

The State of Florida as a recipient of federal funds through the Community Development Block Grant (CDBG) program is required under federal law to comply with Civil Rights, which includes Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990. Local governments as sub recipients of CDBG funds also comply with these federal requirements. .

Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794 § 504) is a federal civil rights law that prohibits discrimination against individuals on the basis of disabilities and guarantees access to federally funded programs. The law defines an individual with a disability as one with a physical or mental impairment that substantially limits one or more major life activities. Section 504 makes it unlawful to discriminate based on disability in federally assisted programs. This section provides that no otherwise qualified individual shall, solely by reason of his or her disability, be excluded from participation (including employment), denied program benefits, or subjected to discrimination under any program or activity receiving Federal funding assistance. Section 504 also contains design and construction accessibility provisions for making buildings handicap accessible.

The Americans with Disabilities Act of 1990 modifies and expands the Rehabilitation Act of 1973 **to prohibit discrimination against “a qualified individual with a disability” in employment and public accommodations.** The ADA requires that an individual with a physical or mental impairment who is otherwise qualified to perform the essential functions of a job, with or without reasonable accommodation, be afforded equal employment opportunity in all phases of employment .

Under Florida’s CDBG program local governments that receive CDBG funding must adopt and implement a local Section 504 Handicap Accessibility policy. The policy describes how the local government will ensure that individuals with handicaps are not discriminated against. It also requires local governments to assess the extent to which public buildings are handicap accessible. For buildings that have handicap accessible deficiencies, the local government is required to develop a plan for correcting the deficiency. This plan is called the Transition Plan and is an appendix to the 504 Policy.

The County has recently completed its Transition Plan and now needs to adopt the 504 Policy. A recent monitoring visit by the CDBG program staff from the Department of Economic Opportunity (DEO) (formally the Florida Department of Community Affairs), found that although the transition plan had been developed, the County still needed to adopt a 504 Policy. A copy of the adopted 504 policy will need to be transmitted to DEO for their review and approval.