.42, 104.44; 45 CFR 84.42, 84.44

Health and human services: the 2024 HHS rule

HHS rewrote 45 CFR Part 84 on May 9, 2024. Beyond the general provisions above, it added duties that apply to every recipient of HHS money, a group that runs from hospitals and health centers to human service agencies and grantees in programs such as Head Start.

Source: 89 FR 40066 (May 9, 2024); 45 CFR Part 84

Websites, mobile apps and kiosks

Web content and mobile apps a recipient provides or makes available, "directly or through contractual, licensing, or other arrangements," must conform to WCAG 2.1 Level A and AA. The compliance dates are May 11, 2027 for recipients with fifteen or more employees and May 10, 2028 for recipients with fewer than fifteen. Kiosks are covered by a general nondiscrimination provision without a technical standard.

Source: 45 CFR 84.83, 84.84; amended 91 FR 25496 (May 11, 2026)

Who	WCAG 2.1 Level AA from
HHS recipient with 15 or more employees	May 11, 2027
HHS recipient with fewer than 15 employees	May 10, 2028

Source: 45 CFR 84.84(b)

The rule exempts archived content, conventional documents (PDFs, word processing, presentation and spreadsheet files) posted before the compliance date unless they're still used to apply for or take part in a program, content third parties post on their own, individualized secured documents about a specific person, and social media posts made before the compliance date. It allows a conforming alternate version only where direct accessibility isn't possible for technical or legal reasons.

Source: 45 CFR 84.85, 84.86

> **The vendor clause matters.** "Directly or through contractual, licensing, or other arrangements" puts the patient portal, the scheduling app and the donation form a vendor runs for you inside your duty. Put the standard in the contract before you renew it.

Medical diagnostic equipment

Exam tables, exam chairs, weight scales, mammography and x-ray equipment are covered. Equipment bought, leased or otherwise acquired after July 8, 2024 must meet the Access Board's standards for accessible medical diagnostic equipment until the recipient reaches its scoping numbers: at least 10 percent of each type of equipment in use, and at least 20 percent in rehabilitation and physical therapy settings that specialize in conditions affecting mobility. Within two years after July 8, 2024, each recipient that uses exam tables or weight scales had to have at least one accessible exam table and one accessible scale. That date has passed.

Source: 45 CFR 84.92(a)-(c)

Other provisions

The rule also addresses medical treatment decisions, value assessment methods used to decide coverage, children and parents in the child welfare system, and service animals and mobility devices.

Source: 45 CFR 84.56, 84.57, 84.60, 84.73, 84.74

What changed in 2026

- **The web dates moved.** An HHS interim final rule published May 11, 2026 (effective May 7, 2026) set the dates now in 84.84: May 11, 2027 and May 10, 2028. The Justice Department did the same for ADA Title II on April 20, 2026.
- **A challenge to the extension is pending.** National Federation of the Blind v. Department of Justice, No. 1:26-cv-02007 (D. Md.), filed May 21, 2026, challenges both interim final rules under the Administrative Procedure Act. If the court were to set the extensions aside, the earlier dates could return. HHS also said in its interim rule that the delay "does not relieve recipients of their other obligations under Section 504," naming the duty to make reasonable modifications.
- **A court vacated HHS's integration provisions.** On September 23, 2026, in Texas v. Kennedy, No. 5:24-cv-00225 (N.D. Tex.), the court granted the parties' joint motion and vacated the definition of "most integrated setting" in 84.10, the final sentence of 84.22(b), 84.43(d), 84.68(d), all of 84.76, and the final sentence of 84.93(b). The eCFR text still showed those provisions when this guide was written, because a court order doesn't edit the Code of Federal Regulations. The order doesn't touch other agencies' rules, such as the Justice Department's coordination standard at 28 CFR 41.51(d).
- **A new HHS definitional rule.** A final rule published November 3, 2026, effective January 4, 2027, states that HHS reads the statute's exclusion of "gender identity disorders not resulting from physical impairments" to encompass "gender dysphoria not resulting from a physical impairment."
- **A Justice Department legal opinion.** On June 18, 2026, the department's Office of Legal Counsel issued an opinion concluding that neither Section 504 nor ADA Title II imposes an integration mandate on states in their treatment of people with mental disabilities. The opinion states the department's legal position. It doesn't amend any regulation.

Source: 91 FR 25496 (May 11, 2026); 91 FR 20902 (Apr. 20, 2026); NFB v. DOJ, No. 1:26-cv-02007 (D. Md.); Texas v. Kennedy, No. 5:24-CV-225-H, Dkt. 125 (N.D. Tex. Sept. 23, 2026); 91 FR 69207 (Nov. 3, 2026); 50 Op. O.L.C. (June 18, 2026)

How it's enforced

Each funding agency's Office for Civil Rights takes complaints and conducts compliance reviews under procedures borrowed from Title VI of the Civil Rights Act. A complaint generally must be filed within 180 days of the alleged discrimination, unless the agency extends the time. The agency can require remedial action. Under the Title VI procedures it can also suspend or terminate funding, but only after it has found that voluntary compliance can't be secured, made a finding on the record after an opportunity for a hearing, and reported to the congressional committees.

Source: 34 CFR 104.61; 45 CFR 84.98; 45 CFR 80.7(b), 80.8(c)

People can also sue. The statute makes the remedies, procedures and rights of Title VI available to anyone aggrieved by a recipient's act or failure to act, and lets a court award a reasonable attorney's fee to the prevailing party.

Source: 29 U.S.C. 794a(a)(2), (b)

Section 504 and the ADA together

The ADA didn't replace Section 504. A state or local government is covered by ADA Title II whether or not it takes federal money; a private business or nonprofit open to the public is covered by Title III. When federal money is involved, Section 504 applies at the same time. The ADA says it shall not be construed to apply a lesser standard than the Rehabilitation Act's Title V or its regulations.

Source: 42 U.S.C. 12201(a); 28 CFR 35.103(a)

One difference catches religious organizations. Title III exempts religious organizations and entities they control. Section 504's text contains no comparable exemption, so a religious organization that accepts federal financial assistance should get its counsel's view on its coverage before assuming the Title III exemption carries over.

Source: 42 U.S.C. 12187; 29 U.S.C. 794

A working checklist

1. List every source of money and trace each one to its federal agency and Assistance Listings number, including money that arrives through the state or city.
2. Identify which agencies' Section 504 rules apply and write down the most demanding version of each duty: coordinator, grievance procedure, notice and self-evaluation.
3. Name the coordinator in writing and give the role real authority over requests and complaints.
4. Adopt a grievance procedure with dates, an appeal and a written decision, and publish it, since a public entity has to and nothing stops anyone else.
5. Produce a current self-evaluation with outside participation, and keep the record for at least three years.
6. For HHS money, inventory the websites, apps, portals and documents you provide directly or through vendors, test them against WCAG 2.1 AA, and put the standard in every renewal.
7. Check that the equipment, communication and program access duties above work at the front desk, not only on paper.

Common questions

Does Section 504 apply if our federal money comes through the state or city?

Yes, if it's federal financial assistance passed through to you. A recipient includes an organization reached "directly or through another recipient." Your subaward agreement should identify the federal award and Assistance Listings number.

Source: 45 CFR 84.10; 34 CFR 104.3(f); 2 CFR 200.332(b)

We have fewer than fifteen employees. Are we exempt?

No. The fifteen-employee line in the Education, HHS and HUD rules triggers the coordinator, grievance procedure and record-keeping duties. Every other duty, including program access and effective communication, applies regardless of size. Under the HHS rule, a smaller recipient's web and mobile date is May 10, 2028.

Source: 34 CFR 104.7; 45 CFR 84.7; 45 CFR 84.84(b)(2)

Does Section 504 require our website to meet WCAG?

Only the HHS rule sets a technical standard and dates for websites and apps. Other agencies' rules prohibit discrimination and require effective communication without naming a standard. A public entity that's also a recipient answers to the ADA Title II web rule as well.

Source: 45 CFR 84.84; 28 CFR 35.200

Is a Section 504 plan the same as an IEP?

No. An IEP is developed under IDEA. A district can meet Section 504's education standard by implementing an IEP, but a student can be covered by Section 504 without qualifying under IDEA, and Section 504's appropriate education can include special education and related services.

Source: 34 CFR 104.33(b)(1)-(2)

Is our federal procurement contract federal financial assistance?

No. The definitions exclude procurement contracts. Selling to the government brings in Section 503 and, for technology, the buying agency's Section 508 duties.

Source: 45 CFR 84.10; 34 CFR 104.3(h)

What did the September 2026 court order change?

It vacated six specific integration provisions of the HHS rule. Everything else in the HHS rule, including the web, equipment and communication provisions, remains, and other agencies' Section 504 rules weren't part of the case.

Source: Texas v. Kennedy, Dkt. 125 (N.D. Tex. Sept. 23, 2026)

Primary sources

- 29 U.S.C. 794, Section 504 (U.S. Code, govinfo)
- 29 U.S.C. 794a, remedies and attorney's fees
- 45 CFR Part 84, HHS Section 504 rule
- 34 CFR Part 104, Education Department Section 504 rule
- 24 CFR Part 8, HUD Section 504 rule
- 28 CFR Part 42, Subpart G, Justice Department Section 504 rule

- 28 CFR Part 41, government-wide coordination standards
- 2 CFR 200.332, what a pass-through entity must tell a subrecipient
- HHS interim final rule extending the web dates, 91 FR 25496
- HHS final rule of November 3, 2026, 91 FR 69207
- HHS 2024 final rule, 89 FR 40066
- Office of Legal Counsel opinion, June 18, 2026

ADA Access for All (Guillaume & Co. LLC) performs the ADA and Section 504 program function for organizations. Principal Marc Guillaume holds the ADA Coordinator Certification (ADACC) from the University of Missouri, is a DHS Trusted Tester and served as a Disability Service Facilitator for New York City Public Schools. More material: adaaccessforall.com/resources · info@adaaccessforall.com