



Key 504 Terms

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Terms and Concepts

Term	Definition	Application
Accessible	<p>For a facility or portion of a facility other than an individual dwelling unit, means that when designed, constructed, or altered, it can be approached, entered, or used by individuals with physical handicaps.</p> <p>For an individual dwelling unit, means that the unit is on an accessible route and when designed, constructed, altered or adapted can be approached, entered and used by individuals with physical handicaps.</p>	<p>Accessibility varies according to specific disabilities. Recipients should consult the applicable accessibility standards (e.g., UFAS) to determine whether a facility, site or dwelling unit is accessible.</p>
Adaptability	<p>The ability of certain elements of a dwelling unit, such as kitchen counters, sinks, and grab bars to be added, raised, lowered, or otherwise altered to accommodate the needs of persons with different types or varying degrees of disability.</p>	<p>In a dwelling unit made adaptable for persons with hearing impairment, wiring for visible emergency alarms may be installed. Alarms need not be installed until the unit is made ready for occupancy by a person with a hearing impairment.</p>
Auxiliary Aids	<p>Services or devices that allow persons with sensory, manual, or speaking skills to have an equal opportunity to participate in and enjoy the benefits of any program or activities receiving federal financial assistance.</p>	<p>Auxiliary aids for person with impaired vision may include readers, Brailled materials, "seeing eye" dogs, and audio recordings. Auxiliary devices for persons with impaired hearing may include telephone handset amplifiers, telecommunication devices for the deaf (TDD), interpreters, note-takers, written material, and other similar services and devices.</p>

Concept	Description	Example
To the maximum extent feasible	Recipients must take any action to accommodate individuals with disabilities unless the action poses and undue financial and administrative burden.	Accessible units may be provided on the ground level if putting them on other levels would require installation of an elevator.
Undue financial and administrative burden	Undue burden is determined by taking into account the size and budget of the program, the type of the recipient's operation, and the nature of the accommodation needed.	Larger agencies or programs can be expected to make more extensive efforts than smaller ones.
Most integrated setting appropriate	Programs or services for individuals with handicaps should not be unduly segregated.	Accessible units should be distributed throughout a project or site. If a program provides benefits at more than one site, accessible unit should not be confined to just one site.
Equally effective	Programs or services are not required to provide identical results, but must provide equal opportunity to obtain the same result, gain the same benefit, or reach the same level of achievement.	An employee who has disabilities may or may not achieve the same level of responsibility as another employee with comparable credentials, but he or she must be guaranteed equal opportunity, through reasonable accommodation, to attain that position.

Term	Definition	Application
Qualified individual with handicaps	This term includes: <ul style="list-style-type: none"> • Individuals who, with reasonable accommodation, can perform the essential functions of a job; • Persons who meet the essential eligibility requirements of a program and whose participation does not require a fundamental alteration in the nature of the program. 	Eligibility requirements include both explicit and implicit requirements. An individual may be qualified for a program that provides necessary supportive services, and yet not be qualified for a similar program that does not provide those services.
Program or activity	This term refers to all the operations of: <ul style="list-style-type: none"> • Any state or local government entity that receives or distributes federal financial assistance; • Any educational entity that receives federal assistance; • An entire corporation or other organization which, as a whole, receives assistance, or which is principally engaged in providing education, health care, housing, social services, or parks and recreation; • The entire geographically separate facility of other organizations receiving federal financial assistance. 	Key points of application are that: <ul style="list-style-type: none"> • The term applies to the entire operations of the organization, not just to certain program aspects; • Programs not specifically directed toward individuals with handicaps are also covered by Section 504; • Any organization, whether large or small, public or private, is governed by 504 if the entity receives or administers federal financial assistance.
Recipient	The term 'recipient' refers to public or private organizations or instrumentalities charged with administering benefits provided by a federally assisted program. The ultimate beneficiaries of federally assisted programs, whether individuals or organizations, are not considered recipients for the purposes of the regulation.	Any person or organization who merely receives housing assistance payments from a recipient on behalf of an eligible facility is not considered a recipient.

General Requirements

- A self-evaluation must be completed by July 10, 1989.
- In preparation of the self-evaluation, the recipient must consult with individuals with handicaps or organizations representing them.
- Recipients with 15 or more employees must keep on file for at least three years:
 - A list of interested persons consulted;
 - A description of areas examined and any problems identified; and
 - A description of modifications made remedial steps taken.

Elements

- Evaluation of current policies and practices relative to the 504 regulations.
- Modification of any policies and practices that do not meet the 504 requirements.
- Corrective action to remedy any discrimination found.

Areas to be Evaluated

- Buildings or facilities for physical accessibility.
- Program outreach and communication.
- Eligibility and admission criteria and practice.
- Distribution and occupancy policy and practice.
- Percentage of accessible units.
- Employment (including pre-employment).
- Complaint processing procedures.

General Requirements

- A transition plan is mandatory if structural changes to facilities are need to achieve program accessibility.
- The plan must be developed with the assistance of individuals with handicaps or organizations representing them.
- A copy of the plan must be made available for public inspection.

Contents of the Plan

- Identification of the physical obstacles that limit accessibility.
- Detailed description of methods that will be used to make facilities accessible.
- Schedule for each step of the process, including year-by-year milestones if more than one year is required.
- Name of the official responsible for implementation of the plan.
- Names of persons or groups who assisted with the plan.

General Considerations

- An individual with handicaps is considered "qualified" for a housing program if he or she meets the basic eligibility requirements for all participants in that program.
- A recipient is not required to provide supportive services such as counseling or medical services that fall outside the scope of the housing program.
- Recipients need not take actions that change the fundamental nature of the program or result in undue financial and administrative burdens.

Specific Issues

- A recipient should not attempt to assess whether an applicant is capable of 'independent living,' but only when the applicant meets essential eligibility requirements.
- If an applicant requires supportive services but does not ask the recipient to provide them, the need for supportive services should not be considered a factor in determining eligibility.
- If provision of supportive services is a part of the housing program, these services should be provided in a nondiscriminatory fashion.