

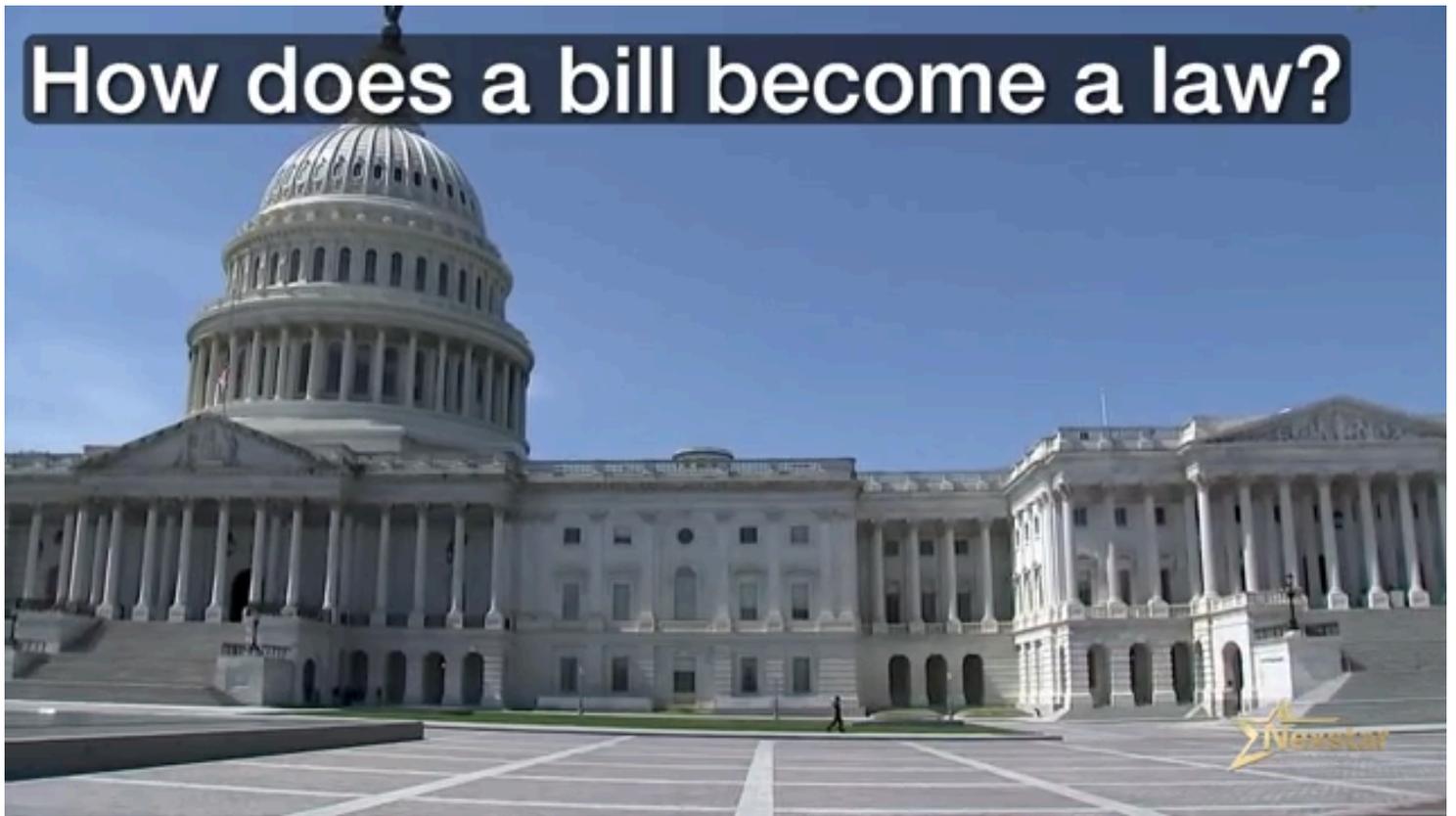
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STATE NEWS

Attorney General Tim Griffin clarifies Arkansas' stance on lawsuit against Section 504 rule

by: [Gabriella Phelan](#)

Posted: Feb 17, 2025 / 11:06 AM CST

Updated: Feb 17, 2025 / 11:06 AM CST

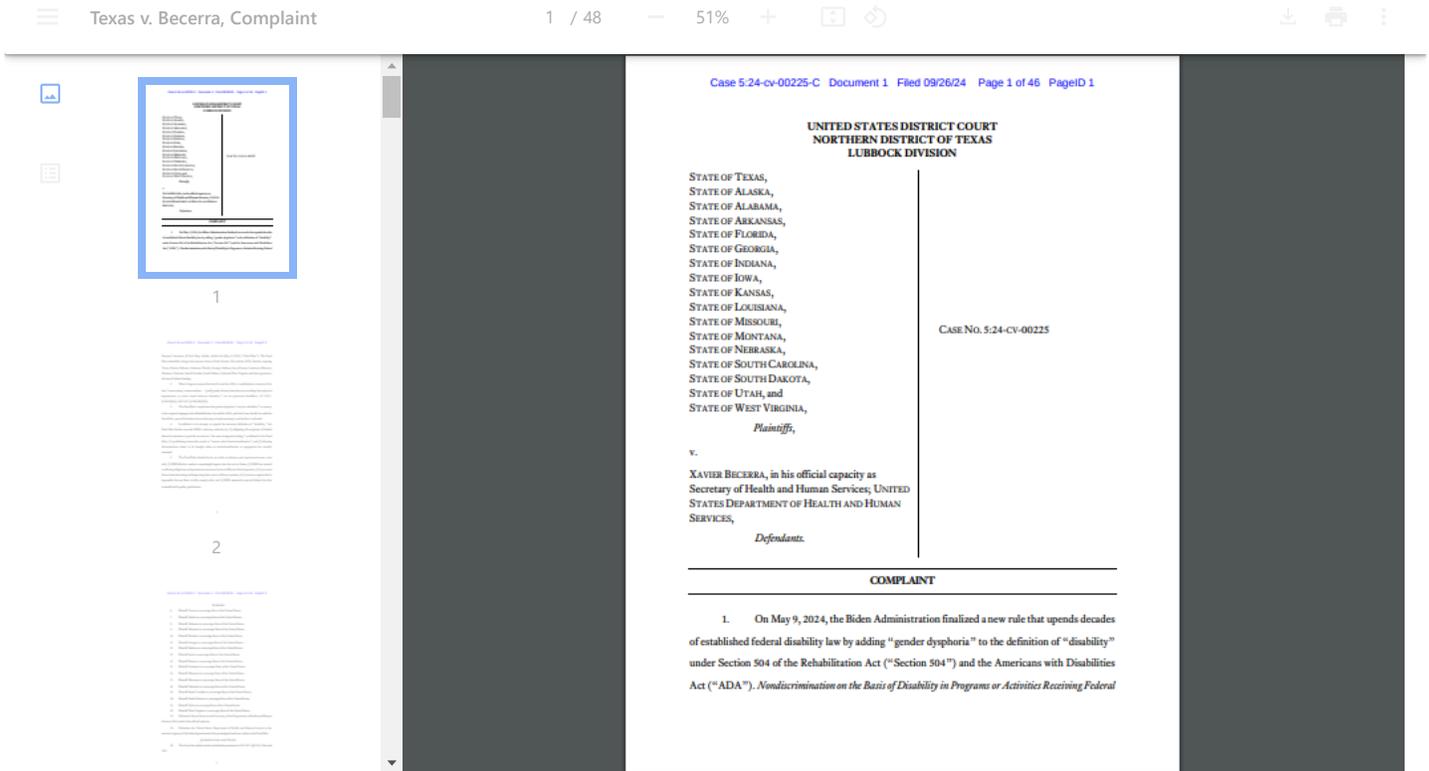
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FAYETTEVILLE, Ark. (KNWA/KFTA) — After joining sixteen other states in a lawsuit related to Section 504 of the Rehabilitation Act of 1973, Arkansas Attorney General Tim Griffin is clarifying the state's stance on the issue.

[Section 504 of the Rehabilitation Act of 1973](#) is a national law that protects qualified individuals from discrimination based on their disability. It also requires employers to reasonably accommodate those with disabilities.

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However, concerns are rising that the lawsuit would declare Section 504 unconstitutional, effectively removing protections from those with disabilities.



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In the 'Demand For Relief' section of the lawsuit, it says that:

“Plaintiffs respectfully request that the Court:

- a. Issue permanent injunctive relief against Defendants enjoining them from enforcing the Final Rule;
- b. Declare that the Final Rule violates the Administrative Procedure Act;
- c. Hold unlawful and set aside (i.e., vacate) the Final Rule;
- d. Declare Section 504, 29 U.S.C. § 794, unconstitutional;
- e. Issue permanent injunctive relief against Defendants enjoining them from enforcing Section 504;
- f. Award attorneys’ fees and costs incurred in this action to Plaintiffs;
- g. Issue any and all other relief to Plaintiffs the Court deems just and proper.”

AG Griffin says this is not the case.

According to a statement from the Attorney General’s office, the decision to join the lawsuit came after “the Biden administration’s Department of Health and Human Services issues a rule that, contrary to federal law, includes ‘gender dysphoria’ as a disability under HHS regulations.”

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In an interview with KNMA (FOX 4), Griffin said Section 504 prohibits discrimination against individuals with disabilities in federally funded...

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“The rule’s gender mandate could require schools, universities, to allow boys to use girls’ bathrooms and showers, even boys to live in girls’ dormitories. If states do not comply or did not comply with the Biden rule, then the administration would jeopardize the federal funding that we get. So, we filed suit to block the addition of the gender dysphoria component,” Griffin said.

Griffin affirmed multiple times that the lawsuit does not aim to rid of Section 504 entirely.

“The lawsuit does not seek to end Section 504 outright. In fact, it’s been on the books for 52 years. No one has tried to sue over that for 52 years. This is about what the Biden administration did,” Griffin said. “So, part of the confusion is what happens if we win? The regulations just go back to the way they were before the Biden administration added gender dysphoria.”

Currently, the lawsuit has been put on a stay while the Trump administration reconsiders the rule. Griffin says he feels confident that “it’s going to go back to the way it was.”

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