

## Disability Discrimination: Overview of the Laws

OCR enforces two laws that prohibit discrimination based on disability. Section 504 of the Rehabilitation Act of 1973 prohibits discrimination based on disability in programs or activities receiving federal financial assistance. The U.S. Department of Education gives grants of financial assistance to schools and colleges and to certain other entities, including vocational rehabilitation programs. The U.S. Department of Education's Section 504 regulation is enforced by OCR and is in the federal code of regulations at [34 CFR 104](#).

Title II of the Americans with Disabilities Act of 1990 prohibits discrimination based on disability in public entities. OCR is the agency designated by the U.S. Department of Justice to enforce the regulation under Title II with respect to public educational entities and npublic libraries. The Title II regulation is in the federal code of regulations at [28 CFR 35](#).

Examples of the types of discrimination prohibited include access to educational programs and facilities, denial of a free appropriate public education for elementary and secondary students, and academic adjustments in higher education. Section 504 and Title II also prohibit employment discrimination; complainants may choose whether to pursue such complaints with OCR or with the [Equal Employment Opportunity Commission](#).

Section 504 and Title II both prohibit retaliation for filing an OCR complaint or for advocating for a right protected by the two laws, and harassment of students or others because of a disability.